

appear the peculiar position of the Colony with regard to the Vice-Admiralty jurisdiction, and the inconvenience resulting therefrom. Ministers also enclose a Memorandum by Mr. Justice Johnston, the senior Puisne Judge of the Supreme Court of New Zealand.

Ministers respectfully request that your Excellency will submit to the Secretary of State for the Colonies, that, if an alteration of the law cannot at once be obtained from the Imperial Legislature, the Lords Commissioners of the Admiralty should be moved to grant a Commission to each Judge of the Supreme Court in New Zealand as Commissary or Judge of the Vice-Admiralty Court, and that such of the Registrars of the Supreme Court and Sheriffs as are appointed to act at places where there is a Resident Judge, should be respectively appointed Registrar and Marshal of the Vice-Admiralty Court.

In order that the Lords Commissioners may be able to receive the information necessary in making such appointments, should the course above suggested be approved of, Ministers enclose a table marked A, showing the names in full of the Judges of the Supreme Court, and of the Registrar of the Supreme Court and Sheriff appointed to act at the place where such Judges reside. Ministers, however, respectfully request that your Excellency will point out that as changes may at any time occur in the persons occupying the office of Sheriff and Registrar of Supreme Courts, it is desirable that the power to appoint to such offices should be vested in some person in authority here.

E. W. STAFFORD.

Sub-Enclosure 1 to Enclosure in No. 34.

EXTRACT from the JOURNALS of the House of Representatives.

Thursday, the 19th day of July, 1866.

Resolved, That, in the opinion of this House, the absence of an efficient machinery for the administration of the jurisdiction of the Court of Vice-Admiralty, in the several Provinces of New Zealand, is a source of great inconvenience and injury to Her Majesty's subjects within this Colony. That the Government be requested to take, with as little delay as possible, such steps as will enable the Judges of the Supreme Court, within each Province, to exercise such jurisdiction.

F. E. CAMPBELL,

Clerk to the House of Representatives.

Sub-Enclosure 2 to Enclosure in No. 34.

The Hon. the ATTORNEY-GENERAL to the Hon. the COLONIAL SECRETARY.

I THINK that the step that should be taken is to bring to the attention of the Secretary of the Colonies the Resolution of the House, and the necessity there is for the establishment of a Vice-Admiralty Court in various parts of the Colony, arising from the great distances of the several ports from each other, and the unfrequent communication between the various parts of the Colony. His attention should also be drawn to the peculiar constitution of the Supreme Court in New Zealand, and the Secretary for the Colonies should be requested to procure appointments to be made of each Judge of the Supreme Court in New Zealand, as Judge of the Vice-Admiralty Court, as the simplest remedy for the inconvenience at present existing. I have made such remarks on the subject in the annexed Memorandum, as will, I think, serve to inform the Secretary for the Colonies sufficiently of the peculiar position of this country with regard to Vice-Admiralty jurisdiction, the inconvenience resulting therefrom, and the remedy which may be readily afforded. I would suggest that the Secretary for the Colonies should be asked for copies of any Orders in Council made under the fourteenth section of "The Vice-Admiralty Act, 1863."

The names in full of each Judge of the Supreme Court should be forwarded, and of each of the Registrars and Sheriffs at Wellington, Christchurch, Dunedin, and Nelson, in order that if no amendment of "The Vice-Admiralty Act, 1863," can be made, these persons may respectively be appointed Judges, Registrars, and Marshals of the Vice-Admiralty Court. Copies of Mr. Justice Johnston's remarks on this subject should, also I think, be forwarded. The Chief Justice holds the appointment already.

23rd April, 1863.

JAMES PRENDERGAST.

MEMORANDUM ON VICE-ADMIRALTY JURISDICTION IN NEW ZEALAND.

BESIDES the several new ports which have been opened on the West Coast of the Middle Island since the discovery of gold there has attracted so many persons from other parts of the Colony, and from the neighbouring Colonies, and in addition to several other ports of less importance, there are five ports each having considerable trade with Great Britain and the neighbouring Colonies, the United States, and other foreign countries. Each of these ports is situate in a different Province of the Colony, at considerable distance from the others, and having at present very unfrequent communication with each other and other parts of the Colony.

The chief towns of the Provinces are either the port towns, or are very near the ports; and at each of those chief towns there is a Resident Judge of the Supreme Court.

"The Supreme Court Judges Act, 1858," provides that the Supreme Court shall consist of a Chief Justice and such other Judges as may be appointed. The Supreme Court of New Zealand is constituted under "The Supreme Court Act, 1860." By that Act (section fourteenth) the Governor in Council is empowered to divide the Colony into Judicial Districts, and (by section fifteenth) to assign every such district to a Judge or Judges of the Court. Each Judge, by this Act, has within his Judicial District not only the powers and jurisdiction of a Judge, but also the same powers and jurisdiction as is given to the "Court." The Colony has been divided into five Judicial Districts; and to each Judge has been assigned a district; each Judge in his Judicial District sits in the full Court