

No. 73.

New Zealand, No. 231.

MY LORD,—

Downing Street, 2nd August, 1912.

With reference to my despatch, No. 175, of the 13th June, I have the honour to transmit to you, for the information of your Ministers, prints of a despatch from the Governor-General of the Union of South Africa on the subject of the mutual enforcement throughout His Majesty's dominions of judgments, orders of Courts of justice, and arbitration awards arising out of commercial contracts.

I have, &c.,

L. HARCOURT.

Governor the Right Hon. Lord Islington, K.C.M.G., D.S.O., &c.

Enclosure.

No. 431.

The GOVERNOR-GENERAL to the SECRETARY OF STATE.

SIR,—

Governor-General's Office, Cape Town, 26th June, 1912.

I have the honour to transmit to you herewith, with reference to your despatch, No. 153, of the 27th March, a copy of a minute from Ministers, on the subject of the resolution passed by the Imperial Conference in 1911 in favour of the mutual enforcement of judgments and orders of Courts of justice, including judgments and orders as to commercial awards.

I have, &c.,

GLADSTONE,

Governor-General.

MINISTERS to GOVERNOR-GENERAL.

Minute No. 568.

Prime Minister's Office, Cape Town, 25th June, 1912.

MINISTERS have the honour to inform His Excellency the Governor-General that they have taken into consideration the terms of the resolution passed by the Imperial Conference in 1911 in favour of the mutual enforcement of judgments and orders of Courts of justice, including judgments and orders as to commercial awards.

2. Ministers have further the honour to inform His Excellency that they agree in principle with the recommendations contained in the resolution referred to, a principle which has been recognized by section 112 of the South African Act in connection with mutual enforcement of the judgments and orders of the several provinces of the Union.

3. Ministers are advised that section 112 would, if the requisite modifications were made as to the description of the several superior Courts and officers of superior Courts of the United Kingdom and the dominions, and the processes of those Courts, be the most suitable form that the Imperial Act could take.

4. Ministers assume that a clause would be inserted making the Act operative in respect of any part of His Majesty's dominions only if adequate provision existed in that part for enforcing the judgments and orders of other parts of His Majesty's dominions.

LOUIS BOTHA.

No. 74.

New Zealand, No. 239.

MY LORD,—

Downing Street, 9th August, 1912.

I have the honour to acknowledge the receipt of your telegram of the 3rd August, reporting that the application for the grant of the title "King George's Sailors' Institute" in connection with the sailors' institute which is being erected at Port Lyttelton is supported by your Government and yourself.

2. I have accordingly submitted the application for His Majesty's consideration, and, as you have been informed by my telegram of the 8th August, His Majesty has been graciously pleased to approve the use of the proposed title.

3. At the same time, I have to point out that it does not appear clear from your despatch, No. 30, of the 23rd February, whether the future financial position of this institute is secured. I observe that arrangements have been made under which the institute will be opened free of debt, and I presume that before recommending the grant of the title you have satisfied yourself that there is no probability of the institute being involved in financial difficulties.

4. I take this opportunity to invite your attention to the circular despatch of the 8th December, 1899, of which a copy is enclosed for convenience of reference.

I have, &c.,

L. HARCOURT.

Governor the Right Hon. Lord Islington, K.C.M.G., D.S.O., &c.