

No. 67.

New Zealand, No. 16.

SIR,—

Government House, Wellington, 26th January, 1912.

With reference to my telegram of the 29th October, and to your despatches, Nos. 351, of the 13th October, and 364, of the 19th October, on the subject of the New Zealand Patents, Designs, and Trade-marks Act, 1911, I have the honour to transmit to you the accompanying copy of a memorandum, received by me on the 20th January, 1912, from the Minister of Justice, giving particulars of the manner in which the Act has been amended.

I also beg to transmit to you the accompanying copies of the Act.

I have, &amp;c.,

ISLINGTON,

Governor.

The Right Hon. Lewis V. Harcourt, P.C., &c.,  
Secretary of State for the Colonies.

## Enclosure.

Department of Justice, Wellington, 6th December, 1911.

Memorandum for the Right Hon. the Prime Minister.

THE Minister of Justice has the honour to return herewith Colonial Office despatches Nos. 351 and 364, with reference to the New Zealand Patents, Designs, and Trade-marks Act.

The Minister recommends that His Excellency the Governor be advised to inform the Secretary of State for the Colonies that the Act as passed is—

(1.) In accordance with the Australian Commonwealth Act as regards section 29, except that the New Zealand Act enables only the Attorney-General or any person with the leave of the Attorney-General to take action in cases where the patent is not worked in New Zealand; and

(2.) In conformity with the English Act in respect of section 40, which provides for the avoidance of certain conditions attached to the sale, &c., of patented articles.

Two copies of the Act are forwarded herewith for transmission to the Colonial Office.

J. G. FINDLAY.

No. 68.

New Zealand, No. 19.

SIR,—

Government House, Wellington, 8th February, 1912.

With reference to your despatch, No. 327, of the 15th September last, on the subject of the Treaty of Arbitration with the United States of America, I have the honour to inform you that my Ministers observe with pleasure that His Majesty's Government have reserved the right, before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the Empire, to obtain the concurrence of the Government of that dominion.

2. In the opinion of my Ministers the treaty is very wide in its scope, but they assume that Article 1 will not have the effect of reopening questions that were barred by the Convention of 1853.

3. My Ministers add that His Majesty's Government is, of course, aware that the Convention referred to is relied on as a defence to the Webster claims.

4. A copy of my Prime Minister's memorandum on the subject is transmitted herewith.

I have, &amp;c.,

ISLINGTON,

Governor

The Right Hon. Lewis V. Harcourt, P.C., &c.,  
Secretary of State for the Colonies.

## Enclosure.

Prime Minister's Office, Wellington, 6th February, 1912.

THE Prime Minister presents his compliments to His Excellency, and with respect to the Arbitration Treaty between His Majesty's Government and the United States of America, transmitted by the Secretary of State in his despatch, No. 327, of the 15th September, 1911, desires His Excellency to inform the Secretary of State that His Excellency's Ministers observe with pleasure that His Majesty's Government have reserved the right, before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the British Empire, to obtain the concurrence of the Government of that dominion.

The treaty is very wide in its scope, but His Excellency's Ministers assume that Article 1 will not have the effect of reopening questions that were barred by the Convention of 1853.

His Majesty's Government is, of course, aware that the Convention referred to is relied on as a defence to the Webster claims.

His Excellency is respectfully requested to draw the attention of the Secretary of State to this point.

J. G. WARD.