

honour to acquaint you that I have agreed in a suggestion made by the Lords Commissioners of the Admiralty, that in future applications for such warrants may be made by the secretaries of yacht clubs direct to their Lordship's department, instead of passing through the Colonial Office.

You will be so good as to intimate this decision to any yacht club in the colony under your government which may be interested in the matter.

I have, &c.,

KNUTSFORD.

Governor the Right Hon. the Earl of Glasgow, G.C.M.G., &c.

No. 15.

(New Zealand, No. 26.)

MY LORD,—

Downing Street, 16th July, 1892.

I have the honour to transmit to you, for communication to your Government, printed copies of the undermentioned document.

I have, &c.,

R. H. MEADE

(For the Secretary of State).

The Officer Administering the Government
of New Zealand.

Date.	Description of Document.
21st May, 1892...	Judgment of the Lords of the Judicial Committee of the Privy Council on the appeal of Buckley (the Attorney-General of New Zealand) <i>v.</i> Edwards from the Court of Appeal of New Zealand; delivered 21st May, 1892.

Enclosure.

JUDGMENT of the LORDS of the JUDICIAL COMMITTEE of the PRIVY COUNCIL on the Appeal of Buckley (the Attorney-General of New Zealand) *v.* Edwards, from the Court of Appeal of New Zealand; delivered 21st May, 1892.

Present: The Lord Chancellor, Lord Watson, Lord Hobhouse, Lord Herschell, Lord Macnaghten, Lord Hannen, Sir Richard Couch. Delivered by Lord Herschell.

On the 2nd of March, 1890, His Excellency the Governor issued a commission to the respondent appointing him a Puisne Judge of the Supreme Court of New Zealand to hold office during good behaviour. On the previous day the then Premier of New Zealand wrote a letter to the respondent informing him that the new Governor had approved of his appointment to the office of a Commissioner under "The Native Land Courts Acts Amendment Act, 1889," and that it appeared to the Government that for an office of such importance the Commissioner should have the status of a Judge of the Supreme Court, and therefore he would be appointed to that office also. The letter added that the demands on the time of the Judges caused unavoidable delay in the despatch of business, and that it was hoped that this arrangement, by which the respondent would afford occasional assistance in the Supreme Court work, would temporarily meet the requirements. On the 6th March, 1890, the commission appointing him a Judge was transmitted to the respondent, together with an Order in Council appointing him and Mr. John Ormsby to be Commissioners under the Native Land Act mentioned. The appointment of the respondent as a Commissioner came to an end on the 31st March, 1891. No salary had at the time of his appointment, or has since, been provided for the respondent as Puisne Judge by the General Assembly of New Zealand, nor was there any parliamentary sanction for the appointment of an additional Puisne Judge, unless it is to be found in prior legislation. It may be added that shortly after the appointment of the respondent a change of Government took place in the colony, and that the House of Representatives in New Zealand has refused to vote any salary for the respondent as a Judge of the Supreme Court, and that, although a Bill to amend "The Supreme Court Act, 1882," and to provide for the payment of an additional Judge, was transmitted by the Governor to the House of Representatives, leave to introduce such Bill was not given.

Under these circumstances the appellant, as the Attorney-General of New Zealand, filed his statement of claim in the Supreme Court. On the 6th of May notice of motion was filed on behalf of the appellant, calling on the respondent to show cause why he should not show by what warrant and authority he claimed to exercise the office of Judge of the Supreme Court of New Zealand, or why his commission of Judge of the Supreme Court of New Zealand should not be cancelled. This motion was heard by the Court of Appeal, and judgment was pronounced in favour of the respondent by three learned Judges, and one other Judge dissenting.

The question raised is one of grave importance, the contention on the part of the respondent being that, as the law stands in New Zealand, the Governor has the power of adding, without limit,