

1886.
NEW ZEALAND.

DESPATCHES

FROM THE SECRETARY OF STATE TO THE GOVERNOR OF NEW ZEALAND.

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

(New Zealand, General.)

SIR,—

Downing Street, 22nd July, 1885.

I have the honour to transmit to you, for the information of your Government, a copy of a letter from the Foreign Office notifying the adhesion of Tunis to the International Telegraph Convention.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Foreign Office, 17th July, 1885.

Article XVIII. of the International Telegraph Convention requires that adhesions to that Convention should be notified to the signatory Powers by the country in which the last Conference was held; and this duty therefore at present devolves upon Great Britain.

As New Zealand, South Australia, Victoria, the Cape of Good Hope, Natal, and New South Wales are parties to this Convention, I am directed by the Marquis of Salisbury to request you to move the Secretary of State for the Colonies to cause the Governors of those colonies to be informed that a notification has been received from the Government of the French Republic of the adhesion of Tunis to the International Telegraph Convention, such adhesion to date from the 1st July, 1885.

I am further to request that the following particulars of the accession may be stated at the same time: (1.) Tunis will rank in the fifth class of States contributing, under Article LXXVI. of the Convention, to the expenses of the International Telegraph Office. (2.) The franc is the only money used in the regency for telegraphic operations. (3.) The terminal rate for Tunis is at the present time included in the rates of the cables between France and the coast of Africa. Tunis not being as yet connected with any other system, there is no present occasion to consider the question of transit rates. (4.) Tunis will be included amongst the countries to which the European regulations apply.

I have, &c.,

The Under-Secretary of State, Colonial Office.

J. PAUNCEFOTE.

No. 2.

(New Zealand, General.)

SIR,—

Downing Street, 28th July, 1885.

I have the honour to transmit to you, for the information of your Government, a copy of a letter from the Foreign Office formally notifying the adhesion of the Colony of Tasmania to the International Telegraph Convention.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

1—A. 2.

Enclosure.

SIR,—

Foreign Office, 21st July, 1885.

Article XVIII. of the International Telegraph Convention requires that adhesions to that Convention should be notified to the signatory Powers by the country in which the last conference was held; and this duty therefore at present devolves upon Great Britain.

As New Zealand, South Australia, Victoria, the Cape of Good Hope, Natal, and New South Wales are parties to this Convention, I am directed by the Marquis of Salisbury to request you to move Her Majesty's Secretary of State for the Colonies to cause the Governors of those colonies to be informed that the Colony of Tasmania has given its adhesion to the International Telegraph Convention, such adhesion to date from the 8th of July, 1885.

I am at the same time to request that it may be further stated that the Colony of Tasmania will rank in the fourth class of States contributing, under Article LXXVI. of the Convention, to the expenses of the International Telegraph Office, the value of the franc being given as 10d.

I have, &c.,

The Under-Secretary of State, Colonial Office.

PHILIP W. CURRIE.

No. 3.

(New Zealand, No. 49.)

SIR,—

Downing Street, 4th August, 1885.

I have the honour to enclose for your information, and for communication to your Government, copy of a despatch which I have addressed to the Governor of New South Wales, together with copies of the two telegrams referred to in that despatch.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure 1.

MY LORD,—

Downing Street, 4th August, 1885.

Referring to your telegram of the 4th ultimo, on the subject of the mail service, and to my reply of the 23rd ultimo, I have the honour to inform you that Her Majesty's Government will immediately give notice to the Peninsular and Oriental Steamship Company to discontinue the present service at the conclusion of their contract, and are preparing to call for tenders for the services to India and China.

The tenders are to be sent in by the 31st of March, 1886.

I would remind you that on the last occasion it was made a subject of complaint that the Peninsular and Oriental Company, having already obtained the Imperial contract, were enabled to place the colonies at a disadvantage in negotiating their contracts; and I give you this early information of the proceedings of Her Majesty's Government in order to obviate any similar cause of complaint on this occasion; and I would point out that it may be of advantage to the colonies to arrange that the tenders for their services should be sent in not later than the date fixed by the Home Government for sending in the tenders for the India and China services.

I have, &c.,

FRED. STANLEY.

Governor the Right Hon. Lord Augustus W. F. S. Loftus, G.C.B., &c.

Enclosure 2.

TELEGRAM from GOVERNOR of NEW SOUTH WALES to COLONIAL OFFICE, dated 4th July, 1885.

THIS Government propose to ask Parliament for extension of present contract with Orient Company, to terminate, concurrently with Victorian contract with P. and O., in January, 1888. Negotiations with Victoria opened suggesting joint contract with both companies for weekly mail on similar basis as existing contract between this Government and Orient Company, such contract for nine or ten years, periodical review every three years as to delivery, time of mails, that all Australian Colonies might join.

GOVERNOR.

Enclosure 3.

TELEGRAM from the SECRETARY of STATE for the COLONIES to the GOVERNOR of NEW SOUTH WALES, dated 23rd July, 1885.

REFERRING to your telegram of 4th July, it is understood that Colonial Governments propose to arrange for mails to point on China line. If so, you may consider that Her Majesty's Government withdraw from proposal contained in my telegram of February 3 for single contract entire service. Inform Australian Governments despatch follows by mail as to calling for tenders simultaneously.

No. 4.

(New Zealand, No. 50.)

SIR,—

Downing Street, 10th August, 1885.

I have received and laid before the Queen your Despatch No. 82, of the 20th of June, transmitting an address to yourself from the House of Representatives, with one to the Queen, respectfully congratulating Her Majesty on the steps recently taken by New South Wales and other colonies with the view of aiding or tendering effectual aid to the Empire at a time of temporary difficulty.

I am commanded to request that you will inform the House of Representatives that the Queen has been much pleased with the loyal terms of their address, and that Her Majesty has been particularly gratified at the readiness which it evinces on behalf of the people of New Zealand, of all races, to assist the Empire in case of need.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 5.

(New Zealand, No. 53.)

SIR,—

Downing Street, 14th August, 1885.

You will have learnt by telegraph that the Act for constituting a Federal Council of Australasia has been passed by both Houses of Parliament, and has received the Queen's assent. This measure had passed the House of Lords, and was awaiting its second reading in the House of Commons, when Her Majesty's present Advisers assumed office; and they lost no time in considering its provisions, and the various suggestions which had been made for its amendment. I have had the advantage of frequent and full communications with the Agents-General, who clearly explained to me the views and wishes of their respective Governments.

2. I had no difficulty in deciding that, amid the pressure of other business demanding attention at a late period of the session, there could be little or no prospect of such full discussion of the measure as would be necessary in order to do justice to, and in some measure to reconcile, the divergent opinions which some of the Colonial Governments had presented for consideration, especially as the questions raised were such as would have required more complete explanations than could be obtained by telegraph. I concluded, therefore, after careful examination of the amendments which had been placed before me, that, with one exception, to which I will presently refer, it was my duty not to propose or assent to any amendment of the Bill. Beyond adding the 31st clause, my predecessor had adhered as closely as possible to the draft prepared by the Convention at Sydney, where all the colonies were very efficiently represented; and it would have been inexpedient to make any avoidable alterations in that draft, unless such alterations could be previously considered by the same or a similar Convention.

3. The Act has accordingly been passed without any amendment in either House of Parliament beyond the omission of the last eleven words of the 31st clause. These words were not in the draft of the Bill as it was sent out to the Colonial Governments for their consideration in my predecessor's despatch of the 11th December last. He caused them to be added because, if the principle of the 31st clause were to be accepted, it was desirable that a colony, having ceased to be represented in the Federal Council, should have the power of freeing itself from the operation within its borders of any legislation which under altered circumstances might have ceased to be applicable or desirable. But my predecessor had, as I understand, in compliance with the representations of the four Colonial Governments which were most desirous to see the Council constituted, agreed to omit the words in question; and I concurred in the opinion that an addition made after the colonies had been formally consulted should not, however desirable in itself, be retained in the Bill in opposition to those representations.

4. With regard to the principle of the 31st clause there has been more discussion than on any other detail of the Act.

I fully agree that, if this measure had been intended, or could operate, to effect an actual confederation or union of any four or more colonies, it would have been undesirable to introduce into it any provision facilitating, or perhaps even suggesting, the disruption of such union; but, as the Colonial Constitutions remain unaffected, securing to each colony that self-government which it now enjoys independently of the other colonies, and as at any time it may become the wish of the majority of the colonies who have joined the Council to apply to themselves, through its agency, some legislation which may not be applicable or acceptable or one or more of their number, it appears reasonable that there should be left open a mode of retiring from the Council. I am happy to say that this view ultimately commended itself to the Governments of the four colonies which now desire the establishment of the Federal Council, and that, in order to remove the objections of the Government of New South Wales, they consented to the retention of the clause.

5. I need not say that I have given my full and anxious consideration to the objections expressed by the Government of New South Wales, and to the suggestions which they made for the amendment of the Bill in order to obviate those objections. They desired to amend the Bill so as to establish, although in a different way, the principle for which the Government of New Zealand had previously contended—namely, that the legislation of the Council should not be operative in, or in respect to, any colony without the express consent in each case of the Legislature of such colony. The Government of New Zealand had proposed that the legislation of the Federal Council should in each case be subsequently adopted by the Legislature of a colony before it could become operative therein; while the Government of New South Wales desired that the Council should not proceed to deal with many subjects unless the Legislatures of all the colonies represented in the Council had previously concurred in referring those matters to it.

6. I could not, as I have explained, adopt the amendments proposed on the part of New South Wales; but, believing as I do that it is of the greatest importance to Imperial as well as colonial interests that the Federal Council should have the cordial and active co-operation of both New South Wales and New Zealand, I sincerely trust that the Governments of those colonies will, after further examination of the question, be satisfied that there is no practical impediment in the way of their taking part in the Council.

7. The Federal Council will be of no less value as a deliberative than as a legislative body. Referring to the first of the subjects specified in section 15 of the Act, it is, I think, agreed that at no previous time have the interests of Great Britain and her colonies in the Pacific been of greater or of more pressing importance than at this moment; and, as the colonies have strongly urged, those interests cannot fail to be permanently affected by the policy and action of the present time. It must be probable that the consideration of the relations of this country and the colonies with the islands of the Pacific will be among the first subjects to which the Council, when constituted, will address itself. Her Majesty's Government would of course give their best attention to the separate recommendations of New Zealand or New South Wales on such a subject; but it is obvious, as my predecessor insisted with much force, that if the colonies, not having consulted and acted together, do not unite in their recommendations, the power of Her Majesty's Government to advance British interests must be greatly diminished.

8. There appears, however, to be no reason why any colony should apprehend that it would imperil to any material extent the independent action of its Legislature by consenting to be represented in the Federal Council. It is to be anticipated that there will be cases in which the subject of legislation or discussion in the Council may be of importance to some only of the colonies; as, for instance, if the matter should be one concerning those colonies only which have territory within the tropics, or one concerning those colonies only which are conterminous on the mainland of Australia. In such cases a colony not interested in, or objecting to, such discussion could direct its representatives to take no part in it; or, if the legislation adopted at the instance of some colonies should be inapplicable or objectionable to others, a provision could be enacted in the Act of

Council indicating that it applies only to certain specified colonies. And the Governor could be instructed, under the 17th section of "The Federal Council of Australasia Act, 1885," not to assent to any Act of Council to which the representatives of any colony or colonies had formally objected, unless it contains such a provision.

9. While, therefore, I should be unwilling to press any colony to join the Council unless and until it is satisfied that this course will be advantageous, I trust that it may be found practicable to arrange for the representation therein of New South Wales and New Zealand; and I will only add that I have had much satisfaction in assisting to pass a measure which, although in its present shape it is tentative and capable of improvement and development, may, if judiciously used, be of much value to the Australasian Colonies and to British interests generally.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 6.

(New Zealand, General.)

SIR,—

Downing Street, 11th August, 1885.

I have the honour to transmit to you, for the information of your Government, a copy of a letter from the Foreign Office formally notifying the adhesion of the French Colony of Senegal to the International Telegraph Convention.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Foreign Office, 5th August, 1885.

Article XVIII. of the International Telegraph Convention requires that adhesions to that Convention should be notified to the signatory powers by the country in which the last Conference was held; and this duty therefore at present devolves upon Great Britain.

As New Zealand, South Australia, Victoria, the Cape of Good Hope, Natal, New South Wales, and Tasmania are parties to this Convention, I am directed by the Marquis of Salisbury to request you to move the Secretary of State for the Colonies to cause the Governors of those colonies to be informed that the President of the French Republic has notified the adhesion of the French Colony of Senegal to the International Telegraph Convention, such adhesion to date from 1st July, 1885.

I am to request, further, that the following particulars of the accession may be stated at the same time: (1.) Senegal will rank in the fifth class of States contributing, under Article LXXVI. of the Convention, to the expenses of the International Telegraph Office. (2.) The franc is the only money used in Senegal. (3.) The terminal rate for Senegal is at the present time included in the rate of the cable from Teneriffe to Senegal, and this rate has been already notified by the International Telegraph Office. Senegal not being as yet connected with any other cable system, there is no present occasion to consider the question of transit rates. (4.) Senegal will be included amongst the countries to which the European regulations apply.

I have, &c.,

The Under-Secretary of State, Colonial Office.

T. V. LISTER.

No. 7.

(New Zealand, No. 54.)

SIR,—

Downing Street, 17th August, 1885.

I have the honour to acknowledge the receipt of your Despatch No. 83, of the 20th June, transmitting copies of the Financial Statement made the preceding evening by the Colonial Treasurer in the House of Representatives in Committee of Supply.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 8.

(New Zealand, No. 55.)

SIR,—

Downing Street, 18th August, 1885.

A.-1A, 1885,
No. 57.

With reference to your Despatch No. 81, of the 20th of June last, I have the honour to transmit to you a copy of a letter from the War Office relating to the application for a gratuity from James Farrell, late gunner in the Royal Artillery. In acquainting Farrell with the result of his application I have to request that you will return to him the parchment certificate which accompanied it, and which is enclosed.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Financial Secretary's Department, War Office, 11th August, 1885.

I am directed by the Secretary of State for War to acknowledge the receipt of your letter of the 31st ultimo, transmitting a copy of a despatch from the Governor of New Zealand, together with the parchment certificate of discharge of Gunner James Farrell, Royal Artillery, in support of a claim made by that man for settling in the colony. In reply I am to acquaint you, for the information of Sir W. Jervois, that, as the man re-engaged to complete twenty-one years' service after the 27th December, 1870, he is not entitled to any gratuity. Enclosures returned.

I have, &c.,

The Under-Secretary of State, Colonial Office, S.W.

H. T. DE LA BERE.

No. 9.

(New Zealand, General.)

SIR,—

Downing Street, 26th August, 1885.

A.-1, 1884,
No. 16.

I have the honour to acknowledge the receipt of your Despatch No. 54, of the 8th August, 1884, suggesting the issue of an Order in Council, under section 104 of "The Patents, Designs, and Trade-marks Act, 1883," applying section 103 of that Act to the colony under your government.

In reply I have to state that Her Majesty's Government are not prepared to advise Her Majesty to issue an Order in Council applying section 103 of the Act to any colony unless the colonial law secures to a person who has applied for a patent or for registration of a design or trade-mark in the United Kingdom the same benefit in the colony—namely, the right to a patent or registration in priority to other applicants, if applied for within the prescribed period—as is secured in the United Kingdom by the 103rd section of the Act to a person who has applied for a patent or registration of a design or trade-mark in a colony to which the provisions of that section are applied by Order in Council; and that they are not satisfied that the laws of New Zealand fulfil that requirement. It will, no doubt, be necessary to call your attention, as well as that of the Governors of other colonies, to other alterations of the colonial laws which will be required if the colonies desire to join the International Convention for the Protection of Industrial Property, the nature and extent of which alterations are still under consideration; and I propose to address you on a future occasion in a despatch dealing comprehensively with the whole question.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 10.

(New Zealand, No. 56.)

SIR,—

Downing Street, 1st September, 1885.

A.-1A, 1885,
No. 62.
A.-1, 1885,
No. 33.

In reply to your Despatch No. 89, of the 18th of July, respecting a clerical error in Mr. Stout's memorandum of the 12th March last, I have the honour to acquaint you, for the information of your Government, that that memorandum

was presented to Parliament as originally received, in the Parliamentary Paper C.—4413, May, 1885, but that the correction has been made in the original copy.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 11.

(New Zealand, No. 57.)

SIR,—

Downing Street, 3rd September, 1885.

I have received and laid before the Queen your Despatch No. 84, of the 27th of June, transmitting an address to yourself from the Legislative Council, with one to the Queen, respectfully congratulating Her Majesty on the steps recently taken by New South Wales and other colonies with the view of aiding or tendering effectual aid to the Empire at a time of temporary difficulty.

I am commanded to request that the Legislative Council may be informed that the Queen has been much gratified with the loyal terms of their address, and that Her Majesty has noticed with pleasure the readiness which it evinces on behalf of the people of New Zealand, of all races, to assist in the defence of the Empire should occasion arise.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 12.

(New Zealand, No. 58.)

SIR,—

Downing Street, 10th September, 1885.

With reference to previous correspondence, I have the honour to transmit to you, for communication to your Government, a copy of a letter from the War Office, forwarding two sets of questions for the examination for commissions in the Imperial Army of candidates from the local Militia forces of New Zealand.

It will be observed that the answers of the candidates are to be sent Home to be reported on.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Military Education Division, War Office, 3rd September, 1885.

With reference to your letter of the 4th ultimo, and previous correspondence, I am directed to forward herewith twelve sets of questions for the examination for commissions in the Imperial army of candidates from the local Militia forces of the Colonies of Queensland, New South Wales Cape of Good Hope, New Zealand, South Australia, and Victoria, with a request that you will be so good as to transmit two sets to each of the respective Governors.

I am also to request that the answers of the candidates may be sent to this office to be reported on.

I have, &c.,

L. E. ORR, Lieut.-Colonel,
(for Director-General.)

The Under-Secretary of State, Colonial Office.

No. 13.

(New Zealand, No. 60.)

SIR,—

Downing Street, 21st September, 1885.

In reply to your Despatch No. 96, of the 1st ultimo, I have the honour to transmit to you, for communication to your Government, a copy of a despatch, dated the 20th July, 1862, and addressed by the Duke of Newcastle to Sir G. Grey, enclosing a letter from Mr. F. Fraser and the reply returned to it from this department, respecting the claims of the Native population of the Middle Island to aid from the funds of the colony in furtherance of certain objects.

This is, no doubt, the correspondence referred to in your despatch.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Downing Street, 20th July, 1862.

I beg to transmit for your information a copy of a letter which I have received from Mr. F. Fraser, in which he draws attention to the claims of the Native population inhabiting the Middle Island to receive aid from the funds of the colony in furtherance of certain objects.

I also annex a copy of the reply which has been returned to that communication.

Sir George Grey, &c.

I have, &c.,
NEWCASTLE.

Sub-Enclosure 1.

3, Upper Westbourne Terrace, Hyde Park, W., 1st July, 1862.

MY LORD DUKE,—

As a member of the House of Representatives of New Zealand, and as one of the Magistrates of that colony, I beg to lay before your Grace the particulars of a grievance much complained of by the loyal and peaceful Maori population of the Middle Island of New Zealand, especially those of the Province of Otago, in which last I have resided four years. The facts, so far as I have been able to ascertain them, are as follows:—

About twelve years ago the Middle Island of New Zealand was purchased from the Natives for, I believe, a very small sum by Mr. Mantell, acting in the name and on the behalf of the British Government. Mr. Mantell, as I am informed, undertook that the Natives, who had already received Christianity, should have the benefit of religious instruction and general education, as well as medical attendance, supplied to them.

The expectations thus generated have never been realized. This is the grievance to which I respectfully solicit your Grace's attention.

On the 13th June, 1861, Mr. Mantell became Minister in New Zealand for Native affairs. On the 2nd August, 1861, he was asked by myself in the House of Assembly to state when the Colonial Government intended to fulfil the undertaking to which I have referred. Mr. Mantell answered that on taking office he had come to an understanding that unless he should find himself empowered to carry out the engagement with the Maoris he should resign. This answer was considered satisfactory, and I communicated it to the Maoris in my district, who immediately set to work felling and sawing timber for the erection of churches, schoolrooms, &c. After the lapse of a few months they announced to me their preparations, but stated that they could not proceed further without pecuniary aid.

I would venture to submit to your Grace that the Maoris of the Middle Island are a deserving population, attached to the British Government, but painfully sensible of what they consider a breach of faith in the matter to which I have referred.

I have been informed that Mr. Mantell resigned his office last spring; but whether in consequence of any disappointment in obtaining what was promised for the benefit of the Maoris I have not had the means of ascertaining.

I have come Home on urgent private business, but I propose to return to New Zealand for the business of the next session.

His Grace the Duke of Newcastle, Her Majesty's
Secretary of State for the Colonies, &c.

I have, &c.,
F. FRASER.

The *New Zealander* of the 3rd August, 1861, has the following paragraph: "Captain Fraser's question as to what steps the Government intended to adopt towards ameliorating the condition of certain Natives of the Middle Island led to the acknowledgment by the House that great neglect had hitherto arisen in fulfilling promises made to this effect; and led also to a reply from the Native Minister expressive of his desire for a speedy performance of those promises."

Sub-Enclosure 2.

SIR,—

Downing Street, 12th July, 1862.

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 1st instant, in which you call attention to the delay which has occurred in the fulfilment of certain promises of aid which were made to the Natives inhabiting the Middle Island of New Zealand when their land was purchased from them by Mr. Mantell on behalf of the British Government.

I am to inform you in reply that a copy of your communication will be sent direct by the next mail to the Governor of New Zealand; and His Grace feels quite sure that any representation which you may make on the subject to Sir G. Grey on your return to the colony will receive full consideration. I am to add that the Duke of Newcastle is aware that Sir George Grey's attention has been drawn to the existence of claims of this kind, and that he is seeking a mode of satisfying such as are found to be reasonable.

F. Fraser, Esq.

I have, &c.,
F. ROGERS.

No. 14.

(Circular.)

SIR,—

Downing Street, 14th September, 1885.

With reference to my predecessor's circular despatch of the 27th June, 1884, I have the honour to transmit to you, for information and publication in the colony under your government, a copy of "The Submarine Telegraph Act, 1885" (48 and 49 Vict., c. 49).

The date for bringing the Act into force must depend on the day to be agreed on, in pursuance of Article XVI. of the Convention, in the Schedule, for bringing the Convention into force, which has not yet been fixed.

I have, &c.,

FRED. STANLEY.

The Officer Administering the Government of New Zealand.

Enclosure.

PUBLISHED in *New Zealand Gazette*, No. 71, 17th December, 1885.

No. 15.

(New Zealand, No. 61.)

SIR,—

Downing Street, 5th October, 1885.

I have the honour to acknowledge the receipt of your Despatch No. 97, of the 1st August last, enclosing copy of a letter addressed to you by the Defence Minister relating to the services performed by Major Cautley, R.E., in connection with the defences of New Zealand. I appreciate the services rendered to the colony by Major Cautley, and I have caused a copy of your despatch and its enclosure to be communicated to the Secretary of State for War.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 16.

(New Zealand, No. 62.)

SIR,—

Downing Street, 13th October, 1885.

I have the honour to transmit to you, for any observations which your Government may desire to offer, a copy of a letter from Lloyd's, representing that British marine insurance companies establishing branches in New Zealand for effecting marine insurances are compelled to pay a tax on capital, and to submit their accounts periodically for the inspection of the Colonial Government.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Lloyd's, E.C., 2nd October, 1885.

I am instructed by the Committee of Lloyd's to beg that you will be good enough to inform the Secretary of State for the Colonies that it has been brought under the notice of the Committee that British marine insurance companies who may wish to establish a branch in New Zealand for effecting marine insurances are compelled to pay a tax on capital, and are also under the legal necessity of submitting their accounts periodically for the inspection of the Government.

As it appears unjust that, when New Zealand companies are enabled to establish branches in this country for underwriting purposes without any tax being made upon their capital, the same facilities are not afforded to British marine insurance associations in New Zealand, I am to beg that you will be good enough to move the Secretary of State for the Colonies to allow such representations as Colonel Stanley may see fit to be made to the Government of New Zealand, with a view to this special tax being abandoned by the New Zealand Government.

I have, &c.,

JOHN B. WATSON,
(for the Secretary.)The Under-Secretary of State for the Colonies,
Colonial Office, S.W.

No. 17.

(New Zealand, No. 63.)

SIR,—

Downing Street, 21st October, 1885.

No. 12, *supra*.

With reference to my despatch of the 10th ultimo, and to previous correspondence respecting the granting of commissions in the Imperial army to candidates from local military forces, I have the honour to inform you that the Secretary of State for War has pointed out that it will be necessary for Governors of the respective colonies, in nominating candidates for commissions, to transmit in each case, with their recommendations, a birth certificate, as well as a certificate from a medical man (a military medical officer when practicable) stating that the candidate is in all respects fit for military service.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 18.

(New Zealand, No. 65.)

SIR,—

Downing Street, 22nd October, 1885.

With reference to your telegram of the 23rd ultimo, and to my reply of the 14th instant, I have the honour to transmit to you, for your information, a full copy of the telegram recently sent by the Admiralty to the Commander-in-Chief on the Australian Station, directing him to send a ship of war to Samoa.

I also enclose a copy of a letter from the Admiralty on the subject.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure 1.

COPY of TELEGRAM sent in Cipher to the BRITISH ADMIRAL at Sydney, New South Wales, on the 9th October, 1885.

SEND vessel to Samoa to report state of affairs, and to co-operate with commander of German ship of war there. Must not interfere in politics, or assert British authority beyond protecting interests of British and European settlers. Visit to be as short as possible.

Enclosure 2.

SIR,—

Admiralty, 16th October, 1885.

Referring to your letter of the 1st instant, and to mine of the 10th, I am commanded by My Lords Commissioners of the Admiralty to request you will inform Colonel Stanley that a telegram, dated at Sydney the 14th instant, has been received, saying that the "Miranda" would leave the following day for Samoa, and that the "Opal" had probably called there recently.

I have, &c.,

The Under-Secretary of State, Colonial Office.

EVAN MACGREGOR.

No. 19.

(New Zealand, No. 67.)

SIR,—

Downing Street, 31st October, 1885.

A.—1A, 1885,
No. 72.

I have the honour to acknowledge the receipt of your Despatch No. 107, of the 12th ultimo, enclosing a memorandum from your Ministers, with reference to the contribution of New Zealand towards the expenses of the New Guinea Protectorate.

I have, &c.,

FRED. STANLEY.

Governor W. F. D. Jervois, G.C.M.G., C.B.

No. 20.

(New Zealand, No. 68.)

SIR,—

Downing Street, 5th November, 1885.

A.—1A, 1885,
No. 68.

In reply to your Despatch No. 99, of the 15th of August, respecting the remuneration to be given to Major-General Steward for his services in connection

with the ordering and inspection of war material for New Zealand, I have the honour to transmit to you, for communication to your Government, a copy of a letter from the War Office on the subject.

I request that you will inform me of the decision at which your Government may arrive on this subject.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,— Surveyor-General's Department, War Office, 3rd November, 1885.

I am directed by Mr. Secretary Smith to acknowledge the receipt of your letter of the 6th ultimo, forwarding a correspondence respecting the remuneration to be given to Major-General Steward for his services in connection with the ordering and inspection of war material for the Colony of New Zealand.

In reply, I am to acquaint you, for the information of Colonel Stanley, that Mr. Smith is of opinion that it would be decidedly preferable to pay an officer in this position by salary rather than by a percentage on the orders given.

It would, moreover, seem to be worthy of consideration whether the colonies for whom General Steward acts might not make a joint arrangement in respect of the salary to be allowed; in which case it is suggested that, provided a five years' appointment were arranged, £500 a year might be considered an adequate salary.

If, on the other hand, the arrangement were only from year to year, it would probably not be deemed excessive if double that amount, or £1,000 a year, were allowed to the inspecting officer for his special services.

In any case, I am to request the favour of an intimation of the decision arrived at, as it would be desirable to inform the Lords Commissioners of Her Majesty's Treasury with reference to previous correspondence regarding General Steward's retired pay, and the commutation thereof.

I have, &c.,

The Under-Secretary of State, Colonial Office.

GUY C. DOWNAY.

No. 21.

(New Zealand, No. 70.)

SIR,— Downing Street, 13th November, 1885.

I have the honour to acknowledge the receipt of your Despatch No. 110, of the 22nd of September, reporting that you had that day prorogued by Commission the second session of the ninth Parliament of New Zealand.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 22.

(New Zealand, No. 72.)

SIR,— Downing Street, 23rd November, 1885.

I have the honour to acknowledge the receipt of your Despatch No. 108, of the 12th of September, with its enclosures,* respecting the position of Fiji and the islands of the Western Pacific in relation to New Zealand. A.—1A, 1885,
No. 73.

Her Majesty's Government have given their fullest consideration to the question of the annexation of Rapa; but it does not appear to them possible to acquire that island unless Her Majesty's Government should be in a position to assent to France obtaining some valuable equivalent.

The observation that the Pacific Islands Committee "cordially sympathize with the settlers in Fiji in their desire to procure a government less arbitrary and more considerate of their interests and feelings than that of a Crown colony," would appear to indicate a belief that the interests of the natives no longer require the direct supervision and protection of the Crown. There is no reason to suppose that the Imperial Parliament would be prepared to withdraw that supervision and protection at the present time, or without proof that the closer relations suggested as desirable between New Zealand and Fiji would be such as fully to secure native interests.

* Report of Select Committee of House of Representatives, dated 4th September, 1885.

The Cook Group possesses, apparently, no safe harbours; but I have caused letters to be addressed to the Foreign Office and the Admiralty requesting to be supplied with more detailed information respecting these islands than I at present possess.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 23.

(New Zealand, No. 73.)

SIR,—

Downing Street, 23rd November, 1885.

I have received from the Chamber of Commerce at Auckland six copies of a report by Mr. J. L. Kelly on the South Sea Islands.

I have read with much interest this valuable report, which will be of great advantage to me in dealing with matters connected with these islands.

I request that you will forward twelve further copies of the report for the use of this department.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 24.

(New Zealand, No. 74.)

SIR,—

Downing Street, 2nd December, 1885.

I referred to the Lords Commissioners of the Admiralty a copy of your Despatch No. 90, of the 18th of July last, with the memorandum from your Ministers which accompanied it, in which it is requested that the sum of £3,000, charged for eight 64-pounder M.L. guns recently supplied to New Zealand by the Naval Commander-in-Chief on the Australian Station, may be remitted, and the guns be regarded as lent to the colony until returned into store.

I have now the honour to transmit to you, for communication to your Government, copies of two letters which have been received from the Admiralty on this subject, from which you will perceive that the wishes of your Ministers have been acceded to.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure 1.

SIR,—

Admiralty, S.W., 21st September, 1885.

With reference to Mr. Bramston's letter of the 31st ultimo, relative to the question of remitting the charge of £3,000 against the New Zealand Government on account of eight 64-pounder M.L. guns recently supplied to the colony by the naval Commander-in-Chief on the station, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that my Lords, in view of the guns in question being War Office stores, have communicated with the War Department, and have requested that the wishes of the New Zealand Government may be met.

2. I am to add that, upon the receipt of a notification of Mr. Secretary Smith's concurrence in my Lords' views, directions will be given for the removal of the guns from New Zealand to Sydney, to be stored at the dépôt.

I have, &c.,

EVAN MACGREGOR.

The Under-Secretary of State, Colonial Office, S.W.

Enclosure 2.

SIR,—

Admiralty, S.W., 13th November, 1885.

In continuation of the letter from this department of the 21st September, relative to the question of the remission of the charge of £3,000 against the New Zealand Government on account of eight 64-pounder M.L. guns recently supplied to the colony by the Naval Commander-in-Chief on the station, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that this sum of £3,000 will be returned to the New Zealand Government if already paid, but that if payment has not yet been made no claim on account of the guns will be put forward against the colony.

I have, &c.,

EVAN MACGREGOR.

The Under-Secretary of State, Colonial Office.

No. 25.

(New Zealand, No. 75.)

SIR,—

Downing Street, 10th December, 1885.

With reference to previous correspondence I have the honour to transmit to you, for communication to your Government, a copy of a letter from the Foreign Office, enclosing a despatch from Her Majesty's Ambassador at Paris relative to the French Habitual Criminals Law.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Foreign Office, 7th November, 1885.

With reference to the letter from this office of the 31st of July last, I am directed by Her Majesty's Secretary of State for Foreign Affairs to transmit to you, to be laid before Her Majesty's Secretary of State for the Colonies, the accompanying copy of a despatch from Her Majesty's Ambassador at Paris in regard to the Habitual Criminals Law.

I have, &c.,

J. PAUNCEFOTE.

The Under-Secretary of State, Colonial Office.

Sub-Enclosure.

MY LORD,—

Paris, 2nd November, 1885.

With reference to my despatches, No. 483, of the 22nd July last, and No. 492, of the 28th of the same month, I have the honour to transmit to your Lordship an extract from the *Journal des Débats*, which purports to give the first five articles of Regulations ("Règlement d'Administration Publique") framed by the Council of State for the execution of the Habitual Criminals Law.

Your Lordship is aware that it is provided by this law that many most important particulars relative to the transportation of habitual criminals and their treatment shall be determined by "Règlements d'Administration Publique;" that the first of these Règlements shall be promulgated within six months of the promulgation of the law itself; and that the law shall become operative on the promulgation of this first Règlement.

Now, the law was promulgated on the 27th May, and consequently the first Règlement must be promulgated on or before the 27th of the present month of November.

The *Journal des Débats* states in the enclosed extract that the first five articles of the Règlement in question have been settled by the Council of State, and it professes to give the text of those articles.

The articles have not yet appeared in any official form, and it is to be remembered that the *Journal des Débats* is a wholly unofficial newspaper. Nevertheless, the text of the articles, as published by it, is probably in substance correct.

If so, the transported convicts are to be divided into two categories: those in the first to be treated "individually," those in the second to be treated "collectively."

The first category is to consist of those who show that they have honourable means of subsistence by the exercise of professions or trades or handicrafts, those who are considered fit to receive grants of land, and those who are authorized to contract engagements for work or service with the State, the colonies, or with private persons.

It would seem that criminals belonging to this category are to be sent to any French colony or possession; that they are to live there separately and in a state of liberty, and are to be subject to the ordinary law and jurisdiction.

The second category, or those subjected to what is termed "la relégation collective," are to be placed in establishments in which their subsistence is provided for by the authorities, and they are to be obliged to work. They are to be sent to Guyane, or, if necessary, to New Caledonia or its dependencies. The article on the subject is thus worded:—

"La relégation collective s'exécutera dans les territoires de la Colonie de la Guyane et, si les besoins l'exigent, de la Nouvelle-Calédonie ou des ses dépendances, qui seront déterminés ou délimités par des Décrets.

"Des Règlements d'Administration Publique pourront désigner ultérieurement d'autres lieux de relégation."

Finally, provision appears to be made for sending temporarily to any colonies which apply for them gangs of these criminals, to be employed on public works.

The Habitual Criminals Law, as promulgated, was enclosed in my Despatch No. 346 of the 28th May last. The articles of it relating to "Règlements d'Administration Publique" are the 1st, 7th, 16th, 18th, and 21st.

I have, &c.,

LYONS.

The Right Hon. the Marquis of Salisbury, K.G., &c.

[*Journal des Débats*, 1er Novembre, 1885.]

NOUVELLES POLITIQUES ET PARLEMENTAIRES.

Le Conseil d'Etat a adopté les cinq premiers articles du Règlement d'Administration Publique destiné à assurer l'application de la loi des récidivistes. Le règlement comporte quarante-deux articles; mais les cinq premiers sont les plus importants et comportent toute l'économie du projet, les autres étant surtout des prescriptions de détail.

Voici le texte de ces cinq premiers articles :

Art. 1er. La relégation est subie individuellement ou collectivement.

Art. 2. La relégation individuelle consiste dans l'internement, en telle colonie ou possession française déterminée, des relégués admis à y résider isolément et en état de liberté, à la charge de se conformer aux mesures d'ordre et de surveillance qui seront prescrites en exécution de l'article 1er de la loi du 27 Mai, 1885. Ils sont soumis dans la colonie au régime du droit commun et aux juridictions ordinaires.

Art. 3. Sont admis à la relégation individuelle, après examen de leur conduite, les reléguables qui justifient de moyens honorables d'existence, notamment par l'exercice de professions ou de métiers, ceux qui sont reconnus aptes à recevoir des concessions de terre, et ceux qui sont autorisés à contracter des engagemens de travail ou de service pour le compte de l'Etat, des colonies, ou des particuliers.

Art. 4. La relégation collective consiste dans l'internement, sur un territoire déterminé, des relégués qui n'ont pas été, soit avant, soit après, leur envoi hors de France, reconnus aptes à bénéficier de la relégation individuelle.

Ils sont réunis dans des établissemens où l'administration pourvoit à leur subsistance, et ils sont astreints au travail.

Ils sont justifiables, pour la répression des crimes ou délits, d'une juridiction spéciale qui sera organisée par un règlement d'administration publique.

Art. 5. La relégation individuelle sera subie dans les diverses colonies ou possessions françaises.

La relégation collective s'exécutera dans les territoires de la colonie de la Guyane, et, si les besoins l'exigent, de la Nouvelle-Calédonie ou de ses dépendances, qui seront déterminés ou délimités par décrets.

Des Règlements d'Administration Publique pourront désigner ultérieurement d'autres lieux de relégation.

Il peut être envoyé temporairement, sur le territoire des diverses colonies qui en font la demande, des groupes ou détachemens de relégués, pour être employés sur les chantiers de travaux publics.

L'organisation de ces groupes ou détachemens de relégués est déterminée par décret.

No. 26.

(New Zealand, No. 76.)

SIR,—

Downing Street, 12th December, 1885.

I have the honour to transmit to you, for communication to the Chairmen of the Chambers of Commerce at Dunedin and Auckland respectively, a copy of a letter from the Foreign Office, enclosing a despatch from Her Majesty's Consul at Rio Janeiro, with a packet of correspondence in connection with applications which he had received in regard to the opening of commercial intercourse between Brazil and New Zealand.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

Enclosure.

SIR,—

Foreign Office, 2nd December, 1885.

I am directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before the Secretary of State for the Colonies, a despatch and its enclosures from Her Majesty's Consul at Rio Janeiro, respecting the opening for New Zealand trade in Brazil.

I have, &c.,

The Under-Secretary of State, Colonial Office.

T. V. LISTER.

Sub-Enclosure.

MY LORD,—

British Consulate, Rio, 9th November, 1885.

Applications having been made to me by the Presidents of the Chambers of Commerce at Dunedin and Auckland, in New Zealand, to use my endeavours towards the opening of commercial intercourse between this country and New Zealand, I have drawn up a report which, I think, embraces such matters as relate to the requirements of the trade of that country with Brazil, and trust, should your Lordship deem it advisable, that you will be pleased to allow the correspondence enclosed herewith under flying seal to be forwarded to its destination in New Zealand.

I have, &c.,

The Right Hon. the Marquis of Salisbury, K.G., &c.

W. RICKETTS.

No. 27.

(Circular.)

SIR,—

Downing Street, 30th November, 1885.

With reference to my predecessor's circular despatch of the 29th of October, 1883, I have the honour to transmit to you, for the information of the colony under your government, a copy of the Patents, Designs, and Trade-marks (Amendment) Act (48 and 49 Vict., c. 63), passed during the late session of Parliament.

I have, &c.,

FRED. STANLEY.

The Officer Administering the Government of New Zealand.

Enclosure.

PATENTS, DESIGNS, AND TRADE-MARKS (AMENDMENT) ACT, 1885.—[48 AND 49 VICT., c. 63.]

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| 1. Construction and Short Title, | 4. Specifications, &c., not to be published unless application accepted. |
| 2. Amendment of section 5 of 46 and 47 Vict., c. 57. | 5. Power to grant patents to several persons jointly. |
| 3. Amendment of sections 8, 9, and 12 of 46 and 47 Vict., c. 57. | 6. Amendment of section 103 of 46 and 47 Vict., c. 57. |

AN ACT to amend "The Patents, Designs, and Trade-marks Act, 1883."

[14th August, 1885.]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act shall be construed as one with "The Patents, Designs, and Trade-marks Act, 1883" (in this Act referred to as "the principal Act"). This Act may be cited as "The Patents, Designs, and Trade-marks (Amendment) Act, 1885;" and this Act and the principal Act may be cited together as the Patents, Designs, and Trade-marks Acts, 1883 and 1885.

2. Whereas subsection two of section five of the principal Act requires a declaration to be made by an applicant for a patent to the effect in that subsection mentioned, and doubts have arisen as to the nature of that declaration, and it is expedient to remove such doubts: Be it therefore enacted that the declaration mentioned in subsection two of section five of the principal Act may be either a statutory declaration under "The Statutory Declarations Act, 1835," or not, as may be from time to time prescribed.

3. Whereas under the principal Act a complete specification is required (by section eight) to be left within nine months, and (by section nine) to be accepted within twelve months, from the date of application, and a patent is required by section twelve to be sealed within fifteen months from the date of application, and it is expedient to empower the Comptroller to extend in certain cases the said times: Be it therefore enacted as follows: A complete specification may be left and accepted within such extended times, not exceeding one month and three months respectively after the said nine and twelve months respectively, as the Comptroller may on payment of the prescribed fee allow; and where such extension of time has been allowed, a further extension of four months after the said fifteen months shall be allowed for the sealing of the patent; and the principal Act shall have effect as if any time so allowed were added to the said periods specified in the principal Act.

4. Where an application for a patent has been abandoned, or become void, the specification or specifications and drawings (if any) accompanying or left in connection with such application shall not at any time be open to public inspection or be published by the Comptroller.

5. Whereas doubts have arisen whether under the principal Act a patent may lawfully be granted to several persons jointly, some or one of whom only are or is the true and first inventors or inventor; be it therefore enacted and declared that it has been and is lawful under the principal Act to grant such a patent.

6. In subsection one of section one hundred and three of the principal Act, the words "date of the application" shall be substituted for the words "date of the protection obtained."

No. 28.

(New Zealand, No. 77.)

SIR,—

Downing Street, 22nd December, 1885.

I have the honour to acknowledge the receipt of your Despatch No. 112, of the 26th of September last, with its enclosures, respecting Colonel Rooke's application for some decorative distinction for services performed during the period of his military career on the West Coast of Africa and in New Zealand.

I request that you will inform Colonel Rooke that it is not in my power to make any recommendation to Her Majesty for the special recognition of services, however distinguished, which were rendered many years ago, and of which I have no personal knowledge.

I observe that Colonel Rooke's services in New Zealand met with high commendation at the time; but I cannot, at this date, attempt to compare them with those of other claimants of honorary recognition.

I have, &c.,

FRED. STANLEY.

Governor Sir W. F. D. Jervois, G.C.M.G., C.B., &c.

No. 29.

(Circular 1.)

SIR,—

Downing Street, 5th December, 1885.

I have the honour to transmit to you, for information and publication in the colony under your government, a copy of an Act passed during the late session of Parliament, entitled "An Act to amend the Law relating to taking Evidence by Commission in India and the Colonies, and elsewhere in Her Majesty's Dominions" (48 and 49 Vict., cap. 74).

The necessity for this measure was brought by the Indian Government to the notice of Her Majesty's Government; and I transmit to you a copy of a memorandum by Sir Richard Garth, the Chief Justice of the High Court of Calcutta, dated 26th June, 1883, in which he points out the inconveniences which were found to arise from the state of the law as then existing.

The Act which I enclose has accordingly been passed, amending the provisions of the Act 22 Victoria, cap. 20.

As the Act is an enabling measure, and one which relieves the Judges of colonial Courts from certain duties imposed by an Act of the Imperial Parliament, my predecessor did not think it necessary to delay the introduction of the Bill into Parliament until the Colonial Governments had first been consulted.

I have, &c.,

FRED. STANLEY.

The Officer Administering the Government of New Zealand.

Enclosure.

PUBLISHED in *New Zealand Gazette*, No. 11, 4th March, 1886.

No. 30.

(Circular.)

SIR,—

Downing Street, 30th December, 1885.

I have the honour to acquaint you that I have received information from the Foreign Office that it has been reported to that department by telegrams, dated respectively the 24th and 26th instant, that cases of cholera existed at Trieste and Venice.

I have, &c.,

FRED. STANLEY.

The Officer Administering the Government of New Zealand.