

Memorandum for the Right Hon. the Premier.

THE Deputy Governor begs to inform the Premier, with reference to his memorandum of the 25th October, that he has forwarded the memoranda to the Secretary of State for the Colonies. As the question is referred to the Colonial Office, it is not necessary to continue the discussion.

He only desires to add that he regrets that he does not appreciate the reasons or position taken up by the Right Hon. the Premier for departing from the agreement made in 1884 between the Imperial authorities and the colonies in reference to the proper form of clause to be inserted in a Bill to be reserved.

Government House, Wellington, 26th October, 1900.

MY LORD,—

Downing Street, 21st March, 1901.

I have the honour to inform you that I have submitted for the consideration of the Lords Commissioners of the Admiralty the reserved Bill of the Legislature of New Zealand entitled "The New Zealand Ensign Act, 1900," copies of which were forwarded in the Deputy Governor's despatch of the 26th October last.

2. Their Lordships are advised that, owing to the use of the words "for all purposes" in the preamble of the Bill, nothing further would be necessary, after the King's assent to the Bill had been signified, to justify the use of the blue ensign with the distinguishing marks mentioned in section 2 as the ensign of the colony for all purposes—*i.e.*, it could be used by merchant vessels belonging to New Zealand.

3. This proposal is one which their Lordships cannot regard with favour, inasmuch as by the Merchant Shipping Act, section 73, the red ensign without defacement is declared to be the proper national colours for all ships and boats belonging to any British subject, except in the case of His Majesty's ships and boats, or of any other ship or boat for the time being allowed to wear any other national colours in pursuance of a warrant from His Majesty or from the Admiralty.

4. Colonial merchant ships in some cases have been allowed distinguishing badges of the colony with the red ensign, but the use of the blue ensign has been carefully restricted by the Admiralty to ships and vessels whose special character it is desired to make known, such as—(a) ships and vessels in the service of public offices, (b) belonging to and permanently in the service of the colonies, (c) transports, and yachts belonging to certain yacht clubs, which are also allowed, by warrant, to use it.

5. The only British merchant ships allowed to wear the blue ensign are those in receipt of Admiralty subvention, or commanded by retired officers of the Royal Navy, or officers of the Royal Naval Reserve, and having a specified number of Naval-Reserve men in the crew.

6. A special Admiralty warrant is required in each case.

7. If, however, the present Bill receives His Majesty's assent as it stands, the necessity of obtaining an Admiralty warrant to fly the blue ensign would no longer exist in the case of New Zealand vessels, and what is now a privilege would be exercised as a right by all vessels of the colony, however small. This would doubtless lead to claims from the mercantile marine of this country and of other colonies to a similar privilege, and might result in its becoming necessary to alter the law as to colours.

8. It is possible that your Government has not fully realised that the Bill, if it comes into force, would seriously interfere with existing arrangements; and I shall be glad to receive a full expression of the views of your Ministers after they have considered the objections set forth above.

9. I take this opportunity to acknowledge the receipt of the Deputy Governor's despatch of the 25th October last, relative to the form of the reservation clause in "The New Zealand Ensign Act, 1900." I prefer the form which was suggested in Lord Derby's circular despatch of the 20th June, 1884; but the form used in the present Bill appears to me sufficient for all practical purposes.

I have, &c.,

Secretary of State for the Colonies.

The Right Hon. the Governor of New Zealand.

Memorandum for His Excellency the Governor.

THE Premier presents his compliments to His Excellency the Governor, and in reply to the despatch of the 21st March, 1901, from the Secretary of State for the Colonies, in respect to the reserved Bill entitled "The New Zealand Ensign Act, 1900," desires that His Excellency will be good enough to forward the following memorandum in reply thereto:—

"My Ministers appreciate the force of the objections raised by the Lords Commissioners of the Admiralty to the New Zealand Ensign Bill in its present form, and in order to meet them suggest that the Bill be modified by providing that the ensign may be used for all purposes ashore, but shall not be worn by any vessel other than the vessels owned and used by the New Zealand Government except in pursuance of a warrant from His Majesty or the Admiralty. The right to use the blue ensign with the Southern Cross, represented by four five-pointed red stars with white border, was granted in 1869. This authority has evidently been overlooked."

Premier's Office, Wellington, 28th June, 1901.