

1901.  
NEW ZEALAND.

# DESPATCHES

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

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

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## No. 1.

(No. 77.)

MY LORD,—

Downing Street, 24th November, 1899.

I have the honour to transmit to you, for communication to your Ministers, the accompanying copies of the Convention and Declaration between Great Britain and Germany for the settlement of the Samoan and other questions, signed at London on the 14th instant.

2. As stated in the preamble to the Convention, the Commissioners of the three Powers concerned report, after an exhaustive examination of the state of affairs in Samoa, that the attempted joint administration of the three Governments had, in their opinion, definitively failed; and, in order to terminate a situation which was bringing ruin on both the European and the native inhabitants of the group, it was necessary for the three Powers to devise a new arrangement in substitution for the triple control.

3. At first sight, the natural direction in which to seek for a solution of the question appeared to be that of a partition of the islands, but the obstacles to this course proved insuperable. The possession of rights over the harbour of Pango-Pango gave the United States an indisputable claim to the Island of Tutuila; but, to say nothing of the intimate relations subsisting between the neighbouring Island of Upolu and Savaii, which would have caused great difficulty in any attempt to administer them separately, neither Great Britain nor Germany had any preponderating right to the more important and valuable Island of Upolu, and neither Power could be expected to surrender it to the other without receiving adequate compensation elsewhere. Every effort was made by Her Majesty's Government, in view of the great interest felt in Samoa by the Australasian Colonies, to secure the possession of Upolu by important sacrifices of valuable territory in other parts of the Empire; but the long connection between Germany and Samoa had created in the former country a sentiment which prohibited the success of these endeavours, and in these circumstances it became the duty of Her Majesty's Government to accept a settlement on other lines, which offered material advantage to the Empire.

4. It should be remembered that this country has no separate rights in Samoa, and that her position in the group was, both territorially and politically, identical with that of Germany; and that, while Great Britain enjoyed perhaps the larger share of the external commerce of the group, German interests in land and in the internal trade were largely preponderant. The same observation applies to the territorial and political situation in Tonga, though the material interests of Great Britain there largely exceed those of Germany, and the withdrawal of Germany from Tonga is parallel to that of Great Britain from Samoa; so that the only actual cession of territory in the Western Pacific which has taken place under the Convention is that of the islands in the Solomon Group, which Germany has handed over to this country.

5. The Declaration appended to the Convention, applying to the islands mentioned therein the stipulations of the Declaration of the 10th April, 1886, guarantees the maintenance of religious freedom and equality, and identity of commercial rights, to the subjects of both countries; and in these circumstances the Australasian Colonies cannot fail to benefit by the increase of Samoan trade which will naturally follow on the establishment of peace and order in the islands.

6. I enclose copies of the previous instruments affecting the position of the three Powers in the islands affected by the present Convention.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## Enclosure.

CONVENTION BETWEEN GREAT BRITAIN AND GERMANY FOR THE SETTLEMENT OF THE SAMOAN  
AND OTHER QUESTIONS.

Signed at London, 14th November, 1899.

THE Commissioners of the three Powers concerned having, in their report of the 18th July last, expressed the opinion, based on a thorough examination of the situation, that it would be impos-

sible effectually to remedy the troubles and difficulties under which the Islands of Samoa are at present suffering as long as they are placed under the joint administration of the three Governments, it appears desirable to seek for a solution which shall put an end to these difficulties, while taking due account of the legitimate interests of the three Governments.

Starting from this point of view, the undersigned, furnished with full powers to that effect by their respective Sovereigns, have agreed on the following points:—

*Article I.*

Great Britain renounces in favour of Germany all her rights over the Islands of Upolu and of Savaii, including the right of establishing a naval and coaling station there, and her right of extra-territoriality in these islands.

Great Britain similarly renounces, in favour of the United States of America, all her rights over the Island of Tutuila and the other islands of the Samoan Group east of 171° longitude east of Greenwich.

Great Britain recognises as falling to Germany the territories in the eastern part of the neutral zone established by the Arrangement of 1888 in West Africa. The limits of the portion of the neutral zone falling to Germany are defined in Article V. of the present Convention.

*Article II.*

Germany renounces in favour of Great Britain all her rights over the Tonga Islands, including Vavau, and over Savage Island, including the right of establishing a naval station and coaling station, and the right of extra-territoriality in the said islands.

Germany similarly renounces, in favour of the United States of America, all her rights over the Island of Tutuila and over the other islands of the Samoan Group east of longitude 171° east of Greenwich.

She recognises as falling to Great Britain those of the Solomon Islands, at present belonging to Germany, which are situated to the east and south-east of the Island of Bougainville, which latter shall continue to belong to Germany, together with the Island of Buka, which forms part of it.

The western portion of the neutral zone in West Africa, as defined in Article V. of the present Convention, shall also fall to the share of Great Britain.

*Article III.*

The Consuls of the two Powers at Apia and in the Tonga Islands shall be provisionally recalled.

The two Governments will come to an agreement with regard to the arrangements to be made during the interval in the interest of their navigation and of their commerce in Samoa and Tonga.

*Article IV.*

The arrangement at present existing between Germany and Great Britain, and concerning the right of Germany to freely engage labourers in the Solomon Islands belonging to Great Britain, shall be equally extended to those of the Solomon Islands mentioned in Article II., which fall to the share of Great Britain.

*Article V.*

In the neutral zone the frontier between the German and English territories shall be formed by the River Daka as far as the point of its intersection with the 9th degree of north latitude; thence the frontier shall continue to the north, leaving Morozugu to Great Britain, and shall be fixed on the spot by a mixed Commission of the two Powers, in such manner that Gambaga and all the territories of Mamprusi shall fall to Great Britain, and that Yendi and all the territories of Chakosi shall fall to Germany.

*Article VI.*

Germany is prepared to take into consideration, as much and as far as possible, the wishes which the Government of Great Britain may express with regard to the development of the reciprocal tariffs in the territories of Togo and of the Gold Coast.

*Article VII.*

Germany renounces her rights of extra-territoriality in Zanzibar, but it is at the same time understood that this renunciation shall not effectively come into force till such time as the rights of extra-territoriality enjoyed there by other nations shall be abolished.

*Article VIII.*

The present Convention shall be ratified as soon as possible, and shall come into force immediately after the exchange of ratifications.

In witness whereof the undersigned have signed it, and have affixed thereto their seals.

Done in duplicate, at London, the 14th day of November, 1899.

SALISBURY.  
P. HATZFELDT.

Declaration signed 14th November, 1899.

It is clearly understood that by Article II. of the Convention signed to-day Germany consents that the whole group of the Howe Islands, which forms part of the Solomon Islands, shall fall to Great Britain.

It is also understood that the stipulations of the Declaration between the two Governments signed at Berlin on the 10th April, 1886, respecting freedom of commerce in the Western Pacific, apply to the islands mentioned in the aforesaid Convention.

It is similarly understood that the arrangement at present in force as to the engagement of labourers by Germans in the Solomon Islands permits Germans to engage those labourers on the same conditions as those which are or which shall be imposed on British subjects non-resident in those islands.

Done in duplicate, at London, the 14th November, 1899.

SALISBURY.  
P. HATZFELDT.

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No. 2.

(Circular.)

SIR,—

Downing Street, 2nd December, 1899.

With reference to the Marquess of Ripon's circular despatch of the 31st December, 1894, enclosing copy of the treaty of commerce and navigation between Great Britain and Japan of the 16th July, 1894, I have the honour to inform you that, questions having arisen respecting the status of Indian and colonial subjects of Her Majesty residing in Japan as affected by that treaty, and also respecting the claim of British colonies not parties to the treaty to the benefits of the tariff annexed to the Protocol of the same date, the matter has formed the subject of reference to the Law Officers of the Crown, and the Marquess of Salisbury has informed Her Majesty's Minister at Tokio that, in the opinion of Her Majesty's Government, Article XIX. of the treaty has not the effect of limiting the rights of British subjects connected with non-adhering colonies or possessions, as the inhabitants of such places are, generally, and not locally merely, British subjects, and that the fair meaning of the treaty is that all persons who by British law are recognised as possessing the rights of British citizenship all over the world are entitled to the benefits of its stipulations, and that this test includes the inhabitants—being British subjects—of all colonies and dependencies whether they adhere to the treaty or not. Neither does Article XIX. discriminate between different classes of British subjects, nor create a distinction unknown to British law, and almost impossible of definition; but its effect is merely to provide that the privileges and obligations of the treaty shall not inure for the benefit of non-adhering colonies and dependencies. For instance, the produce or manufacture of a non-adhering colony or dependency would not be entitled to the tariff annexed to the Protocol, which must be regarded as forming part of one arrangement with the treaty. And Her Majesty's Government have also been advised that the Protocol, with its schedule, must be read as applying, after the coming into force of the treaty of 1894, only to such of the colonies and possessions enumerated in Article XIX. as accede to the treaty.

On the other hand, British subjects, though residing in or domiciled in colonies or possessions which have not adhered, are entitled to the benefits of Article XVII. of the treaty, and also of Article II. of the International Convention for the Protection of Industrial Property, signed at Paris on the 20th March, 1883, to which Japan adhered on the 15th July last.

The first sentence of Article II. of the Convention, copies of which were enclosed in Lord Derby's circular despatch of the 18th April, 1884, runs as follows: "*Les sujets ou citoyens de chacun des États contractants jouiront, dans tous les autres États de l'union en ce qui concerne les brevets d'invention, les dessins ou modèles industriels, les marques de fabrique ou de commerce et le nom commercial, des avantages que les lois respectives accordent actuellement ou accorderont par la suite aux nationaux.*" The right is conferred on those who are British subjects, and is not lost by their being resident or domiciled either in a foreign country or in a colony which has not adhered. The right under the Convention is also conferred by Article III. on foreigners domiciled in one of the contracting States. Of course, domicile in a non-adhering colony would not be effectual for this purpose, as the test is, in this instance, local, not personal, as in the case of British subjects. This distinction is also illustrated by Articles IV. and VI. of the Convention, which would not apply in the case of non-adhering colonies.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## No. 3.

(Circular.)

MY LORD,—

Downing Street, 8th December, 1899.

I have the honour to inform you that the frequency with which applications have been received of late for permission to prefix the title "Royal" to the appellations of societies, clubs, and other institutions in the colonies has necessitated a careful consideration of the conditions on which such permission should in future be accorded.

2. It has been decided to assimilate the practice, as far as possible, to that which obtains in this country, and to restrict the distinction in question to institutions of eminence, long standing, and secured financial position, and devoted to national, charitable, or scientific objects.

3. This principle will guide you in deciding whether or not to recommend compliance with future applications.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G.

## No. 4.

(No. 81.)

MY LORD,—

Downing Street, 29th December, 1899.

I have the honour to transmit to you, for the information of your Government, with reference to my telegram of the 20th instant, a copy of the letter noted below, regarding the behaviour of the New Zealand troops in the engagement at Jagsfontein.

I have, &amp;c.,

EDWARD WINGFIELD,

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
21st December, 1899 ... ..	War Office to Colonial Office.

## Enclosure.

SIR,—

War Office, London, S.W., 21st December, 1899.

I am directed by the Marquess of Lansdowne to acquaint you, for the information of Mr. Secretary Chamberlain, that in a telegraphic report by the General Commanding of an engagement between the Imperial forces and the enemy at Jagsfontein on the 18th instant the following passages occur:—

"New-Zealanders occupied farm and adjacent hill"; and, further, that later in the engagement "New-Zealanders were most steady under hot fire at short range."

His Lordship will be glad if Mr. Chamberlain will cause the General's appreciation of the work of the New Zealand Contingent to be communicated to the colony.

I am, &amp;c.,

G. FLEETWOOD WILSON.

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

## No. 5.

(No. 1.)

SIR,—

Downing Street, 3rd January, 1900.

I have the honour to acknowledge the receipt of your despatch A.—1, 1900, (No. 73) of the 22nd November last, reporting your assumption of the administration of the Government of New Zealand on the departure of the Governor on 31st October for Victoria. No. 24.

I have, &amp;c.,

J. CHAMBERLAIN.

His Honour Chief Justice Sir Robert Stout, K.C.M.G., &amp;c.

## No. 6.

(Circular.)

SIR,—

Downing Street, 17th January, 1900.

I have the honour to acquaint you that, in consequence of the state of war now existing between this country and the South African Republic, and also between this country and the Orange Free State, a Proclamation was issued by the Queen on the 27th ultimo warning persons against aiding either of these Republics in hostilities, and against trading with them or with any persons resident therein.

As this Proclamation is of general application to British subjects all the world over, or to foreigners residing or commercially domiciled within any part of the Queen's dominions, Her Majesty's Government consider it desirable that it should be published in each of the British colonies and protectorates.

I request, therefore, that you will cause it to be published in the colony under your Government in the form of the accompanying draft notice.

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## Enclosure.

*State of War between United Kingdom and South African Republic and Orange Free State.*

BY THE QUEEN.—A PROCLAMATION.

VICTORIA, R.

WHEREAS a state of war exists between Us and the South African Republic, and also between Us and the Orange Free State :

And whereas it is therefore expedient and necessary to warn all Our subjects of their duties and obligations towards Us, Our Crown and Government :

Now, therefore, We do hereby warn all Our subjects not to enlist or engage themselves in the military service of the Government of either of the said Republics, or in any way to aid, abet, or assist either of the said Republics in the prosecution of hostilities, and not to carry on any trade with, or supply any goods, wares, or merchandise to, either of the said Republics, or to any person resident therein, or to supply any goods, wares, or merchandise to any person for transmission to either of the said Republics, or to any person resident therein, and not to carry any goods, wares, or merchandise destined for either of the said Republics, or for any person resident therein.

And We do hereby further warn all persons that whoever, in contravention of the law, shall commit any of the aforesaid acts will be liable to such penalty as the law provides.

Given at Our Court at Windsor, this twenty-seventh day of December, in the year of Our Lord one thousand eight hundred and ninety-nine, and in the sixty-third year of Our reign.

GOD SAVE THE QUEEN !

## No. 7.

(No. 2.)

MY LORD,—

Downing Street, 18th January, 1900.

I have the honour to transmit to you, for the information of your Ministers, with reference to my telegram of the 3rd October last, stating the terms on which contingents would be accepted from the colonies for service in South Africa, copy of a statement which has been received from the War Office giving particulars as to the wound-pensions and compassionate allowances granted by the Imperial Government in the cases of officers and men wounded or killed on active service.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## Enclosure.

PENSIONS, ETC., FOR WOUNDS RECEIVED IN ACTION.

*Officers.*

For the loss of an eye or a limb, or for an injury equivalent to the loss of a limb, a gratuity of a year's full pay is granted in the first instance. At the end of a year a pension is awarded according to the following scale: Colonel or lieutenant-colonel, £300 a year; major, £200 a year; captain, £100 a year; lieutenant, £70 a year.

In cases in which the injury is not equivalent to the loss of a limb, though very severe and permanent in its effects, a like gratuity is awarded, but the pension is given at half the above rates.

For injuries very severe, though less serious than the above, a gratuity of from three to twelve months' full pay is awarded, according to circumstances, but no pension.

*Warrant Officers, Non-commissioned Officers, and Men.*

To non-commissioned officers and men discharged as unfit for further service in consequence of wounds, &c., pensions are granted on the following scale, according to the degree of the soldier's incapacity for earning a livelihood: Warrant officers, sergeants, &c., from 1s. to 3s. 6d. a day; corporals, from 9d. to 3s. a day; privates, from 6d. to 2s. 6d. a day.

**PENSIONS, ETC., TO WIDOWS AND CHILDREN OF OFFICERS.**

Pensions to widows and children of officers are granted according to the following scale:—

	(1) If the Officer was killed in Action or died (within Twelve Months) of Wounds received in Action.		(2) If the Officer's Death was caused by Exposure while on Active Service and occurred within Twelve Months of Removal from Duty.	
	Widow.	Children (each).	Widow.	Children (each).
Lieutenant-colonel or colonel	£180 a year	£24 a year	£135 a year	£20 a year.
Major ... ..	£140 "	£21 "	£105 "	£17 10s. "
Captain ... ..	£100 "	£18 "	£75 "	£15 "
Lieutenant ... ..	£80 "	£15 "	£60 "	£12 10s. "

If the case comes within category (1), the widow receives, in addition to pension, a gratuity of one year's full pay of the officer's appointment, and the children one-third of such amount each.

Motherless children receive double rates of pension.

None of the foregoing awards are made if the widows, &c., are left in wealthy circumstances.

**PENSIONS, ETC., TO WIDOWS OF WARRANT OFFICERS, NON-COMMISSIONED OFFICERS, AND MEN.**

Warrant officers: Widows, £20 a year; children, £5 a year each.

Non-commissioned officers and men: No pensions are granted at present to the widows and children of non-commissioned officers and men; but a proposal to make such grants is now before the Treasury. The widows receive from the Royal Patriotic Fund, however, allowances varying from 5s. to 6s. 6d. a week, and the children allowances of 1s. 6d. or 2s. a week each.

**No. 8.**

(No. 4.)

MY LORD,—

Downing Street, 5th February, 1900.

I have the honour to acknowledge the receipt of your despatch A.—1, 1900, (No. 76) of the 12th ultimo, reporting that you had returned to the colony, No. 25. and had resumed the duties of administration.

I have, &c.,

J. CHAMBERLAIN.

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

**No. 9.**

(No. 8.)

MY LORD,—

Downing Street, 10th March, 1900.

I have the honour to transmit to you, for the information of your Ministers, three copies of the document noted below.

I have, &c.,

H. BERTRAM COX,

For the Secretary of State.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
17th February, 1900	Judgment of Lords of the Judicial Committee of Her Majesty's Privy Council on the appeal of Coates v. The Queen.

## Enclosure.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL ON THE APPEAL OF COATES (THE RECEIVER FOR DEBENTURE-HOLDERS OF THE NEW ZEALAND MIDLAND RAILWAY COMPANY, LIMITED) *v.* THE QUEEN, FROM THE SUPREME COURT OF NEW ZEALAND; DELIVERED 17TH FEBRUARY, 1900.

Present at the Hearing: The Lord Chancellor, Lord Macnaghten, Lord Morris, Lord Shand, Lord Davey, Lord Robertson. Delivered by Lord Macnaghten.

THE controversy between the parties to this appeal turns upon the true construction of two statutes of the Legislature of New Zealand—"The Railways Construction and Land Act, 1881," and "The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act, 1884." The question in substance is whether the right of the Crown under the Act of 1881 to retain possession of the railway which the New Zealand Midland Railway Company (Limited) began to construct but were unable to finish is or is not subject to a charge in favour of the holders of debentures issued by the company.

The company was formed in England under "The Companies Act, 1862," for the purpose of constructing and working the railway. Its nominal capital was £500,000, but it had unlimited borrowing-powers. The contract for the construction of the railway, which was subject to the provisions of the Acts of 1881 and 1884, was made under the authority of "The Midland Railway Contract Act, 1887," between Her Majesty the Queen, represented by the Governor, of the one part, and the company of the other. The railway was to be completed within ten years from the 17th January, 1885. The proposed line was about 235 miles in length. It was intended to connect the east and west coasts of the Middle Island, and at each extremity to form a junction with Government railways then in operation. The total estimated cost was £2,500,000. In aid of the enterprise Her Majesty agreed to deliver to the company possession of all lands then in the possession and at the disposal of the Crown required for the purposes of the undertaking, and also to grant to the company, out of the public domain, as the works proceeded and successive sections of the line were completed lands of the value of 50 per cent. of the total estimated cost of construction.

The company raised £745,000 by the issue of debentures, and began the work of construction. In 1894 about seventy-five miles of the railway were completed. The cost of the work actually completed was, according to the estimate in the contract, £470,000, and the company received from the Crown grants of public land to the extent of 50 per cent. of that sum. Early in the year 1894 the operations of the company came to a standstill. The period fixed for the completion of the railway expired in January, 1895. In the following May, under the powers of the Act of 1881, section 123, the Governor took possession of the railway, and assumed the management of the part which had been completed, and went on with the construction of the line. In accordance with the provisions of that section, accounts were rendered half-yearly, showing the amounts expended and received by the Government, and the balances due from the company. For a time the company, or the debenture-holders in the name of the company, satisfied the demands of the Government out of the proceeds of sale of their land-grants. The last payment was in respect of the accounts for the period between the 1st March and the 31st August, 1897, and was made on the 26th January, 1898. Since that date nothing whatever has been paid by or on behalf of the company to the Government, and there is a large sum now due.

It is not disputed that the Governor was acting within the powers conferred upon him by section 123 of the Act of 1881 in taking possession of the railway and assuming the management thereof and proceeding with the works; nor can it be denied that the company have failed to make good public moneys spent on the line which by their contract, and the Act of 1881, they were bound to repay. The only question is whether there is anything to prevent the Governor availing himself of the further powers conferred upon him by sections 125 and 126 of the Act of 1881, and thereby acquiring an absolute title to the railway to the exclusion of the company and its debenture-holders.

Sections 125 and 126 of the Act of 1881 are in the following terms:—

Section 125: "If the company, for the space of one year after the Governor has taken possession . . . shall fail to repay all sums of public money which have been expended in or towards completing the said railway and the equipment thereof, and all sums of public money which shall have been expended on the repair or management of the railway or in connection therewith in excess of the receipts therefrom, it shall be lawful for the Governor, at any time after the expiration of the one year, to give three months' notice to the company that he intends to retain the said railway as Government property."

Section 126: "On the publication of an Order in Council at any time after the expiration of the said three months, to the effect that possession has been taken as aforesaid and will be permanently retained by the Government, the said railway and stations, and all plant, equipments, and appurtenances belonging thereto, shall, unless a satisfactory arrangement be in the meantime made between the Government and the company, become and be absolutely vested in Her Majesty the Queen without any conveyance or transfer whatsoever."

It seems that on the 9th May, 1898, after the half-yearly accounts from the 1st September, 1897, to the 28th February, 1898, had been rendered, the Governor gave notice of his intention to retain the railway as Government property; but, in order that the question which it was known the debenture-holders intended to raise might not be prejudiced, the Governor very properly abstained from issuing any Order in Council. It must therefore be taken for the purposes of this case that the Governor is rightfully in possession, and that the company are in default, but that no further step has been taken on behalf of the Government to exclude the company and the debenture-holders.



It appears to their Lordships that up to this point the case is perfectly clear. The company have only a determinable interest in the railway. Owing to their default the Governor is now in a position to determine their interest. When their interest is determined all rights depending upon the title of the company must fall with it. The power conferred upon the Governor to declare his intention to retain the railway as Government property means nothing unless it means that the railway is to be retained as property belonging to the Governor for the use of the public, and for no other use or purpose whatever, free from all charges and encumbrances created by the defaulting company. When the Governor takes the formal step of publishing an Order in Council his title on behalf of the public will be absolute and complete. It appears, therefore, to their Lordships that, unless there be some special provision negating this view, and giving the debenture-holders a right independent of the title of the company and superior to the right of the Governor, their claim must fail.

It was argued on behalf of the debenture-holders that such a provision is to be found expressed or implied in the Act of 1884. It therefore becomes necessary to refer to that enactment.

The Act of 1881 was a general Act. The Act of 1884, which refers to the Act of 1881 as "the principal Act," specially authorised the construction of the railway which the New Zealand Midland Railway Company was afterwards formed to construct. Some of the provisions of the Act of 1881 were repealed. Others were modified in favour of the promoters of the proposed railway. But sections 123 to 126 were left untouched, and are therefore, by section 18 of the Act of 1884, to "have full force and effect in respect of the railway to be constructed under the authority of" that "Act and the company constructing the same."

Among the provisions of the Act of 1881 repealed by the Act of 1884 was a group of sections relating to the borrowing of money. The borrowing-powers in the Act of 1884, which took their place, authorised the company "from time to time" to borrow such sum or sums of money as might be necessary for completing the construction of the railway, and for that purpose to issue debentures. And the enactment goes on to declare that all such debentures, and the interest payable thereon, shall be "a first charge on the entire assets of the company, including the railway and everything pertaining thereto." Some reliance was placed on the words "from time to time," which do not seem to have much bearing on the question. But the main argument was rested on the declaration that the debentures should be a first charge on the railway. It was contended that those words made the claim of the debenture-holders paramount to the rights of the Government. But the answer is that the right of the Government under sections 125 and 126 of the Act of 1881 is not a charge on the railway, and does not interfere with the priority of the charge in favour of the debenture-holders over other creditors of the company. The right of the Government is the right, in case of default on the part of the company, to take possession of the railway and retain it as Government property.

An argument on the part of the debenture-holders was founded on the provisions of the Act of 1884 authorising debenture-holders, in case of default in payment of principal or interest, to apply to the Court for the sale of such part of the company's property as was liable under the provisions of the Act for the payment of the money, and in the meantime for the appointment of a Receiver. Those provisions, however, are evidently intended to apply as between the company and its creditors, and do not interfere or purport to interfere with the paramount rights of the Government. It is not necessary to consider whether, under any circumstances, it would be competent for the debenture-holders to enforce the sale of part of the line, and so break up and disintegrate the railway. But their Lordships, as at present advised, see no reason to differ from the conclusion of the Supreme Court sitting in *banco*, which is averse to any such contention.

It was under these latter provisions of the Act of 1884 that the proceedings were taken which have given rise to this appeal. The debenture-holders applied for a sale of the completed portion of the railway and the other property of the company on which their debentures were charged. An order was made by arrangement and without argument in accordance with the prayer of the petition. On appeal to the Supreme Court that order was restricted so as to exclude any property being or forming part of the railway as defined by the Act of 1881, and any property forming part of or attached to the railway, or used in connection therewith as appurtenant to the same. The order of the Supreme Court was affirmed on appeal.

Their Lordships are of opinion that the view of the learned Judges of the Supreme Court and the Court of Appeal was perfectly correct, and they will therefore humbly advise Her Majesty that this appeal ought to be dismissed.

The appellant will pay the costs of this appeal.

No. 10.

(No. 12.)

MY LORD,—

Downing Street, 19th March, 1900.

I have the honour to transmit to you, for communication to your Ministers, with reference to your despatch (No. 6) of the 16th January, a copy of the letter noted below, respecting the desire of your Government for the resurvey of the coasts of the colony.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

Date	Description of Document.
10th March, 1900	Admiralty to Colonial Office.

## Enclosure.

SIR,—

Admiralty, 10th March, 1900.

My Lords Commissioners of the Admiralty, having had before them your letter of the 27th ultimo (No. 5889), desire me to request you will represent to Mr. Secretary Chamberlain that they have always been ready to assist in resurveys of waters desired by the Government of self-governing colonies, provided that there is a surveying-ship available, and on the understanding that the colony will contribute half the cost of the survey.

My Lords concur that there are many parts of the coasts of New Zealand which need closer surveys to meet modern requirements, and will endeavour to aid the colony; but at the present moment all the small force of surveying-vessels at the disposal of the Admiralty is engaged on urgent work elsewhere, and none could possibly be diverted during the present year.

It is not, however, understood that there is in the present request urgency for any particular piece of work, but rather a desire for a commencement of a resurvey of New Zealand waters in general where needed, a task which would occupy many years.

The staff of surveying-ships is too small to permit of an engagement being made to carry on a survey for a long series of years, as urgent calls may arise elsewhere; but their Lordships are ready, after hearing again from the colony, to endeavour to arrange that a ship shall be sent in 1901, and that she shall be kept at work so long as other calls permit.

It is desirable to state, to prevent future misunderstanding, that my Lords have found it necessary, in cases where these joint surveys are carried on, to retain in their own hands the decision as to what places or waters should be surveyed, as they cannot consent to the time of trained naval surveyors being occupied in making plans (as they have often been asked to do) of small or shallow ports that are only of local interest, and that can be mapped by engineers or land-surveyors.

My Lords would, of course, endeavour to meet the views of the colony as to the portions which should first be undertaken, and they will be glad to receive a list, arranged in order of urgency, of the ports and coasts which it is considered need early survey.

I am directed to state, for the information of the colony, that the full cost of a survey varies, according to the size of the ship and staff, from £10,000 to £15,000 per annum, one-half of which would fall on the colony.

I am, &amp;c.,

The Under-Secretary of State, Colonial Office.

H. J. VANSITTART NEALE.

## No. 11.

(No. 14.)

MY LORD,—

Downing Street, 23rd March, 1900.

I have the honour to inform you that the Secretary of State for War has now decided to accept the charge of the pay of chaplains accompanying the colonial contingents against army funds.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## No. 12.

(General.)

MY LORD,—

Downing Street, 31st March, 1900.

In reply to your Lordship's despatch (No. 11) of the 13th February, I have the honour to inform you that the Queen has been pleased to approve of the retention of the title of "Honourable" by Mr. Thomas Thompson, who has served for more than three years as a member of the Executive Council of the Colony of New Zealand.

A notice to this effect will be published in the *London Gazette*.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## No. 13.

(Circular.)

SIR,—

Downing Street, 2nd April, 1900.

I have the honour to inform you that my attention has been called to the fact that in various British colonies privileges which are accorded to British pharmacists are not extended to Irish pharmacists.

2. I am not aware of any justification for this discrimination. It appears, indeed, to have had its origin merely in the overlooking of the fact that the Imperial Pharmacy Act of 1868 applies only to Great Britain, separate provision being made for Ireland by "The Pharmacy Act (Ireland), 1875," and "The Pharmacy Act (Ireland) 1875 Amendment Act, 1890."

3. Should the pharmacy law, if any, of the colony under your government not treat Irish pharmacists as equally entitled to recognition with British pharmacists, I shall be glad if, when any modification of it is under consideration, the claims of Irish pharmacists to equal privileges can be borne in mind.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

No. 14.

(No. 16.)

MY LORD,—

Downing Street, 6th April, 1900.

I have the honour to acknowledge the receipt of your despatch (No. 12) of the 13th February last, on the subject of the transport of the Third and Fourth New Zealand Contingents to South Africa, and to express the great gratification with which Her Majesty's Government have learnt of the patriotism and public spirit shown by the people of New Zealand in the matter.

I have, &c.,

J. CHAMBERLAIN.

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

No. 15.

(No. 17.)

MY LORD,—

Downing Street, 6th April, 1900.

I have the honour to acknowledge the receipt of your despatch (No. 5) of the 15th January, suggesting the establishment of a Court to which appeals can be carried from the High Court of the Cook Islands. A.—1, 1901,  
No. 2.

I agree with you as to the desirability of providing a Court of Appeal, and I am of opinion that the appeal should lie to the Supreme Court of New Zealand. An Act passed in the Cook Islands will be sufficient to effect this purpose, whether a New Zealand Judge visits the Cook Islands or (a course which I should prefer) the trial of the case on appeal takes place in New Zealand.

Your question as to the prerogative of mercy is difficult to answer, except as regards cases tried before the Resident in his capacity of Judicial Commissioner; for such cases the prerogative is vested in the High Commissioner for the Western Pacific by section 80 of the Pacific Order in Council of 1893, of which a copy is enclosed. The best course will probably be to enable the Chief Justice of the Cook Islands, by an amendment of the High Court Act, to send any criminal cases for trial to the Commissioner's Court. When he possesses this power he should exercise it in all cases of importance, and it would then be possible to provide a satisfactory settlement of the difficulty by an amendment of the Pacific Order in Council, to the effect that in cases tried before the Judicial Commissioner the powers mentioned in clause 80 of the Order in Council shall be exercised by the Governor of New Zealand.

It will probably be desirable to make a further amendment of the Order in Council in order to provide for an appeal to the Supreme Court of New Zealand from the judgments of the Judicial Commissioner in whose Court cases in which Europeans are concerned are tried.

I shall be glad to learn whether your Ministers concur in these suggestions.

I have, &c.,

J. CHAMBERLAIN.

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

No. 16.

Downing Street, 26th April, 1900.

A DESPATCH signifying that Her Majesty will not be advised to exercise her powers of disallowance with respect to the Acts of the New Zealand Legislature passed in the session of Parliament, 1899.

[List of Acts published in the *New Zealand Gazette* of the 28th June, 1900.]

## No. 17.

(No. 21.)

MY LORD,—

Downing Street, 30th April, 1900.

A.—1, 1901,  
No. 9.

I have the honour to acknowledge the receipt of your despatch (No. 16) of the 1st ultimo, on the subject of the departure of the Third New Zealand Contingent.

2. I have read with much pleasure your report of the enthusiasm displayed by the people of New Zealand on this occasion; and I have no doubt that the remounts despatched on the “Undaunted” will be most acceptable to the military authorities in South Africa.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## No. 18.

(No. 24.)

MY LORD,—

Downing Street, 5th May, 1900.

A.—1, 1901,  
No. 7.

I have the honour to acknowledge the receipt of your despatch (No. 13) of the 23rd February last, forwarding on behalf of Makea, chief of the Arikis, a Mangaian stone axe for presentation to Her Majesty the Queen.

2. I have laid the gift before the Queen, who commands me to convey her sincere thanks to the donor.

3. Her Majesty has learnt with much gratification of the generous contribution of the people of the Cook Islands towards the Widows and Orphans Patriotic Fund.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## No. 19.

(No. 29.)

MY LORD,—

Downing Street, 16th May, 1900.

I have the honour to request that you will inform me whether the effect of the New Zealand “Kauri-gum Industry Act Amendment Act, 1899,” is to exclude Dalmatian immigrants already engaged in the kauri-gum industry, in any manner, from rights to dig which such immigrants would have possessed before the passing of the Act.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## No. 20.

(No. 32.)

MY LORD,—

Downing Street, 30th May, 1900.

I have the honour to transmit to you, for the information of your Ministers, the documents noted below respecting the reserved Bill of the Legislature of New Zealand (No. 33 of 1899) entitled “An Act to place certain Restrictions on Immigration into New Zealand.”

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

Date.	Description of Document.
15th May, 1900	... One sealed and six plain copies of Order of Her Majesty in Council declaring her assent to the above Act.

## Enclosure.

At the Court at Windsor, the 15th day of May, 1900. Present: The Queen's Most Excellent Majesty, Lord President, Lord Chamberlain, Earl of Kintore, Sir Richard Webster.

WHEREAS by an Act passed in the session held in the fifteenth and sixteenth years of Her Majesty's reign, entitled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is, amongst other things, declared that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New Zealand until the Governor of the said colony shall signify, either by speech or message to the Legislative Council and House of Representatives of the said colony, or by Proclamation, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same:

And whereas a certain Bill passed by the Legislative Council and House of Representatives of the said colony, entitled "An Act to place certain Restrictions on Immigration into New Zealand," was presented to the Officer Administering the Government of the said colony for Her Majesty's assent:

And whereas the said Bill was reserved by the said officer for the signification of Her Majesty's pleasure thereon:

And whereas the said Bill so reserved as aforesaid has been laid before Her Majesty in Council, and it is expedient that the said Bill should be assented to by Her Majesty:

Now, therefore, Her Majesty, in pursuance of the said Act, and in exercise of the power thereby reserved to Her Majesty as aforesaid, doth by this present Order, by and with the advice of Her Majesty's Privy Council, declare her assent to the said Bill.

A. W. FITZROY.

## No. 21.

(Circular.)

SIR,—

Downing Street, 30th May, 1900.

I have the honour to transmit to you, for your consideration, a copy of a letter from the Marquess of Lansdowne asking to be furnished with information regarding the nature of the engagements under which members of the forces raised elsewhere than in the United Kingdom are serving in the present campaign in South Africa, and I request that you will be good enough to supply me, at an early date, with the information required in regard to the contingents serving in South Africa raised in the colony under your government.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## Enclosure.

SIR,—

War Office, London, S.W., 14th May, 1900.

As no information exists at this department regarding the nature of the engagements under which members, either of the South African local forces or of the other forces raised elsewhere than in the United Kingdom, are serving in the present campaign, and as the possession of such information is found to be necessary, I am directed by the Secretary of State for War to ask that his Lordship may be made acquainted with the conditions of service, &c., obtaining in the various local forces in South Africa, irrespective of whether such forces were in existence prior to the war or have been raised since.

His Lordship would also be glad to be furnished with similar information in the cases of over-sea contingents sent to South Africa from the other colonies.

I am further to request that it may be stated whether it is obligatory that men should be furnished with certificates of discharge on quitting the forces referred to.

In the event of the men of any of the forces in question having been required to sign a form of attestation or enrolment on joining the forces to which they now belong, or of there being any form of discharge certificate to be given to them when they cease to belong to such forces, the Marquess of Lansdowne will feel obliged by your obtaining and forwarding to this department a copy of each such document.

The Under-Secretary of State, Colonial Office.

I am, &c.,

G. FLEETWOOD WILSON.

## No. 22.

(No. 34.)

MY LORD,—

Downing Street, 31st May, 1900.

I have the honour to inform you that Her Majesty will not be advised to exercise her powers of disallowance with respect to the Act (No. 15 of 1899) of the Legislature of New Zealand entitled "An Act to amend the Shipping

A.-1, 1900,  
No. 27.

and Seamen's Act, 1877," a transcript of which accompanied your despatch (No. 78) of the 14th December last.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

No. 23.

(No. 37.)

MY LORD,—

Downing Street, 15th June, 1900.

With reference to previous correspondence on the question of establishing a colonial branch of the Naval Reserve, I have the honour to inform you that the Lords Commissioners of the Admiralty are desirous of examining the question of the amount of pay which men joining the Colonial Reserve should receive; and in this connection they have asked to be informed whether the contingents raised in Canada, Australia, and New Zealand for service in South Africa, which are paid from Imperial army funds, draw any additional pay from colonial funds, and, if so, what amount is paid in the case of each colony to the different ranks employed.

I have accordingly to request that you will be good enough to supply me with the desired information so far as the colony under your government is concerned.

I have, &c.,

J. CHAMBERLAIN.

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

No. 24.

(No. 40.)

MY LORD,—

Downing Street, 27th June, 1900.

A.-1, 1901,  
No. 12.

I have the honour to acknowledge the receipt of your despatch (No. 29) of the 2nd ultimo, enclosing a copy of a memorandum by the Prime Minister conveying his views in favour of the retention, under the Australian Commonwealth Bill, of the present right of appeal to the Privy Council.

2. I am much obliged for this expression of the views entertained by your Prime Minister.

I have, &c.,

J. CHAMBERLAIN.

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

No. 25.

(No. 44.)

MY LORD,—

Downing Street, 30th June, 1900.

A.-1, 1901,  
No. 11.

I have the honour to acknowledge the receipt of your despatch (No. 28) of the 25th April, enclosing a memorandum by your Prime Minister on the subject of the Convention between this country and Germany regarding Samoa, and the future arrangements for the government of British islands and protectorates in the Pacific.

Her Majesty's Government recognise the legitimate disappointment of New Zealand in regard to the settlement of Samoa, and the loyalty with which it has been accepted by the colony, relying on the assurance of Her Majesty's Government that the arrangement of which it formed a part was advantageous for the Empire as a whole.

In regard to the island groups mentioned by Mr. Seddon, in so far as they are British possessions or protectorates, Her Majesty's Government are of opinion that the existing arrangements for the government of these islands are not such as should be permanently maintained, and they believe that it will be found desirable in the future to come to some arrangement under which the great self-governing colonies in whose interests they have been brought under British control may relieve Her Majesty's Government of responsibility for their administration. Your Government will, however,

recognise that the matter is one requiring great caution, in view of the important and powerful native and other interests involved, and that Her Majesty's Government would not be justified in taking any decisive steps in regard to it without the most careful examination and consideration.

In regard to the group of the Cook Islands with the administration of which the New Zealand Government is already associated, Her Majesty's Government are awaiting Mr. Seddon's report of his visit to the group before deciding whether any immediate action should be taken in the direction indicated in my telegram of the 16th May.

I have, &c.,

J. CHAMBERLAIN.

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

No. 26.

(No. 45.)

MY LORD,—

Downing Street, 6th July, 1900.

Her Majesty's Government, having, as stated in my telegram of the 24th December last, agreed to replace any ammunition taken to South Africa by colonial contingents, I have the honour to request that you will ascertain and report to me as soon as possible the amounts taken by the contingents from the colony under your administration.

I have, &c.,

J. CHAMBERLAIN.

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

No. 27.

(No. 47.)

Downing Street, 19th July, 1900.

THE Secretary of State presents his compliments to the Officer Administering the Government of New Zealand, and has the honour to transmit to him, for the information of his Ministers, the papers described in the subjoined schedule respecting the sale of arms, ammunition, and liquor to the natives of the Caroline Islands.

Date.	Description of Document.
2nd July, 1900	Copy of despatch from Lord Gough to the Marquess of Salisbury, with enclosures.

Enclosures.

MY LORD,—

Berlin, 2nd July, 1900.

I have the honour to transmit to your Lordship herewith copies and translations of a decree which has appeared in the current number of the *Official Colonial Gazette* prohibiting the sale of arms, ammunition, and alcoholic liquors to natives in the Caroline Protectorate.

I have, &c.,

The Marquess of Salisbury, K.G., &c.

GOUGH.

DECREE RESPECTING THE PROHIBITION TO PROVIDE THE NATIVES IN THE PROTECTORATE OF THE CAROLINES, PELEWS, AND MARIANNE ISLANDS WITH ARMS, AMMUNITION, EXPLOSIVES, OR ALCOHOLIC LIQUORS.

1. It is hereby prohibited to furnish natives of the Carolines, Pelews, or Mariannes, or other coloured persons residing in the group, with firearms, ammunition, explosives, or alcoholic liquors without the special permission of the local administrative authority.

2. If there are at the present time any supplies of firearms or spirits which from their nature are not suited for sale to Europeans, the same should be reported by the owners to the local administrative authorities within four months from the issue of the present decree.

3. Offenders against the prohibition contained in 1 shall be liable to imprisonment not exceeding three months, or to a fine not exceeding 1,000 marks. The authorities may also decree the confiscation of any arms, ammunition, or explosives found in the possession of the offender, so far as these, in the opinion of the Court, exceed the personal requirements of the owner.

4. The present decree comes into force upon the date of its publication.

A. VON RENNIGSEN,

Imperial Governor.

Ponape, 17th October, 1899.

No. 28.

(No. 50.)

MY LORD,—

Downing Street, 19th July, 1900.

I have the honour to acknowledge the receipt of your telegram of the 13th instant, conveying the congratulations of your Government on the passing of the Australian Commonwealth Bill.

2. The loyalty and the public spirit displayed by the Government and people of New Zealand in connection with this measure are gratefully appreciated by Her Majesty's Government.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

No. 29.

(No. 53.)

MY LORD,—

Downing Street, 26th July, 1900.

I have the honour to acknowledge the receipt of your despatch (No. 22) of the 9th April, forwarding a memorandum from your Premier suggesting that the Colonial Government should be empowered by legislation, if necessary, to commandeer vessels of the British mercantile marine for use as troopships should occasion arise.

2. I referred Mr. Seddon's suggestion to the Lords Commissioners of the Admiralty, and their Lordships have embodied their views respecting it in the letter of which a copy is enclosed.

3. It is not possible to gather from the various telegrams which I received from you during the early part of this year the exact nature of the difficulties to which your Premier refers as having been experienced in connection with the procuring of transports for the conveyance of the colonial contingents to South Africa. I shall be obliged, therefore, if you will move him to supply me with a full report as to these difficulties.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

Enclosure.

SIR,—

Admiralty, 9th July, 1900.

In reply to your letter of the 16th ultimo (No. 15410), and its enclosures, in which it is suggested that colonial Governments should be empowered by legislation, if necessary, to "commandeer" vessels of the British mercantile marine for use as troopships should occasion arise, I am commanded by my Lords Commissioners of the Admiralty to inquire if the Secretary of State has any information as to the difficulties which are stated by the Premier of New Zealand to have arisen in connection with procuring vessels to convey the contingents from that colony to South Africa, and whether it was a question of price or refusal to tender.

I am to add that in this country it has hitherto been the experience that suitable vessels can be obtained without interfering with freedom of contract, and the proposal to "commandeer" appears to their Lordships impracticable.

In their opinion, it would be much better to seize the ships and compensate the owners when the special emergency arises than to endeavour to legalise such high-handed action as "commandeering" in anticipation of an emergency.

I have, &amp;c.,

The Under-Secretary of State, Colonial Office.\*

EVAN MACGREGOR.

No. 30.

(No. 55.)

MY LORD,—

Downing Street, 27th July, 1900.

I have the honour to transmit to you, for the information of your Ministers, the accompanying copies of the Commonwealth of Australia Constitution Act.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.



## No. 31.

(Circular.)

SIR,—

Downing Street, 31st July, 1900.

It is with the deepest regret that I have to communicate to you the melancholy intelligence of the death of His Royal Highness the Duke of Saxe-Coburg and Gotha, Duke of Edinburgh, K.G., second son of Her Majesty the Queen.

His Royal Highness expired at the Castle of Rosenau, near Coburg, at 10 o'clock in the evening of the 30th instant, to the great grief of Her Majesty and of all the Royal Family.

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## No. 32.

(Circular.)

SIR,—

Downing Street, 4th August, 1900.

With reference to my circular despatch of the 4th August, 1899, relative to the extension by Germany of most-favoured-nation treatment to the United Kingdom and the colonies, I have the honour to transmit to you, for the information of your Government, a translation of a further law on the subject passed in Germany on the 30th June last, together with a telegram from Lord Gough stating that a notice, based on that law, but excluding Canada and Barbados, has been issued by the German Chancellor.

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## Enclosures.

LAW RESPECTING THE COMMERCIAL RELATIONS WITH THE BRITISH EMPIRE, OF 30TH JUNE, 1900.

(Translation.)

WE, William, by the Grace of God German Emperor, King of Prussia, decree in the name of the Empire, with the assent of the Federal Council and the Imperial Diet, for the period after 30th July, 1900, what follows:—

The Federal Council is empowered to grant to the subjects and products of the United Kingdom of Great Britain and Ireland, as also to the subjects and products of British colonies and foreign possessions, until 30th July, 1901, the same advantages as are accorded by the Empire to the subjects and products of the most favoured nation.

Given under Our Imperial hand and seal.

Travemünde, 30th June, 1900.

WILLIAM, COUNT POSADOWSKY.

TELEGRAM FROM LORD GOUGH, BERLIN, DATED 26TH JULY, 1900, No. 4, COMMERCIAL.

NOTICE issued last night by Chancellor, granting most-favoured-nation treatment to subjects and products of United Kingdom and to British colonies and foreign possessions, with exception of Canada and Barbados, beyond 30th July, and until further notice.

## No. 33.

(Circular.)

SIR,—

Downing Street, 7th August, 1900.

With reference to my circular despatch of the 1st February, 1898, I have the honour to transmit to you a copy of the Act (63 and 64 Vict., c. 14) passed during the present session of Parliament to provide for the admission of solicitors of Courts of British possessions to the Supreme Courts in the United Kingdom.

Before this Act can be applied to any British possession Her Majesty must be satisfied that the conditions set forth in subsection (1) of section 2 are complied with.

Should, therefore, the colony under your government desire to avail itself of the provisions of this Act, I have to request that I may be furnished with a report showing that the laws and regulations which obtain in the colony are such as to fulfil these conditions.

Where full information on the subject has already been supplied in response to my circular despatch of the 1st February, 1898, it will be sufficient to indicate whether that information is still accurate, or in what respects it needs modification or amendment.

It will be observed that this Act, which comes into operation on the 1st January next, repeals the Colonial Attorneys Relief Acts which are at present in force.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

### Enclosure.

[63 and 64 Vict.]

COLONIAL SOLICITORS ACT, 1900.

[Ch. 14.]

CHAPTER 14.—AN ACT to provide for the Admission of Solicitors of Courts of British Possessions to the Supreme Courts in the United Kingdom. [10th July, 1900.]

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. A solicitor of a superior Court in a British possession to which this Act applies, and who has been in practice before such Court for not less than three years, may, on giving due notice and the prescribed proof of his qualifications and good character, and either on passing the prescribed examination or, in the prescribed cases, without examination, and either after service of articles of clerkship during the prescribed period or, in the prescribed cases, without such service, be admitted a solicitor of the Supreme Court on payment of the prescribed amount in respect of stamp duties and fees.

2. (1.) Where, as respects a superior Court in a British possession, Her Majesty the Queen in Council is satisfied, on the report of a Secretary of State,—

(a.) That the regulations respecting the admission of persons to be solicitors of that superior Court are such as to secure that those solicitors possess proper qualifications and competency; and

(b.) That by the law of the British possession the solicitors of the Supreme Court will be admitted to be solicitors of the superior Court in the possession, on terms as favourable as those on which it is proposed to admit solicitors of that superior Court in pursuance of this Act to be solicitors of the Supreme Court—

Her Majesty in Council may order that this Act shall apply, and the same shall accordingly apply, to the said superior Court and British possession, subject to any exceptions, conditions, and modifications specified in the order.

(2.) Her Majesty in Council, by the same or any subsequent order, may, as respects the Court and British possession named in the order, provide for all matters authorised by this Act to be prescribed, and for all matters appearing to Her Majesty to be necessary or proper for giving effect to the order and to this Act.

(3.) Her Majesty in Council may revoke and vary any order previously made under this Act.

3. (1.) In this Act, unless the context otherwise requires, the expressions "superior Court" and "solicitor" mean respectively, as respects any British possession, such Court in the possession, and such solicitor, attorney, law agent, or other person entitled to practice as agent in a Court of law in the British possession, as may be prescribed.

(2.) A part of a British possession under a local Legislature may be treated as a British possession for the purposes of this Act.

4. In the application of this Act to Scotland the following modifications shall be made :—

(a.) "Court of Session" shall be substituted for "Supreme Court" :

(b.) "Solicitor of the Supreme Court" shall mean any enrolled law agent under "The Law Agents (Scotland) Act, 1873" :

(c.) "Articles of clerkship" shall include "indentures of apprenticeship."

5. In the application of this Act to Ireland the following modification shall be made :—

"Articles of clerkship" shall include "indentures of apprenticeship."

6. (1.) An Order in Council applying this Act to a Court in a British possession may provide that solicitors of that Court may be admitted by virtue of this Act to be solicitors in any part of the United Kingdom—namely, England, Scotland, or Ireland—or in two or one of those parts only.

(2.) A person admitted under this Act to be a solicitor in one part of the United Kingdom shall not, while remaining a solicitor there, be admitted under this Act to be a solicitor in any other part of the United Kingdom.

7. (1.) This Act may be cited as "The Colonial Solicitors Act, 1900."

(2.) The Acts specified in the Schedule to this Act are hereby repealed.

(3.) This Act shall come into operation on the first day of January, one thousand nine hundred and one.

## SCHEDULE.

Session and Chapter.	Title.
20 and 21 Vict., c. 39 ... ..	The Colonial Attorneys Relief Act.
37 and 38 Vict., c. 41 ... ..	The Colonial Attorneys Relief Act.
47 and 48 Vict., c. 24 ... ..	"The Colonial Attorneys Relief Act Amendment Act, 1884."

## No. 34.

(No. 57.) Downing Street, 14th August, 1900.  
 THE Secretary of State presents his compliments to the Officer Administering the Government of New Zealand, and has the honour to transmit to him, for the information of his Ministers, the paper described in the subjoined schedule, respecting the disposal of members of the colonial forces who have been invalided to this country from South Africa.

Date.	Description of Document.
1st August, 1900 ...	Circular letter from War Office to general officers commanding at Home.

## Enclosure.

SIR,—

War Office, London, S.W., 1st August, 1900.

I am directed to acquaint you that the Secretary of State for War has approved of the following arrangements for the disposal of members of colonial forces who have been invalided to this country from South Africa, as it is most desirable that those men whom it is not intended to send back to their units in South Africa should, with the least delay possible, be returned to their homes :—

(a.) Men medically unfit for further service may be discharged under that heading, and a "Form of Proceedings on Discharge" (Army Form B 268) should be completed as far as possible in each case, and forwarded, with the usual medical report (Army Form B 179), and any other documents which may be forthcoming, to the Secretary, Royal Hospital, Chelsea, London, S.W., for consideration as regards pension.

(b.) Men not medically unfit for further service who wish to be discharged may be released at once from the liability of further service, but the preparation of a "Proceedings on Discharge" will not be necessary in their cases. Those who have over five months still to serve and who do not desire to be discharged, and express a wish to this effect in writing, will be allowed to rejoin their corps in South Africa.

2. Men belonging to oversea contingents, together with those who were enrolled in South Africa for forces raised in that colony, and who wish to return there, will be granted passage to the colonies from which they came upon application to the Quartermaster-General, which should be made without delay.

3. In both classes of discharge the men will be furnished with Discharge Certificates showing the reason of their release from further service in connection with the war, and, in those cases in which passage is granted, these certificates will be dated for the date on which they are to embark. Army Form B 2079 will be used, the word "recruit" in the second line thereof being erased.

4. A gratuity of £5 will be paid to each man entitled thereto under Army Order 150 of 1900, and in every case a careful note should be taken of the man's intended future address, with a view to insuring the payment of any general war gratuity, or issue of medal, which may hereafter be awarded.

5. A notification of the date of the men's embarkation, and a certificate showing up to what date the men have been paid, should be forwarded by the officer who carries out the discharge to the under-mentioned officers, viz.: Men belonging to—(a) Canadian Contingent, G.O.C. Militia, Canada, Ottawa; (b) South African forces, G.O.C., Capetown; (c) Australian and New Zealand contingents, and Ceylon Mounted Infantry, Governor of the colony from which the men came; (d) Lumsden's Horse, Commander-in-Chief in India.

Men of the Canadian Contingent should be instructed to report their arrival in Canada to the Officer Commanding, Citadel, Quebec.

6. Furlough to the date of embarkation may be granted, provided the men certify in writing that they desire it.

The General Officer Commanding.

I am, &amp;c.,

H. BORRETT, I.G.R.

P.S.—The Marquis of Lansdowne desires me to impress upon you that many of these men are quite ignorant of the military rules prevailing in this country, and unfamiliar with discipline, and requests, therefore, that you will make it your business to explain to them fully, and in good time, the intentions of this office in regard to them.

No. 35.

(Circular.)

SIR,—

Downing Street, 20th August, 1900.

With reference to my telegram of the 16th instant, I have the honour to transmit to you, for the information of your Government, a copy of "An Act to amend the Law relating to the Exportation of Arms, Ammunition, and Military and Naval Stores" (63 and 64 Vict., ch. 34), together with a copy of a Proclamation issued thereunder, prohibiting the exportation to China of arms and ammunition from and after the date thereof.

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## Enclosure.

[Extract from the *London Gazette* of Tuesday, 7th August, 1900.]

By THE QUEEN.—A PROCLAMATION.

VICTORIA, R.

WHEREAS by "The Exportation of Arms Act, 1900," section 1, it is enacted that it shall be lawful for Her Majesty, by Proclamation, to prohibit the exportation of all or any of the following articles, namely: Arms, ammunition, military and naval stores, and any article which Her Majesty shall judge capable of being converted into or made useful in increasing the quantity of arms, ammunition, or military or naval stores being used against Her Majesty's subjects or forces, or against any forces engaged or which may be engaged in military or naval operations in co-operation with Her Majesty's forces:

And whereas we, by and with the advice of our Privy Council, judge it expedient to prohibit the exportation to China of arms and ammunition, in order to prevent their being used as in the said Act stated:

Now we, by and with the advice aforesaid, do hereby prohibit the exportation to China of arms and ammunition from and after the date hereof.

Given at our Court at Osborne House, Isle of Wight, the 7th day of August, in the year of our Lord 1900, and in the sixty-fourth year of our reign.

GOD SAVE THE QUEEN!

No. 36.

(No. 66.)

Downing Street, 23rd August, 1900.

THE Secretary of State presents his compliments to the Officer Administering the Government of New Zealand, and, with reference to Lord Ranfurly's telegram of the 31st ultimo, has the honour to transmit to him, for the information of his Ministers, the papers described in the subjoined schedule, on the subject of the assassination of the late King of Italy.

Date.	Description of Document.
17th August, 1900 ... ..	Copy of a letter from the Foreign Office, with enclosure.

## Enclosures.

SIR,—

Foreign Office, 17th August, 1900.

With reference to your letters of the 31st ultimo and the 1st and 3rd instant, I am directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before Mr. Secretary Chamberlain, a copy of a despatch from Her Majesty's Ambassador at Rome, in which His Excellency states that the condolence of various British colonies on the occasion of the murder of the King of Italy have been communicated through the proper channel.

I am, &amp;c.,

The Under-Secretary of State, Colonial Office.

T. H. SANDERSON.

MY LORD,—

Rome, 11th August, 1900.

With reference to your Lordship's despatches (Nos. 15, 16, 17, 18, 19) of this series, I have the honour to state that I at once communicated to the Italian Government the expressions of condolence and sympathy of the Australasian Colonies of New Zealand, Victoria, Tasmania, West Australia, South Australia, Queensland, and New South Wales on the occasion of the assassination of His Majesty King Humbert.

In thanking me for these communications, Monsieur Visconti Venosta informs me that he will not fail to transmit these messages to the proper quarters.

I have, &amp;c.,

The Marquess of Salisbury, K.G., &amp;c.

CURRIE.

No. 37.

(Circular.)

MY LORD,—

Downing Street, 24th August, 1900.

I have the honour to transmit to your Lordship a copy of a letter from the Royal Commission on Salmon Fisheries, requesting to be furnished with information on the question of the influence of artificial propagation of salmon, or any additional information that would be of assistance having regard to the terms of reference; and I should be glad to be favoured at your early convenience with any information on the subject which your Government may be able to supply, for communication to the Royal Commission.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## Enclosures.

Royal Commission on Salmon Fisheries, 32, Abingdon Street, London, S.W.,  
17th August, 1900.

SIR,—

The Royal Commissioners are desirous of obtaining information from Canada, New Zealand, and the various Australian Colonies on the question of the influence of artificial propagation of salmon, or any additional available information that would be of assistance, having regard to the terms of reference, of which some copies are enclosed.

I respectfully ask you to move Mr. Chamberlain to approach the various Governments indicated to secure the objects in view.

I have, &amp;c.,

ALFRED H. HIGGINS, Secretary, C.S.F.

The Under-Secretary of State for the Colonies, Downing Street, S.W.

Royal Commission on Salmon Fisheries, 32, Abingdon Street, London, S.W.

## TERMS OF REFERENCE.

- (1.) To consider the causes affecting the yield of the salmon fisheries in England, Wales, and Scotland;
- (2.) The operation and influence of the present method of fishing;
- (3.) The extent to which fish have access to the upper waters;
- (4.) The protection of spawning fish and fry, and the cultivation and protection of stock; and
- (5.) To report whether any change of the law is desirable in the several interests concerned.

No. 38.

(Circular.)

SIR,—

Downing Street, 25th August, 1900.

With reference to my circular despatch of the 17th July, 1899, I have the honour to transmit to you, for publication in the colony under your government, copies of a further memorandum issued by the Board of Agriculture relative to the importation of dogs into Great Britain from abroad.

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## Enclosure.

BOARD OF AGRICULTURE.—MEMORANDUM AS TO THE IMPORTATION OF DOGS INTO GREAT BRITAIN FROM ABROAD.

1. The disease of rabies in dogs and of hydrophobia in man, which remains prevalent in almost all other parts of the world, has become practically extinct in this country, and the regulations of the Board are designed to prevent its reintroduction.

2. The importation of dogs into Great Britain from any foreign country, or British possession other than the Channel Islands, without the sanction of the Board is prohibited by orders made under the Disease of Animals Acts\*; and the landing of a dog from abroad (whether originally exported from Great Britain or not) will, unless a license has previously been obtained, render the owner liable to a penalty of £20 and the possible seizure of the dog.

3. Every person who wishes to import a dog must make application in writing for the necessary license, on a form which will be supplied for the purpose, and the form should be accom-

\*NOTE.—The Dogs (landing from Ireland) Order of 1899 imposes similar restrictions on the landing in Great Britain of dogs from Ireland.

panied by a letter addressed to "The Secretary, Board of Agriculture, 4, Whitehall Place, London, S.W.," explaining the circumstances under which the application is made, and stating how long the dog has been in the possession and personal charge of the applicant. It is to be understood, however, that an application is not necessarily followed by the issue of a license to land the dog, and that the Board cannot sanction the landing of dogs which usually live abroad, but which their owners while on a visit to this country wish to bring with them.

4. Every application must be made by the person who will be the owner of the dog during the period of detention in this country, and it should be forwarded in sufficient time to enable the Board to make full inquiries into the circumstances and as to the suitability of the premises in which it is proposed that the dog should be isolated, and to permit of their decision being communicated to the applicant before the dog is embarked. Masters of vessels cannot properly accept a dog for shipment to Great Britain from abroad unless the license is produced at the port of embarkation, and they are liable to prosecution if the dog is landed illegally.

5. In order that the Board may have it on record that the conditions on which alone a license can be issued are fully understood, the applicant must sign the undertaking set out in one or other of the forms.

6. Unless the dog to be imported has, at the date of the application, been in the personal charge of the applicant during the preceding three months, the Board can only authorise its landing under a license (Form A) requiring the detention and isolation of the dog for six months. Such licenses are only issued where arrangements have previously been made for the detention of the dog for that period at an isolation-station approved by the Board, at the expense of the owner, and at his risk. At the present time the only isolation-station so approved is the Dog Sanatorium, Beddington Lane, Mitcham, Surrey, to the manager of which establishment communications respecting terms, &c., should be addressed.

7. Dogs landed with licenses (Form A) should be forwarded in crates or hampers, and with the utmost possible expedition, to the isolation-station.

8. If, however, the applicant is able to declare that the dog has been in his personal charge for three months, he may apply for a license (Form B) which requires the detention of a dog for a period of six months on some suitable private premises to be specified by the applicant, and approved by the Board, where the dog will be under the supervision of the officers of the Board and of the local authority, for whose inspection it should be produced when required. If, however, the general conditions imposed are properly carried out, the Board are prepared, on the production of a certificate of a duly qualified veterinary surgeon that the dog is not affected with, or suspected of, rabies, to consider applications for the release of the dog after a period of ninety days.

9. The applicant's private place of residence is regarded in most instances as a suitable place of detention for a dog detained under a license (Form B), provided that he is the householder, and that no other dogs are kept upon the premises. Hotels, flats, lodgings, barracks, or other similar premises where the dog cannot be conveniently isolated, or where the owner of the dog cannot guarantee that the animal can be detained for the full period required by the Board, are not regarded as suitable places of detention. For a similar reason private residences are seldom suitable where more than one dog is to be imported. If the applicant has no fixed residence where the dog can be kept under his own charge, arrangements should be made for the detention of the dog for the necessary period at an isolation-station, or on the premises of an experienced veterinary surgeon.

10. On arrival at a port in Great Britain, and before the dog can be landed, the holder of the license is required to produce it for the inspection of the officer of Her Majesty's Customs.

11. The license requires the dog, when landed, to be taken by the nearest available route, and without unnecessary delay, to the premises specified therein, and the arrival of the dog there must at once be notified in writing to the Board.

12. Where, however, dogs admitted under a license (Form B) are landed late in the day, and the place of detention is distant from the port, the Board do not object to the journey of the dog being broken by its detention at some suitable place for one night, provided that it is kept apart from all other dogs, and that the journey is thereafter completed with reasonable despatch.

13. The license should be retained by the person in charge of the dog, who is responsible for compliance with the conditions prescribed in the license. The license must be returned to the Board at the end of the period of detention, or at once if it is not made use of.

14. The dog cannot in any case be moved from the place of detention to other premises in the United Kingdom without a further license from the Board. Where the Board are satisfied that exceptional circumstances have arisen which render the removal of a dog detained under a license (Form B) necessary or expedient, they are prepared to consider an application for a removal license, provided it is not proposed to remove the dog from a rural to an urban district, or from the original premises to a less suitable place of detention. Unless the dog is to be taken from the private residence of the owner to another house in his occupation, the premises of an experienced veterinary surgeon should be specified as the place of detention, and the removal cannot be authorised unless the dog can be detained at the second address for the remainder of the period of detention.

15. Where satisfactory arrangements of the character above indicated cannot be made by the owner, the dog must be detained at the premises first specified, or removed to such place as the Board may direct.

16. During the period of detention under a license (Form B) the dog, when temporarily moved for exercise as provided in the license, must be properly muzzled with a wire-cage muzzle, and in charge of a competent person, and the former condition is also applicable when the dog is likely at any time to be brought into contact with other dogs.

17. Should a dog die, or be lost, whilst under detention, the fact should be at once reported to the Board, together with full information as to the symptoms preceding death, or the circumstances in which the loss took place. In the event of the dog sickening with any of the symptoms of rabies, it should be at once isolated, and the advice of a veterinary surgeon obtained.

18. A dog detained under a license of the Board cannot be moved to a vessel for exportation without a further license of the Board.

19. Licenses are issued by the Board to land performing-dogs, if it can be shown that the dogs have been trained to take part in performances for the entertainment of the public, and that they are to be imported for that purpose only, and that they are under an actual engagement to perform immediately on arrival. These licenses require that during a period of ninety days dogs so admitted shall be isolated from contact with all other dogs, that they shall not be taken into any public place unless properly muzzled in the manner set out in the license, and that during that period the Board shall at all times be kept informed of the premises upon which the dogs are detained. Satisfactory evidence must also be afforded that the animals are habitually kept apart from all other dogs, whether in this country or abroad.

20. For the convenience of persons passing through Great Britain the Board are prepared, in special cases, to issue licenses for the landing of dogs to be exported within a very few days. Applications for such licenses should specify the ports, the names of the vessels, the dates of their arrival and departure, and the address of some suitable place where the dog can be detained during the period that it remains in Great Britain. The license in this case should be indorsed by an officer of the vessel of departure, and returned to the Board by the owner. The dog cannot again be landed in Great Britain without a further license.

21. The experience of the Board has clearly shown that the frequent movement of pet dogs to and from the Continent involves this country in serious danger, inasmuch as a pet dog may become infected with rabies without the knowledge and despite the utmost care on the part of its owner. It is therefore a matter of great importance to owners of dogs in Great Britain that dogs from abroad should only be admitted in instances where it has been satisfactorily established that some useful purpose will be served by their admission, or where a pet dog would otherwise be separated from its owner for a prolonged period. Pet dogs should not be taken abroad and thus exposed to the risk of infection, except in cases of real necessity.

22. The Board earnestly invite the cordial co-operation of dog-owners in carrying out regulations which have been designed with a view to minimise the risk of reintroducing a very terrible disease.

T. H. ELLIOTT, Secretary.

Board of Agriculture, 4, Whitehall Place, London, S.W., 8th August, 1900.

[Copies of this memorandum may be obtained on application to the Secretary of the Board of Agriculture at the above address.]

#### No. 39.

(No. 71.)

MY LORD,—

Downing Street, 10th September, 1900.

I have the honour to acknowledge the receipt of your despatch (No. 51) <sup>A.-1, 1901,</sup> of the 21st July, transmitting papers relating to the New Zealand system of <sup>No. 19.</sup> Government advances to settlers, which it is thought may be of service to the Egyptian authorities.

2. I have caused these papers to be forwarded to the Foreign Office, with the suggestion that they should be transmitted to Her Majesty's Agent and Consul-General in Egypt.

I have, &c.,

J. CHAMBERLAIN.

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

#### No. 40.

(No. 72.)

MY LORD,—

Downing Street, 12th September, 1900.

I have the honour to acknowledge the receipt of your despatch (No. 55) <sup>A.-1, 1901,</sup> of the 2nd August, forwarding an Address to Her Majesty from the New Zealand <sup>No. 22.</sup> Legislature expressing sympathy on the death of His Royal Highness the Duke of Saxe-Coburg, which has been duly laid before the Queen.

2. I have already communicated to you in my telegram of the 3rd August Her Majesty's high appreciation of the loyal and sympathetic terms of this Address.

I have, &c.,

J. CHAMBERLAIN.

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

No. 41.

(General.)

MY LORD,—

Downing Street, 13th September, 1900.

A.-1, 1901,  
No. 15.

In reply to your Lordship's despatch (No. 42) of the 2nd July, I have the honour to inform you that the Queen has been graciously pleased to approve of the retention of the title of "Honourable" by Mr. John McKenzie, who has served for more than three years as a member of the Executive Council of the Colony of New Zealand.

A notice to this effect will be published in the *London Gazette*.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

No. 42.

(No. 78.)

MY LORD,—

Downing Street, 20th September, 1900.

A.-1, 1901,  
No. 23.

I have the honour to acknowledge the receipt of your despatch (No. 56) of the 3rd August, stating that you have been requested by the Mayors of Auckland, Westport, and other towns to forward expressions of their condolence with Her Majesty on the death of the Duke of Saxe-Coburg.

2. I have laid your Lordship's despatch before the Queen, and Her Majesty commands me to convey her sincere thanks for these kind expressions of sympathy.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

No. 43.

(No. 79.)

MY LORD,—

Downing Street, 20th September, 1900.

A.-1, 1901,  
No. 24.

I have the honour to acknowledge the receipt of your despatch (No. 57) of the 3rd ultimo, enclosing Addresses from the Legislative Council and House of Representatives of New Zealand expressing indignation and sympathy at the assassination of the King of Italy.

2. The Addresses have been forwarded through the Foreign Office to Her Majesty's Ambassador at Rome for communication through the proper channel.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

No. 44.

(No. 80.)

MY LORD,—

Downing Street, 20th September, 1900.

No. 39.

I have the honour to transmit to you, for communication to your Premier, with reference to my despatch (No. 71) of the 10th instant, a copy of a letter from the Foreign Office conveying the Marquess of Salisbury's thanks for the information forwarded in regard to Government advances to settlers in New Zealand.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

Enclosure.

SIR,—

Foreign Office, 14th September, 1900.

I am directed by the Marquess of Salisbury to acknowledge the receipt of your letter (29197/1900) of the 10th instant, forwarding information in regard to Government advances to settlers in New Zealand, which the Premier of that colony thinks may be of use to the Egyptian Government. I am to inform you that a copy will be sent to Her Majesty's Charge d'Affaires at Cairo, with the enclosures.



Lord Salisbury would be glad if Her Majesty's Secretary of State for the Colonies would cause his thanks to be conveyed to the Premier of New Zealand, whose desire to assist the Egyptian Government will be highly appreciated.

The Under-Secretary of State, Colonial Office.

I am, &c.,

F. H. VILLIERS.

No. 45.

(Circular.)

SIR,—

Downing Street, 20th September, 1900.

I have the honour to transmit to you, for publication in the colony under your government, a copy of a Convention between the United Kingdom and the United States of America relative to the disposal of real and personal property, signed at Washington on the 2nd March, 1899, the ratifications of which were exchanged at Washington on the 28th July, 1900.

It will be observed from Article IV. of the Convention that, if it is desired that the stipulations of the Convention should be made applicable to any of the colonies or foreign possessions of Her Majesty, notice to that effect must be given on behalf of any such colony or foreign possession by Her Majesty's Representative at Washington to the United States Secretary of State within one year from the date of the exchange of the ratifications.

I shall therefore be glad to be informed, as soon as possible, whether the colony under your government wishes to adhere to the Convention.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

#### Enclosure.

CONVENTION BETWEEN THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA RELATIVE TO THE DISPOSAL OF REAL AND PERSONAL PROPERTY. Signed at Washington, 2nd March, 1899; Ratifications exchanged at Washington, 28th July, 1900.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of America, desiring to improve the condition of the subjects and citizens of each of the respective countries in relation to the tenure and disposition of real and personal property situated or being within the territories of the other, as well as to authorise the representation of deceased persons by the Consuls of their respective nations in the settlement of estates, have resolved to conclude a Convention for those purposes, and have named as their Plenipotentiaries: Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Hon. Sir Julian Pauncefote, Knight Grand Cross of the Orders of the Bath and of St. Michael and St. George, Ambassador Extraordinary and Plenipotentiary of Great Britain; and the President of the United States of America, the Hon. John Hay, Secretary of State of the United States of America; who, having exchanged their said full powers, found in due and proper form, have agreed to and signed the following articles:—

#### Article I.

Where, on the death of any person holding real property (or property not personal) within the territories of one of the contracting parties, such real property would, by the laws of the land, pass to a subject or citizen of the other were he not disqualified by the laws of the country where such real property is situated, such subject or citizen shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and to withdraw the proceeds thereof without restraint or interference, and exempt from any succession, probate, or administrative duties or charges other than those which may be imposed in like cases upon the subjects or citizens of the country from which such proceeds may be drawn.

#### Article II.

The subjects or citizens of each of the contracting parties shall have full power to dispose of their personal property within the territories of the other by testament, donation, or otherwise; and their heirs, legatees, and donees, being subjects or citizens of the other contracting party, whether resident or non-resident, shall succeed to their said personal property, and may take possession thereof either by themselves or by others acting for them, and dispose of the same at their pleasure, paying such duties only as the citizens or subjects of the country where the property lies shall be liable to pay in like cases.

#### Article III.

In case of the death of any subject of Her Britannic Majesty in the United States, or of any citizen of the United States of America in the United Kingdom of Great Britain and Ireland, without having, in the country of his decease, any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular officer of the nation to which the deceased person belonged of the circumstance, in order that the necessary information may be immediately forwarded to persons interested.

The said Consular officer shall have the right to appear, personally or by delegate, in all proceedings on behalf of the absent heirs or creditors until they are otherwise represented.

*Article IV.*

The stipulations of the present Convention shall not be applicable to any of the colonies or foreign possessions of Her Britannic Majesty unless notice to that effect shall have been given on behalf of any such colony or foreign possession by Her Britannic Majesty's representative at Washington to the United States Secretary of State within one year from the date of the exchange of the ratifications of the present Convention.

It is understood that, under the provisions of this article, Her Majesty can in the same manner give notice of adhesion on behalf of any British protectorate or sphere of influence, or on behalf of the Island of Cyprus, in virtue of the Convention of the 4th June, 1878, between Great Britain and Turkey.

The provisions of this Convention shall extend and apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas only upon notice to that effect being given by the representative of the United States at London, by direction of the treaty-making power of the United States.

*Article V.*

In all that concerns the right of disposing of every kind of property, real or personal, subjects or citizens of each of the high contracting parties shall, in the dominions of the other, enjoy the rights which are or may be accorded to the subjects or citizens of the most favoured nation.

*Article VI.*

The present Convention shall come into effect ten days after the day upon which the ratifications are exchanged, and shall remain in force for ten years after such exchange. In case neither of the high contracting parties shall have given notice to the other twelve months before the expiration of the said period of ten years of the intention to terminate the present Convention, it shall remain in force until the expiration of one year from the day on which either of the high contracting parties shall have given such notice.

Her Britannic Majesty or the United States shall also have the right separately to terminate the present Convention at any time on giving twelve months' notice to that effect in regard to any British colony, foreign possession, or dependency, as specified in Article IV., which may have acceded thereto.

*Article VII.*

The present Convention shall be duly ratified by Her Britannic Majesty and by the President of the United States, by and with the approval of the Senate thereof, and the ratifications shall be exchanged in London or in Washington.

In faith whereof we, the respective Plenipotentiaries, have signed this treaty, and have hereunto affixed our seals.

Done in duplicate, at Washington, the 2nd day of March, 1899.

JULIAN PAUNCEFOTE.  
JOHN HAY.

No. 46.

(No. 81.)

MY LORD,—

Downing Street, 21st September, 1900.

I have the honour to acknowledge the receipt of your despatch (No. 54) of the 2nd August, stating that the French inhabitants of New Zealand have expressed to you, through their Consul, their condolence with Her Majesty on the death of His Royal Highness the Duke of Saxe-Coburg.

2. This message has been laid before the Queen, and Her Majesty commands me to convey her sincere thanks for this kind expression of sympathy.

I have, &c.,

J. CHAMBERLAIN.

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

No. 47.

(Circular.)

SIR,—

Downing Street, 11th October, 1900.

I have the honour to transmit, for the information of your Government, a copy of a circular despatch which I have addressed to the Governors of colonies employing the Crown Agents for the Colonies, notifying the appointment of Mr. William Hepworth Mercer to the vacancy of the third Crown Agent.

I have, &c.,

J. CHAMBERLAIN.

The Officer Administering the Government of New Zealand.

## Enclosure.

(Circular.)

SIR,—

Downing Street, 11th October, 1900.

I have the honour to inform you that I have appointed Mr. William Hepworth Mercer, of this department, to be one of the Crown Agents for the Colonies, in conjunction with Mr. E. E. Blake and Major M. A. Cameron, R.E., C.M.G.

Mr. Mercer will fill the vacancy of third Crown Agent resulting from the appointment of Sir Montagu Frederick Ommanney, K.C.M.G. (senior Crown Agent), to be Permanent Under-Secretary of State in this department.

I have, &amp;c.,

J. CHAMBERLAIN.

The Officer Administering the Government of

No. 48.

(No. 87.)

MY LORD,—

Downing Street, 23rd October, 1900.

I have the honour to transmit to you, for the information of your Ministers, a copy of a letter from the War Office enclosing a copy of a telegram sent to the General Officer Commanding Lines of Communication, Capetown, giving instructions as to the mode of settlement with members of the oversea contingents serving in South Africa on return to their homes.

I have, &amp;c.,

J. CHAMBERLAIN.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

## Enclosures.

SIR,—

War Office, London, S.W., 19th October, 1900.

I am directed by the Secretary of State for War to transmit herewith, for the information of Mr. Secretary Chamberlain and of the colonies concerned, if he deems it necessary that they should be acquainted therewith, the enclosed copy of a telegram which was recently despatched to the General Officer Commanding Lines of Communication, Capetown, giving instructions as to the mode of settlement with members of the oversea contingents serving in South Africa on return to their homes.

I am, &amp;c.,

G. FLEETWOOD WILSON.

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

## POST-OFFICE TELEGRAPHS.

To General of Communications, Capetown.

MEMBERS of oversea contingents returning to their homes on general disbandment to be paid to date of discharge, receiving a uniform advance of forty days' pay and messing-allowance, to be calculated from date of embarkation at South Africa, together with gratuity of £5, granted by Army Order 150 of 1900.

Their discharge-certificates should date from the fortieth day after embarkation. Charges for the advance of pay, &c., will appear in the final pay-list, which should be rendered, if possible, before embarkation. These instructions not applicable to men coming to England with representative contingents. Their dates of discharge will be arranged in this country, and they should receive thirty days' advance of pay on embarking in South Africa.

ACCOUNTANT-GENERAL.

No. 49.

(No. 91.)

MY LORD,—

Downing Street, 31st October, 1900.

I have the honour to request that you will inform your Ministers that Rear-Admiral Lewis A. Beaumont has been appointed to succeed Rear-Admiral Hugo L. Pearson as Naval Commander-in-Chief on the Australian station.

I have, &amp;c.,

H. BERTRAM COX,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

No. 50.

(No. 94.)

MY LORD,—

Downing Street, 6th November, 1900.

A.—1, 1901,  
No. 36.

I have the honour to acknowledge the receipt of your despatch (No. 72) of the 29th September, transmitting a copy of a resolution passed by both Houses of the Legislature of New Zealand respecting the annexation of the Cook Islands and certain other islands in the Pacific, and reporting your own proceedings in connection with the intended annexation.

I have, &amp;c.,

H. BERTRAM COX,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

No. 51.

(No. 97.)

MY LORD,—

Downing Street, 9th November, 1900.

A.—1, 1901,  
No. 33.

I have laid before the Queen the letter of condolence on the death of His Royal Highness the Duke of Saxe-Coburg-Gotha, received by you from Makea, Chief of the Federal Government of the Cook Islands, and forwarded in your despatch (No. 68) of the 25th September last.

2. Her Majesty desires that, in thanking Makea and the Arikis on her behalf for this expression of sympathy, you will convey to them her gratification at the assurance of their loyalty contained in the letter.

I have, &amp;c.,

M. F. OMMANNEY,

For the Secretary of State.

Governor the Right Hon. the Earl of Ranfurly, K.C.M.G., &amp;c.

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