

REGULATIONS FOR THE appointment in India of European British subjects (not being Covenanted Civilians or Military Officers) to Gazetted offices in the Police Department of the Punjab.

1. A Register of approved candidates for direct appointments to gazetted offices in the Police Department shall be maintained in the office of the Inspector General of Police.
2. The qualifications indispensable for the acceptance of candidates are the following :—
 - (a) The applicants must furnish the certificate of physical fitness prescribed under Article 61 of the Civil Service Regulations.
 - (b) He must give satisfactory evidence of (1) good moral character; (2) habits of personal activity, including ability to ride; and (3) gentlemanly bearing.
 - (c) He must have passed the Lower Standard Examination in Urdu, as described in clause 129 of Army Circulars, India, 1888.
3. Evidence under Rule 2, clause (b), shall consist of certificates signed by a School-master, Tutor, Clergyman or Magistrate, and shall relate, at least, to the three years immediately preceding the date on which the application is made for a nomination.
4. The number of names admitted to the Register will be not less than three for each expected vacancy; and if at any time the number on the Register exceeds this, fresh names will not, ordinarily, be admitted till an approximation to the above proportion is effected.
5. Every candidate whose name is admitted on the Register will receive a certificate in the Form given in Schedule B attached to these Rules.
6. The proportion of anticipated vacancies in any one year to be filled by candidates (a) in England and (b) in India, will be determined by the Lieutenant Governor at the beginning of each year.
7. On the occurrence of a vacancy, or, if practicable, about two months prior to the occurrence of a vacancy, to fill which an appointment may be made in India, the Inspector General of Police will make arrangements for an examination to be held at Lahore, with as little delay as may be compatible with admitting as many accepted candidates as possible to appear thereat.
8. A candidate must not, when examined, be under 19 or over 24 years of age on his last birth-day.
9. The examination will be as shown in Schedule A attached to these Rules, and successful candidates will, should there be more than one vacancy, be appointed to vacancies in the order of merit in which they pass; provided that no candidate shall receive an appointment if he fails to obtain 500 marks in all.
10. Successful candidates will be appointed subject to the conditions as to Departmental Examinations, &c., set forth in the Orders of the Police Department.
11. All appointments will, in the first instance, be to the Probationary grade of Assistant Superintendent of Police, but the persons so appointed will, if their service is approved, and if they fulfil the departmental requirements of the preceding rule, be confirmed in the order of first appointment as permanent vacancies occur.
12. A candidate is not allowed to compete at the examination for admission to the Police Department more than twice, or to compete for any vacancy unless he has been specially nominated for it.

SCHEDULE A.

List of subjects for examination

	<i>Marks.</i>
Writing and Composition—Impromptu essay upon some given subject	150
Arithmetic (no special Text-book) and Euclid Books I to IV and VI, also easy Deductions	300
Algebra—Up to, and including, the Binomial Theorem (Text-book, Tod-Hunter's Algebra)	
Plane Trigonometry—Up to, and including, the Solution of Triangles and Mensuration (Text-book, Tod-Hunter's Plane Trigonometry)	
Not more than two of the following languages—	
Latin, Greek, Sanscrit, Arabic, French, German, Persian, or either Pashtu or Punjabi each	200
English History and Literature and Indian History (Elementary)	200
Geography—Asia (especially India) and Europe	100

SCHEDULE B.

This is to certify that _____ has been accepted as a candidate for the appointment of Probationary Assistant Superintendent of Police in the Punjab.

Under-Secretary to Government, Punjab.

(Reverse).

If a candidate is not successful in the first two examinations he attends, or before he is 24, he will not be allowed to appear again.

Rules for the examination of accepted Candidates for Gazetted Appointments and of Gazetted Police Officers.

A.—OF ACCEPTED CANDIDATES FOR GAZETTED APPOINTMENTS.

1. Accepted candidates for appointment in India to the post of Gazetted Officer in the Police Department shall, before they are so appointed, pass in Hindustani by the Lower Standard as prescribed by the Government of India, and an examination in either *Punjabi* or *Pashtu*.

2. The Lower Standard Examination shall be conducted by the Committees appointed and according to the regulations prescribed by the Military Department.

3. Police candidates in the Punjab shall obtain a written order under the hand of the Under-Secretary to Government, Punjab, Home (Police) Department, permitting them to appear for examination, and shall submit it, with their application, to the Staff Officer at the station at which they desire to be examined, before the 10th of the month preceding the examination.

B.—OF GAZETTED POLICE OFFICERS.

(1).—In Languages.

4. Probationary Assistant Superintendents of Police will be placed under the supervision of specially selected District Superintendents of Police, who will watch over their training and studies.

5. (1): A Probationary Assistant Superintendent of Police shall, within two years of his appointment, pass a colloquial examination in either *Punjabi* or *Pashtu* if he has not so passed before entering the Department, and unless he has passed the Hindi tests of the Higher Standard Examination.

By whom this examination is to be conducted. (2). Such examination shall be conducted by the usual Committees appointed by the Local Government for examining in such languages.

(3). The revised rules for examination in *Pashtu* and *Biluchi* are contained in Punjab Government, Foreign Department, Notification No. 814, dated the 12th August 1885. The following have been prescribed as text-books for the *Pashtu* examination:—

- | | | |
|---------------------------------|---|----------------------------------|
| (1) Ganj-i-Pakhtu, | } | as given in the Kalid-i-Afghani. |
| (2) Tarikh-i-Mahmud-i-Ghaznavi, | | |
| (3) Ballad of Shahzada Bahrām, | | |

(2).—Law and Vernacular Tests.

6. (a).—The following shall be the tests in Law and Vernacular:—

1	2	3
Subjects.	Number of questions	Maximum marks obtainable.
LAW—		
(a) Indian Penal Code and Amending Acts	12	120
(b) Criminal Procedure Code (excluding Schedule)	12	120
(c) 4th Schedule to Criminal Procedure Code	12	60
(The offences in column 2 of the Schedule shall be stated, and the examinees shall be required to fill in the details of columns 3 and 5)		
(d) Evidence Act (I and XVIII of 1872)	12	120
(e) Police Act (V of 1861)	6	60
(f) Local and Special Laws (including statutes); also rules and notifications published under such laws.	12	120
(Such parts only as confer powers or impose duties on the Police, or relate to offences cognizable by the Police)		
VERNACULAR—		
(a) Translating an English judgment	...	100
(Translation to be written in the Persian character)		
(b) Reading petition	...	40
(c) Colloquial	...	100
(The colloquial examination shall consist of conversation, in presence of the Divisional Committee, between the candidate and the headman of a village, and is meant to test the candidate's knowledge of the vernacular of the part of the province in which he has been stationed.)		

(3).—*Departmental Orders.*

Departmental Orders.

(b).—The following shall be the tests in Departmental Orders :—

1	2	3
Subjects.	Number of questions.	Maximum marks obtainable.
(a) A paper on Departmental Orders	12	240
(b) A paper on elementary drill, including squad and company drill, guard duties, the elements of skirmishing, and the manual and firing exercises	12	60
(c) A practical test in the subjects mentioned in the preceding clause (b) on the parade-ground.	...	60

7. (1) Examinees who produce certificates that they have passed in company drill with a regiment shall be tested on parade in the other subjects given in the Police Drill Manual, namely, guard duties, relieving and posting of sentries, manual and firing exercises, mode of extending (and closing in) a body of police to line a street or road, and shall be required to answer the questions set in the drill paper.

8. The examination in Law and Vernacular and in Departmental Orders shall be held annually at Lahore, or, as may be specially ordered, on such dates as may be fixed by the Local Government in this behalf.

9. (a).—The Divisional Committee shall be composed as follows :—

The Deputy Inspector General of Police as ... *President.*
 A Civil Officer ... } *Members.*
 A District Superintendent of Police ... }

The Deputy Inspector General of Police shall nominate the District Superintendent and apply to the Commissioner for the services of a Civil Officer as member.

(b) —The Divisional Committee shall assign marks in the following subjects only :—

Reading petition,
 Colloquial, and
 Drill on the parade-ground.

10. The Central Committee shall be composed as follows —

The Commissioner of the Lahore Division ;
 The Inspector General of Police ;
 The Deputy Inspector General of the Eastern Circle, or as may be specially ordered.

(4).—*General Rules for conducting the examinations in Law, Vernacular and Departmental Orders.*

11. The papers for the Law, Vernacular and Departmental tests shall be set by officers to be selected by the Inspector General of Police, and shall be forwarded to the President of the Divisional Committee prior to the date fixed for the examination.

12. The examination shall be conducted in four days. The subjects to be taken up each day and the time to be allowed for each paper or test shall be as follows :—

First Day.

- (a) Indian Penal Code and Amending Acts 10 A.M. to 1 P.M.
 (c) Schedule to Criminal Procedure Code 1 to 2 P.M.
 (b) Criminal Procedure Code 2-30 to 5-30 P.M.

Second Day.

- (e) Police Act 10 A.M. to 11 A.M.
 (d) Evidence Act and Amending Act 11 A.M. to 2 P.M.
 (f) Local and Special Laws 2-30 to 5-30 P.M.

Third Day.

- (a) Translating an English Judgment 10 A.M. to 1 P.M.
 (c) Colloquial 1 to 2 P.M.
 (b) Reading petition 2-30 to 5 P.M.

Fourth Day.

- (c) Parade drill At an hour to be fixed by the Committee.
 (a) Departmental Orders 11 A.M. to 2 P.M.
 (b) Drill paper 2-30 to 4-30 P.M.

13. The sealed covers containing the examination papers shall be opened by the Divisional Committee in the presence of the examinees.

14. No assistance shall be given to examinees either by books, by an explanation of particular questions, or by drawing attention to omissions, mistakes or ambiguities.

15. The papers of the candidates shall be forwarded in sealed covers to the Inspector General of Police to be laid before the Central Committee.

16. To entitle a candidate to pass he must obtain at least half of the maximum marks in each subject, and two-thirds of the maximum marks in all the subjects forming the subject or subjects in which he qualifies.

17. A candidate may be passed in Law only, in Vernacular only, or in Departmental Orders only, or in all, or any two of these subjects. But a candidate shall qualify in all the tests of the subjects in which he passes, and shall not be passed in a portion of the papers of tests of any one of these three subjects.

18. After each examination the names of those candidates who have passed shall be published in the *Punjab Gazette* in order of merit.

19. Seniority in the Police service will depend on the order in which Probationary Assistant Superintendents pass the examinations described in paragraph 6.

20. No Probationary Assistant Superintendent of Police, or other person, shall be permanently appointed as an Assistant District Superintendent of Police, or as a District Superintendent of Police, until he shall have passed the examination (other than the colloquial examination in Punjabi or Pashtu) hereinbefore described.

21. A Probationary Assistant Superintendent of Police who does not qualify by passing the examinations described in paragraph 6 within, or at the first examination held after two years from the date of his joining the service, will be removed from employ: Provided that the Local Government shall have power to relax the last condition by allowing an additional year (but not more) in special cases when the Probationary Assistant Superintendent is likely to make a good Police Officer.

(5).—*Miscellaneous.*

22. The Lieutenant Governor reserves to himself the power of exempting any person subject to these rules from their operation.

23. No officer who has been exempted from passing under the old rules, or who has passed under those rules the examinations in languages and the Departmental Examination by the Higher Standard, shall be required to pass under these rules; but officers who have passed by what was formerly known as the Lower Standard of the Departmental Examination shall be liable to further examination under these rules.

24. (1) If, at the close of the examination, the Divisional Committee is of opinion that a candidate has culpably neglected the duty of preparing himself, the President shall report the facts to the Controlling Officer who countersigns the Travelling Allowance bills of such candidate, and such Controlling Officer shall submit the case for orders under Article 1,228, Civil Service Regulations.

(2) At the foot of every Travelling Allowance bill for attending an examination, the drawer shall certify that it is the first or second time he has drawn travelling allowance for the standard in question, as the case may be.

25. Travelling allowance is granted to examinees for the examination only on the condition that the papers evince a reasonable amount of proficiency under the circumstances of the case.

26. The rules of the Government of India regarding Munshi allowance to Uncovenanted Police Officers of the rank of Assistant District Superintendent of Police are given below.

Rules referred to in Rule 26.

In the Resolution of the 24th July, the Government of India negatived a proposal made by the Bombay Government for the extension to Uncovenanted Officers of the Rules for the examination of Military Officers in native languages, but remarked that "encouragement might be advantageously held out to Europeans and Eurasians above certain ranks in certain Departments to acquire a better knowledge of the language of the Province in which they serve, than it is found expedient to demand in preliminary or probationary examinations," &c, &c.

2. The Government of Bombay now proposes the grant of Munshi allowance, or a sum of Rs. 180, to officers in the Survey, of rank not lower than Supernumerary Assistant Superintendent; in the Police, not lower than Assistant Superintendent; in the Customs, not lower than Assistant Commissioner; and in the Forests, not lower than Assistant Conservator, on their passing in any vernacular language according to the Higher Standard, "including, as a special case, natives passing according to the same standard in any language not their own vernacular."

3. The Governor General in Council considers it desirable to encourage young men to pass these examinations, and accedes to the proposal submitted by the Government of Bombay. His Excellency in Council would, however, confine the measure to Europeans of the classes indicated, to whom it should be made applicable throughout India.

SALARIES AND LOCAL ALLOWANCES.

Rates of Salary.

The rates of salary sanctioned by Government for the different ranks of Gazetted Police Officers are as follows:—

1	2	3	4
Number sanctioned.	Designation.	Grade.	Monthly pay.
			Rs.
1	Inspector General	...	2,250
2	Deputy Inspectors General	...	1,500
1	Personal Assistant (District Superintendent of Police)	...	...
1	Assistant Inspector General of Railway Police	...	...
4	District Superintendents of Police	First	1,000
6	Ditto ditto	Second	800
8	Ditto ditto	Third	700
8	Ditto ditto	Fourth	600
8	Ditto ditto	Fifth	500
5	Assistant District Superintendents of Police	First	450
8	Ditto ditto	Second	350
14*	Ditto ditto	Third	250
2	Assistant District Superintendents of Police	First	400
2	Ditto ditto	Second	300
4	Ditto ditto	Third	200

(a). The following District Superintendents of Police receive the *Local Allowances* specified opposite to them as remuneration for the charge of the Municipal Police:—

	Per mensem.
	Rs.
Pesháwar	100
Lahore	100
Amritsar	100
Delhi	100

The District Superintendent of Police in charge of the Special Branch of the Inspector General's Office receives a special allowance of Rs. 100 per mensem, and the District Superintendent of Police employed as Personal Assistant to the Inspector General of Police receives a special allowance of Rs. 200 per mensem in addition to pay of rank when the post is held by a District Superintendent of the 3rd, 4th or 5th grade.

(b). The following Assistant District Superintendents of Police receive the *Local Allowances* specified opposite to them whilst in charge of the Municipal Police:—

	Per mensem.
	Rs.
Pesháwar	50
Lahore	50
Amritsar	50
Delhi	50

(c). Probationary Assistant Superintendents of Police at Lahore receive a house-rent allowance of Rs. 40 per mensem.

DRESS REGULATIONS OF GAZETTED POLICE OFFICERS.

GENERAL INSTRUCTIONS.

Patrol Jacket.—Of dark blue cloth, 28 inches in length from bottom of collar behind, for an officer 5 feet 9 inches in height (a proportionate variation of $\frac{1}{4}$ inch for each inch of difference in height), rounded off in front and edged with 1 inch black mohair braid all round and up the openings at the sides. On each side, in front, 5 double drop loops of $\frac{1}{2}$ inch flat plait, with eyes in centre of each loop; top loop reaching to the sleeve seam, and bottom loop 4 inches long. Five netted olivets on the right side, to fasten through the loops on the left. On each sleeve, an Austrian knot of flat plait, 7 inches high from bottom of cuff. Double flat plait on each back seam, with crow's foot at top and bottom and two double eyes at equal distances. Hooks and eyes in front, stand and fall collar edged with 1 inch mohair braid. Pockets braided, above and below slit, with 1 inch mohair braid.

NOTE.—The Patrol Jacket will be worn on special mounted duties, such as escort duty at head-quarters with Royalty, His Excellency the Viceroy or His Honor the Lieutenant Governor, and on dress occasions when overalls are worn, and on which full dress or mess dress is not prescribed. The Sam Browne Belt is not to be worn with the Patrol Jacket.

* Including 5 Probationary Assistant Superintendents. These officers will receive Rs. 300 as soon as they pass their examinations and are confirmed in their appointments.

NOTE.—The increase to the pay of Probationers will not take effect until such time as the first Probationer is appointed from England.

† When two or more Assistant Superintendents of Police are attached to these districts they will be placed in charge of the City Police duties by turns for one or two months, the allowance attached to the charge being drawn by the officer who actually performs the city duties.

Fatigue Coat.—Dark-blue serge, patrol jacket shape, and cut the same length, but rather loose; double-patch pocket with pointed flaps on each side of breast outside (hole and button in centre of flap), five holes and small police regulation buttons down the fronts, sleeves cut plain, but rather loose with pointed cuffs, 5 inches high, having a slit with two holes and buttons, shoulder strap of same material as the coat. The coat to have two slits, one up each side seam, of sufficient depth to suit the height of the wearer. Collar of the same material as the coat, cut square in front and about $1\frac{1}{2}$ inches high, fastening with 2 hooks and eyes, having a small stock of same material sewn on underneath.

Coat to be provided at the waist inside with a belt and buckle, so as to admit of its being drawn in at the waist when worn with the Sam Browne Belt.

NOTE.—The fatigue coat will be worn on all parades, inspections of stations, guards and rounds, and on all ordinary duties.

Tunic.—The depth of skirts of tunics for officers 5 feet 9 inches, will be 9 inches. A proportionate difference of $\frac{1}{2}$ of an inch for each inch of difference in height is to be made.

Collars and Cuffs.—Will be, in all cases, of the same material as the rest of the coat.

Badges of Rank.—Military Officers holding appointments in the Police Force shall wear the badges of their respective Military rank in gold on the shoulder straps as follows—

(a) • on tunics and mess jackets, shoulder straps of plated black chain gimp, lined with dark-blue;

(b) on great-coats and patrol jackets, shoulder straps of the same material as the garment, edged with $\frac{1}{2}$ inch black mohair braid, except at the base.

Non-Military Officers will wear the same shoulder straps as are prescribed for Military Officers, but with badges of rank in silver as follows—

For Deputy Inspector General of Police		1 star and crown.
For 1st and 2nd grade District Superintendents of Police		1 crown.
For 3rd, 4th and 5th grade District Superintendents of Police		2 stars.
For Assistant District Superintendents of Police		1 star.

These badges will be worn on shoulder straps with a silver or plated Departmental Badge—P. P., in $\frac{1}{2}$ inch block letters at the base

Trousers.—Dark-blue cloth, straps of the same to button underneath.

Breeches.—For mounted duties in full dress, or undress, dark-blue cloth, with braid according to rank. For mounted duties in fatigue dress, drab cord.

NOTE.—Fatigue dress consists of fatigue coat, Sam Browne Belt, drab cord breeches, long boots and crane-necked spurs

Boots.—On mounted duties—Infantry Staff Regulation.

Boots.—On dismounted duties.—Wellington boots, or side spring boots, with plain fronts; spur boxes.

Fatigue Caps.—Of Special Police pattern, with silver badge.

Forage Cap.—Of blue cloth, $2\frac{1}{2}$ inches high, with band of $1\frac{1}{2}$ inch black mohair braid, black netted button and braided figure on the crown, and black leather chin-strap; no peak.

Helmet.—White Infantry Regulation, with silver spike and chain chin-strap. In undress, when the fatigue coat is worn, the spike not to be worn, and chain chin-strap to be hooked up to a plated hook on the right side of the helmet, on the third seam from the front, 2 inches below the spike dome.

Pagri.—Of white silk, with dark-blue border, and blue and silver *lungi* ends.

Gloves.—Of white leather. Brown dog-skin gloves may be worn by Officers in undress.

Spurs (with the high boots).—Crane-necked, plated spurs, fastened with straps and plated buckles, and steel or plated chain under the boot.

Spurs (with Wellington boots).—Crane-necked, box spurs, steel or plated.

Sword.—Straight blade; steel hilt.

Sword Scabbard.—Steel to be worn with full dress and with the patrol jacket. A black scabbard of leather, or of wood covered with leather, with a plain steel tip, $5\frac{1}{2}$ inches long, cut diagonally to 5 inches at the back, to be worn with the fatigue coat.

Sword-knots (to be worn with the Sam Browne Belt).—Of black leather or silk, with black acorn.

Sword-knots (for dress).—Silver cord and acorn.

Sword-belt (to be worn with the fatigue coat).—Black Sam Browne belt (without the cartridge pouch and holster) of black bridle leather, with silver-plated mounts.

Sword-belt (to be worn with the tunic and patrol jacket).—Of black morocco leather, $1\frac{1}{2}$ inch wide with slings 1 inch wide; two rows of silver-wire embroidery $\frac{1}{4}$ inch wide and $\frac{1}{2}$ inch from edges on belt and slings; silver buckles and snake fastenings to be worn under the tunic or patrol jacket.

Pouch.—Of black morocco leather, collapseable; one line of silver-wire embroidery $\frac{3}{8}$ inch wide and $\frac{1}{4}$ inch from the edges; crown and police cypher in silver, silver ends and rings.

Pouch-belt.—Of black morocco leather 2 inches wide, with two rows of silver-wire embroidery $\frac{3}{8}$ inch wide and $\frac{1}{8}$ inch from the edges; silver buckle, tip and slide.

Mess Jacket.—To be of dark-blue cloth, edged all round with 1 inch black mohair braid, Low stand-up collar, fastening with hook and loop of black braid. Pointed cuffs 5 inches deep, with 1 inch black mohair braid.

Mess Waistcoat.—Of dark blue cloth, cut down to point of breast-bone, edged all round with $\frac{1}{2}$ inch lace and a tracing of braided eyes. Pockets edged with braid forming crow's feet and eyes. Infantry pattern.

Great-coat.—Oxford doe-skin. Infantry Regulation pattern, but with a hood instead of the cape. Police buttons.

SUMMER UNIFORM.

Gloves are not worn with summer uniform, *viz.*, white clothing during the hot weather.

Patrol Jacket.—A perfectly plain white drill patrol jacket of the same shape as the blue-cloth patrol jacket. Low stand-up collar, fastening with one hook and eye and five police buttons down the front. No pockets outside.

Mess Jacket.—Of white drill, plain, same cut and shape as the cloth mess jacket, with low stand-up collar, fastening with hook and loop of white braid, shoulder straps of similar material with a small police button at top, one inside pocket.

Kamarband.—Of white silk, with dark-blue border, as prescribed for the *pagri*.

Shoulder Straps.—The buttons for the white shoulder straps will be the police button worn with the white patrol jacket.

The shoulder straps will be of the same material as the white jacket, and officers are to wear the badges of rank on them, as prescribed for patrol jackets.

With white uniform the sword belt will be worn on ordinary duties without the pouch and pouch belt; and on occasions such as those referred to in the NOTE under the entry relating to the *Patrol Jacket* under "GENERAL INSTRUCTIONS" the sword belt will be worn with the pouch and pouch belt.

HORSE FURNITURE.

Bridle.—Infantry Mounted Officers' pattern. Blue head-band and bosses. Steel picketing chain.

Saddle.—Hunting, with plain stirrups; blue girths.

Wallets.—Brown leather, with black patent leather covers.

ASSISTANT DISTRICT SUPERINTENDENTS.

Patrol Jacket—According to General Regulations.

*Trousers and Pantaloon*s.—As described in General Regulations, with two stripes of 1 inch black mohair braid down the outer seams, $\frac{1}{4}$ inch apart.

Tunic.—Of dark-blue cloth. In all other respects the same as for Subalterns of Rifle Regiments.

All according to General Regulations	...	...	{	Fatigue cap. Forage cap Gloves Helmet. Pagri. Boots. Spurs. Sword and scabbard. Sword-knot. Sword-belt. Pouch. Pouch-belt. Mess jacket. Mess waistcoat. Great-coat. Summer jacket, Summer trousers. Horse furniture.
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ord-belt, Sam Browne pattern.

DISTRICT SUPERINTENDENTS.

Uniform and Appointments—The same as for Assistant Superintendents, with the following exceptions:—

Tunic.—To be braided the same as those of Captains of Rifle Regiments; or, in the case of District Superintendents of the 1st and 2nd grades, as those of Majors of Rifle Regiments.

DEPUTY INSPECTORS GENERAL.

Uniform and Appointments.—The same as for a District Superintendent, except in the following particulars:—

Tunic.—Braided like those of Lieutenant-Colonels of Rifle Regiments.

*Trousers and Pantaloon*s.—As per General Regulations, with a single stripe of $1\frac{3}{4}$ inch black oak-leaf braid down the outer seams.

Sword.—Curved blade, with Mameluke, silver or plated hilt; ivory grip.

Scabbard.—Steel.

Pouch-belt.—Of black morocco leather, 2 inches wide, with three rows of silver-wire embroidery, the centre one waived, the others straight. Silver engraved buckle, tip and slide.

Sword-belt.—Of black morocco leather, $1\frac{1}{2}$ inch wide, with slings 1 inch wide. Two rows of silver-wire embroidery, $\frac{1}{4}$ th inch wide and $\frac{1}{8}$ th inch from edges, on belt and slings. Silver buckles and snake fastenings.

Explanation.—Deputy Inspectors General of Police shall wear the same pouches and belts in undress as in full dress.

INSPECTOR GENERAL.

Uniform and Appointments.—The same as for a Deputy Inspector General, with the following exception:—

Tunic.—Braided, as laid down for Colonels of Rifle Regiments.

COLONIAL EXECUTIVES, REPRESENTATIVE ASSEMBLIES.
AND ELECTORATES.

HOUSE OF COMMONS,
dated 9 March 1888;—for,

RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY,
and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the
CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the
Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS
and for ELECTORS.

Colonial Office, }
March 1889.

H. DE WORMS.

(*Mr. Francis Stevenson.*)

Ordered, by The House of Commons, to be
12 March 1889.

LONDON:
PRINTED BY HENRY HANSARD AND SON
AND
Published by EYRE and SPOTTISWOODE, East Harding-street, London, E.
and 32, Abingdon-street, Westminster, S.W.;
ADAM and CHARLES BLACK, North Bridge, Edinburgh;
and HOGES, FIGGIS, and Co., 104, Grafton-street, Dublin.

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RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS and for ELECTORS.

— No. 1. —

Lord *Knutsford* to the Governors of all British Colonies (and *Cyprus*).

CIRCULAR.

Sir,

Downing-street, 26 March 1888.

I HAVE the honour to transmit to you a copy of a Resolution of the House of Commons for a Return, moved for by Mr. Francis Stevenson, showing the constitution of the Executive in each Colony, and, in the case of Colonies having Representative Assemblies, the constitution of those Assemblies, the number of Members, the number of Electors, and the qualifications requisite for Members and for Electors, and I have to request that you will be good enough to supply, at your earliest convenience, a memorandum giving the information desired for his Return, so far as it is applicable to the Colony under your government.

9 March 1888.

It would be very useful and convenient to show concisely in the same Return the constitution, the number of Members, and conditions of tenure, of the Legislative body or bodies of each Colony, and, in those cases in which the Chamber is wholly or partly elective, the qualifications for Members and Electors, and I have to request that you will add to your memorandum so much of this information as is not covered by the terms of the Resolution.

The Officer Administering
the Government of

I have, &c.
(signed) *Knutsford*.

Enclosure in No. 1.

House of Commons.—Friday, 9th March 1888.

Resolved, That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House a Return, showing the constitution of the Executive in each Colony, and, in the case of Colonies having Representative Assemblies, the constitution of those Assemblies, the number of Members, the number of Electors, and the qualifications requisite for Members and for Electors. Colonies (Representative Assemblies).

Ordered, That the said Address be presented to Her Majesty by such Members of his House as are of Her Majesty's Most Honourable Privy Council.

(signed) *Reginald F. D. Palgrave*,
Cl. Ho. Com.

SOUTH AFRICAN COLONIES.

— No. 2. —

ST. HELENA.

Administrator *Grey-Wilson* to Lord *Knutsford*.—(Received 23 May 1888.)

My Lord, The Castle, Saint Helena, 5 May 1888.
I HAVE the honour to acknowledge the receipt of your Circular of the 26th March, calling for a return of the constitution of the Executive of this Island.

1. There is no Representative Assembly in this Island. The laws are made by the Governor, who is aided by an Executive Council, consisting of—

The Lord Bishop,
The Officer commanding the Troops,
and two other members

all of whom are appointed by the Crown; but the consent of the Council is not necessary to legalise any enactment.*

I have, &c.
(signed) *W. Grey-Wilson*,
Administering the Government.

The Right Hon. Lord Knutsford, G C M.G.

— No. 3 —

CAPE OF GOOD
HOPE.Sir *Hercules Robinson* to Lord *Knutsford*.—(Received 29 May 1888.)

My Lord, Government House, Cape Town, 9 May 1888.
WITH reference to your Circular Despatch of the 26th March last, I have the honour to enclose, for your Lordship's information, copy of a Minute which I have received from Ministers forwarding the accompanying Return, showing the constitution of the Executive and of the Legislative Bodies of the Cape Colony.

I have, &c.
(signed) *Hercules Robinson*,
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.
Colonial Office.

Enclosure in No. 3.

Ministers to Governor.

MINUTE.

Prime Minister's Office, Cape Town, 4 May 1888.

IN acknowledging his Excellency the Governor's Minute of the 30th ultimo, Ministers have the honour to forward, for transmission to the Right Honourable the Secretary of State, the accompanying Return, showing the Executive and Constitution of the Cape Colony.

(signed) *J. Gordon Sprigg*.

RETURN in compliance with the Right Honourable the Secretary of State's CIRCULAR DESPATCH of the 26th March 1888, showing the Executive and Constitution of the Colony of the *Cape of Good Hope*.

1. THE Executive consists of his Excellency the Governor, advised by an Executive Council, to which are ordinarily summoned the Members of the Cabinet only.

The Governor selects the Prime Minister, who submits for his Excellency's approval the names of his colleagues in the Government. There are five Cabinet Ministers.

2. Constitutional

* Power is reserved to legislate by Imperial Act or by Order of Her Majesty in Council.

2. Constitutional Government was granted to the Colony in 1853, and Responsible Government in 1872. Under the Constitution Ordinance a Legislature was established, consisting of two Houses—the Upper, or Legislative Council; the Lower, or House of Assembly.

CAPE OF GOOD
HOPE.

3. The qualification for membership in the Legislative Council is the possession of immoveable property worth 2,000 *l.*, or of moveable property worth 4,000 *l.* The Council consists of 22 members, elected for eight electoral provinces, and, under the Constitution Ordinance, is presided over by the Chief Justice of the Colony for the time being. The Council is elected for seven years unless Parliament is sooner dissolved.

Any person except a paid officer of Government other than a Member of the Executive Council who is registered or qualified to be registered as a voter, is qualified for membership of the House of Assembly. The House consists of 76 Members, returned by 38 electoral districts, and is elected for a period of five years, unless Parliament or the House itself separately is sooner dissolved. The House elects its own Speaker.

4. Parliamentary procedure is substantially the same as in England, but Ministers have audience of both Houses, though voting only in the House to which they are elected.

5. There are 70,300 registered voters (Cape Town, 6,409, Country, 63,891), and the following is the qualification: A born or naturalised British subject resident in the Colony for 12 months before registration, being an occupier of property of the value of 25 *l.*, or in receipt of salary or wages of not less than 50 *l.* per annum, or not less than 25 *l.* with board and lodging. Communal or tribal tenure does not, either in itself or jointly with other tenure, qualify a person for registration; but a person occupying a house in itself of the value above stated is not disqualified for registration by reason of his house standing on communal or tribal lands.

— No. 4. —

Sir *Hercules Robinson* to Lord *Knutsford*.—(Received 19 June 1888.)

BRITISH
BECHUANALAND.

My Lord, Government House, Cape Town, 30 May 1888.

WITH reference to your Lordship's Circular Despatch of the 26th March last, requesting information regarding the constitution of the Executive in each Colony, I have the honour to enclose, for your information, a Copy of a Despatch which I have received from the Administrator of British Bechuanaland on the subject.

15 May 1888.

I have, &c.
(signed) *Hercules Robinson*,
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.
Colonial Office.

Enclosure in No. 4.

Administrator to Governor.

Sir, Administrator's Office, British Bechuanaland,
Vryburg, 15 May 1888.

I HAVE the honour to acknowledge the receipt of a Circular Despatch from the Secretary of State dated the 26th March last, calling for a Return showing the constitution of the Executive in each Colony, and, with reference to British Bechuanaland, to state:—

1. That Her Majesty has been pleased by a Commission under Her sign manual and signet, bearing date 29th day of September 1885, to appoint the Governor and Commander-in-Chief of the Colony of the Cape of Good Hope, or the officer for the time being administering the Government thereof, to be Governor of the Territory of British Bechuanaland.

2. That Her Majesty has also been pleased by the said Commission to empower the Governor in Her name and on Her behalf to make by proclamation such laws as may to him appear necessary for the peace, order, and good government of the said territory, and to appoint such officers and magistrates, and generally to take all such measures and to do all such matters and things as he may think expedient for the like peace, order, and good government.

0.15.

A 2

3. That

RETURN RELATING TO

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BRITISH
BECHUANALAND.

3. That under such Commission the Governor was pleased to appoint one officer to Administrator, Chief Magistrate, and President of the Land Commission; while, under his powers as High Commissioner, His Excellency appointed the same officer to Deputy Commissioner for the parts of Bechuanaland and the Kalahari under His Majesty's protection.

4. That a code of laws and regulations based on the laws of the Cape Colony, modified in the Tembuland Regulations was, with necessary alterations, promulgated by the Government of British Bechuanaland, in which four seats of Resident Magistrate and fiscal divisions under Civil Commissioners have been established.

5. That all legislation is by Proclamations, the drafts of which have hitherto been submitted by the Administrator for His Excellency's consideration, and in matters of great public interest, such as the law relating to prospecting for gold, drafts have been published in the Government Gazette, and the public have been invited to send in written suggestions and proposed amendments by a fixed date—a course which appears to have given general satisfaction.

6. That elective Boards of Village Management have been created in the two principal towns of Vryburg and Mafeking, while elective Divisional Councils also under the provisions of Cape laws in force in this Territory have been established in the three border divisions of Taungs, Vryburg, and Mafeking.

7. That up to the present time 51 legislative Proclamations have been issued by the Governor under the Royal Commission, and appear generally to have given satisfaction to the public; and

8. Lastly, that the existing constitution of the Executive appears to be well adapted to the present transitional condition of this Territory.

I have, &c.
(signed) *Sidney Shippard*, Administrator.

His Excellency the Governor,
Cape Town.

— No. 5. —

NATAL.

Sir A. E. Havelock to Lord Knutsford.—(Received 12 July 1888.)

My Lord,

Sydenham, Durban. 10 June 1888.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 26th March last, requesting me to supply, at my earliest convenience, a memorandum giving information required for a Parliamentary Return intended to show the constitution of the Executive in each Colony, and, in the case of Colonies having Representative Assemblies, the number of Members, the number of Electors, and the qualifications requisite for Members and for Electors.

2. The constitution of the Executive of the Colony of Natal is set forth in the enclosed extract from the Letters Patent, dated 15th July 1856. The constitution of the Executive and Legislative Councils of the Colony are shown in the accompanying printed Return; and the additional information asked for in the concluding paragraph of your Lordship's Circular Despatch is embodied in the same Return.

I have, &c.
(signed) *A. E. Havelock*.

The Right Hon. Lord Knutsford, G.C.M.G.
&c. &c. &c.

Extract from
Letters Patent,
15th July 1856.
Return of Executive
and Legislative
Councils.

Enclosures in No. 5.

EXTRACT from Letters Patent, 15 July 1856.

* * * * *

AND we do hereby declare and appoint that the Government of our said Colony shall be administered by a Governor, duly commissioned by us, or in the event of his death, incapacity, or absence from our said Colony, or if no Governor shall have been commissioned by us, by a Lieutenant Governor appointed by our Warrant under our sign manual and signet, or in the event of his death, incapacity, or absence from our said Colony, or if there be not on the place a Lieutenant Governor appointed by us, then by the person who is or shall be by us designated and appointed by the instructions under our sign manual accompanying this our Charter, or by any future instructions as aforesaid, to take upon himself the administration of the Government of our said Colony.

Appointment of
Governor,
Lieutenant
Governor, and
Administrator of
the Government.

And

And we do hereby grant, appoint, and ordain that all the powers, directions, and authorities hereby given and granted to our Governor for the time being of our said Colony of Natal, shall be and the same are hereby given and granted to our Lieutenant Governor for the time being of our said Colony, or other person for the time being administering the Government of our said Colony until our further pleasure shall be signified thereon.

And we do hereby authorise and empower our Governor of Natal to keep and use the public seal appointed for the sealing of all things whatsoever that shall pass the seal of our said Colony.

And whereas it is expedient that there shall be an Executive Council to advise and assist our Governor of Natal : we do by these our Letters Patent authorise and empower our said Governor to summon as an Executive Council such persons as shall from time to time be named or designated by us in any instructions under our sign manual and signet addressed to him in that behalf.

NATAL
Governor's
granted to
Lieutenant
powers
nor or Office
administering
Government
Public Seal.
Executive C
Constitution
Council
of.

RETURN showing the Constitution of the Executive and Legislative Councils of the Colony of Natal, the Number of Members, the Number of Electors, and the Qualifications requisite for Members and for Electors.

CONSTITUTION of the Executive Council.

THE Royal Charter of Natal (15th July 1856) empowered the Governor of the Colony to summon as an Executive Council such persons as should from time to time be designated by Her Majesty in any instructions under Her sign manual and signet. The Supplementary Charter, of 22nd December 1869, empowered the Governor to nominate and appoint such Members (not exceeding two in number) of the Legislative Council, as he might think fit, to be Members of the Executive Council, to hold their seats during Her Majesty's pleasure, but to vacate the same, *ipso facto*, on the dissolution or other termination of the Legislative Council, or in case of ceasing to be Members thereof. By Royal Instructions, dated the 16th February 1882, the following are, in accordance with the Charter, designated as Members of the Executive Council :—

The Chief Justice for the time being of the Supreme Court of the Colony.
The Senior Military Officer for the time being in command of Her Majesty's Regular Troops in Natal.
The Colonial Secretary for the time being.
The Treasurer
The Attorney General
The Secretary for Native Affairs
The Colonial Engineer
The two Members of the Legislative Council, as authorised by the Supplementary Charter of 22nd December 1869.

CONSTITUTION of the Legislative Council.

The Royal Charter of Natal, the Law No. 1 of 1873, and the Law No. 1, 1883, constituted the Legislative Council of Natal, and declared and defined the number of the Members thereof, and their qualifications.

The total number of Members of the Legislative Council is 30, of whom 23 are elective and seven non-elective Members. The elective Members are returned for the ten electoral districts of the Colony. The non-elective Members are the following :—

The Colonial Secretary,	} Designated by the Royal Instructions of 16th February 1882.
The Treasurer,	
The Attorney General,	
The Secretary for Native Affairs,	
The Colonial Engineer,	
The two persons nominated and appointed by the Governor, in terms of Law No. 1, 1883.	

It is provided by the Royal Charter of Natal that the Governor may, by proclamation, dissolve the Legislative Council when he shall think fit ; and in the absence of such dissolution the elected Members of the Council shall hold their seats for four years from the day of the returning of the first writs for the election of Members to the said Council, and no longer.

QUALIFICATIONS of Members of the Legislative Council.

No person shall be capable of being elected Member of the Legislative Council unless he shall be a duly qualified and registered elector of some electoral district in the Colony, nor unless he shall have been invited to become a candidate for such election by at least 10 electors of the county or borough which it is proposed he shall represent ; nor unless such requisition shall have been transmitted to the resident magistrate of the county or borough, with a notification of the said candidate's acceptance thereof; at least 14 days before such election is appointed to take place.

RETURN RELATING TO

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NATAL.

The qualifications of the two Members appointed by the Governor are:—That they shall not be members of the public service of the Colony; that they shall have been on the voters' roll for at least two years immediately prior to their appointment; and that they shall possess immoveable property, situate within the Colony of Natal, of the value of 1,000 £, after deducting all mortgages and encumbrances.

NUMBER of Electors and Qualifications of Electors.

The number of electors registered in Natal in 1887 was 8,354. Under the provisions of the Royal Charter of 1856 every man above the age of 21 years who possesses an immoveable property to the value of 50 £, or who rents any such property of the yearly value of 10 £, within any electoral district, and who is duly registered as a voter, shall be entitled to vote at the election of a Member for such district, but aliens, not having been duly naturalised, and persons who shall have been convicted of any treason, felony, or infamous offence, and shall not have received a free pardon, shall not be qualified to vote at such election. Law 2, 1883, provides also that every male inhabitant of three years' residence in the Colony, whose income, inclusive of allowances, is equal to 8 £ a month, or 96 £ a year, who may be disqualified as an elector under the Charter on the sole ground of his not possessing the property or rental qualification required by the Charter, may cause himself to be enrolled on the list of men qualified to vote for Members of the Legislative Council. Natives of the Colony are disqualified by Law 11, 1865, from exercising the electoral franchise, save as follows:—Any male native inhabitant of this Colony who shall show to the satisfaction of the Governor that he has been resident in the Colony for a period of 12 years, or that he has been occasionally resident therein equivalent to a 12 years' residence, and who shall possess the requisite property qualification, and shall have been exempted under Law 28, 1865, from the operation of Native Law for a period of seven years, and who shall produce to the Governor a certificate signed by three duly qualified electors of European origin as near as may be to the form in Schedule A. appended to that law, and endorsed by a Justice of the Peace or Resident Magistrate of the district in which such native resides, a statement to the effect that the Justice or Resident Magistrate endorsing said certificate has no reason to doubt the truth of said certificate, and the persons signing it are credible persons, shall be entitled to petition the Governor of Natal for a certificate to entitle him to be registered as a duly qualified elector of that electoral division in the Colony in which such native may possess the requisite property qualification, and the Governor may, at his discretion, grant or refuse such certificate.

— No. 5 A. —

ZULULAND.

Sir A. E. Havelock to Lord Knutsford.—(Received 20 February 1889.)

Government House, Pietermaritzburg, Natal,
23 January 1889.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch of the 18th December,* requesting me to transmit, at my earliest convenience, the information called for in your Lordship's Circular Despatch of the 26th March last, relating to the Constitution of the Executive of Zululand.

2. I regret that the fact that the inquiry contained in the Circular Despatch applied in the case of the territory of Zululand was overlooked.

3. I have the honour now to enclose a copy of the Commission, dated the 19th May 1887, passed under the Royal Sign Manual and Signet, appointing the Governor, or the Officer Administering the Government, of the Colony of Natal, to be Governor of the British Possession of Zululand, and providing for the Government thereof.

4. Under this Commission, the Governor of Zululand is empowered, required, and enjoined in Her Majesty's name, and on Her Majesty's behalf, to make by Proclamation such laws as may appear necessary.

The chief executive officer and representative of the Governor in Zululand is styled the Resident Commissioner, and Chief Magistrate for Zululand.

I have, &c.

The Right Hon. Lord Knutsford, G.C.M.G., (signed) A. E. Havelock.
&c. &c. &c.

REPRESENTATIVE ASSEMBLIES IN THE COLONIES.

Enclosure in No. 5A.

Zululand, No. 4, 1887.

GOVERNMENT NOTICE.

HIS Excellency the Governor has directed the publication of the subjoined Commission under Her Majesty's Royal Sign Manual and Signet, bearing date at Windsor the 9th day of May 1887, appointing the Governor or the Officer Administering the Government of Natal, to be Governor of Zululand, and providing for the Government hereof.

By His Excellency's Command,

Gerald Browne,

Secretary for Zululand.

Government House, Natal,
9 July 1887.

NATAL.

(Zululand.)

COMMISSION passed under the Royal Sign Manual and Signet, appointing the Governor or the Officer Administering the Government of the Colony of Natal to be Governor of the British Possession of Zululand, and providing for the Government thereof.

Victoria R.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, Empress of India: To Our Governor and Commander in Chief, or Officer for the time being Administering the Government of our Colony of Natal, Greeting.

Governor, &c. of Natal to be Governor of Zululand.

Whereas the territory of Zululand in South Africa, including the territory heretofore known as the Zulu Native Reserve, but excluding the territory styled the New Republic, is now part of Our Dominions, and it is expedient to provide for the Government of the said territory: Now know you that We do, by this Our Commission under Our Sign Manual and Signet, nominate and appoint you Our Governor and Commander in Chief of Our Colony of Natal, or the Officer for the time being Administering the Government thereof, to be Our Governor of the said territory under the name of Zululand.

Governor to make Laws, appoint Officers, &c.

II. And we do hereby empower, require, and enjoin you, in Our name and on Our behalf, to make by proclamation such laws as may to you appear necessary for the peace, order, and good government of Zululand aforesaid, and to appoint such officers and magistrates, and generally to take all such measures and to do all such matters and things as you may think expedient for the like peace, order, and good government.

Given at Our Court at Windsor, this 19th day of May 1887, in the 50th year of Our Reign.

By Her Majesty's Command,

H. T. Holland.

— No. 5B.—

Sir *Hercules Robinson* to Lord *Knutsford*.—(Received 27 February 1889.)

Government House, Cape Town,

31 January 1889.

My Lord,

I HAVE the honour to enclose, for your information, a copy of a Despatch which I have received from the Resident Commissioner of Basutoland covering a memorandum relative to the constitution of the territory.

I have, &c.

(signed) *Hercules Robinson,*
Governor and High Commissioner.

The Right Hon. Lord Knutsford, G.C.M.G.

&c. &c. &c.

RETURN RELATING TO

Enclosure in No. 5B.

Sir *M. Clarke* to his Excellency the Governor, Cape Town.Resident Commissioner's Office, Basutoland,
23 January 1889.

Sir,
I HAVE the honour to acknowledge receipt of your Excellency's Despatch of the 17th January, and to transmit the enclosed memorandum relative to the constitution in this territory.

His Excellency the High Commissioner,
&c. &c. &c.
South Africa.

I have, &c.
(signed) *M. Clarke*,
Resident Commissioner.

BASUTOLAND.—Constitution.

The Territory is governed by a Resident Commissioner under the direction of the High Commissioner for South Africa, the latter possessing the legislative authority, which is exercised by Proclamation.

The Executive consists of the Resident Commissioner and the Secretary to the Administration.

(signed) *M. Clarke*.

WEST AFRICAN AND MEDITERRANEAN COLONIES.

— No. 6. —

Governor *Moloney* to Lord *Knutsford*.—(Received 13 June 1888.)

My Lord, Government House, Lagos, 8 May 1888.
IN accordance with the request contained in your Lordship's Circular Despatch of the 26th March last, which was received here on the 6th instant, I have the honour to transmit two Returns, as follows :—

(a) Showing the Constitution of the Executive Council of the Colony of Lagos, &c.

(b) Giving the Constitution of the Legislative Council of the Colony of Lagos, Number and Names of Members, Tenure of Office, Dates of Appointments, &c.

I have, &c.
(signed) *Alfred Moloney*, Governor.

The Right Honourable Lord Knutsford, G.C.M.G.,
Secretary of State for the Colonies,
&c. &c. &c.

Enclosure 1, in No. 6.

CONSTITUTION of the Executive Council of the Colony of *Lagos*.

Official Title.	Tenure of Office.	Quorum.	Deed giving to Lagos an Executive Council.	Deed providing for Constitution and Precedence.
Governor (President)	At Her Majesty's pleasure.	Three, inclusive of Governor or other presiding Member.	Royal Letters Patent, 13 January 1886.	Royal Instructions, 13 January 1886.
Lieutenant Governor (if any).	- ditto.	—	—	—
Senior Military Officer*	- ditto.	—	—	—
Colonial Secretary	- ditto.	—	—	—
Queen's Advocate	- ditto.	—	—	—
Treasurer†	- ditto.	—	—	—

*perial Troops were withdrawn in 1870; Senior Military Officer, if below rank of Colonel, would, were a Command re-established, rank below Treasurer.
†and such other persons as Her Majesty may from time to time appoint. The Governor may also appoint. linary members for special occasions.

Enclosure 2 in No. 6.

CONSTITUTION, &c., of the Legislative Council of the Colony of *Lagos*.

Numerical Order.		Official Members.	Total Official.	Unofficial.	Total Unofficial.	Tenure of Office.	Quorum.	Deed providing for Legislative Council.	Deed providing for Constitution and Precedence.
1	- - - - -	Governor - - - - -	1	- - - - -	- -	At pleasure of Her Majesty	Three Members, including Governor or other President.	Royal Letters Patent, 13 January 1886.	Royal Instructions, 13 January 1886.
2	(No Appointment as Lieutenant Governor.)	Lieutenant Governor (if any)	- -	- - - - -	- -	- - - ditto.	-	-	-
3	- - - - -	Judge - - - - -	2	- - - - -	- -	- - - ditto.	-	-	-
4	(Not a Military Command)	Senior Military Officer	- -	- - - - -	- -	- - - ditto.	-	-	-
5	- - - - -	Colonial Secretary - - -	3	- - - - -	- -	- - - ditto.	-	-	-
6	- - - - -	Queen's Advocate - - -	4	- - - - -	- -	- - - ditto.	-	-	-
7	- - - - -	Treasurer - - - - -	5	- - - - -	- -	- - - ditto.	-	-	-
8	- - - - -	- - - - -	- -	Unofficial Member -	1	- ditto - for three years	-	-	-
9	- - - - -	- - - - -	- -	- - ditto - -	2	- - ditto.	-	-	-
10	- - - - -	- - - - -	- -	- - ditto - -	3	- - - ditto.	-	-	-
*	-	-	-	-	-	-	-	-	-

Imperial Troops were withdrawn in 1870; Senior Military Officer if below rank of Lieutenant Colonel would, were there a Military command established, rank below Treasurer.
 In case of death, incapacity, suspension or removal, absence or resignation, the Governor may make provisional appointments, as also extraordinary members for special sittings of the Council.
 * And such other official and unofficial members as Her Majesty may from time to time appoint. Power is reserved to legislate by Order of Her Majesty in Council.

RETURN RELATING TO

— No. 7. —

GOLD COAST.

Sir W. B. Griffith to Lord Knutsford. — (Received 2 July 1888.)

Government House, Christiansborg Castle,
Accra, 24 May 1888.

My Lord,

IN compliance with the instructions contained in your Lordship's Circular Despatch of the 26th March last, I have the honour to transmit the copy of a minute by the Acting Queen's Advocate, showing the constitution of the Executive in this Colony.

18 May.

The Right Honourable
The Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) W. Brandford Griffith,
Governor.

Enclosure in No. 7.

MEMORANDUM as to constitution of Executive and Legislative Councils of the
Gold Coast Colony.

The Executive Council.

The Executive Council consists of such persons as Her Majesty may direct by instructions under Her sign manual and signet; all such persons holding office during pleasure.

By instructions at present in force the Executive Council consists of :—

The Lieutenant Governor (if any).

The senior military officer for the time being in command of the regular troops within the Colony.

The officer lawfully discharging the functions of Colonial Secretary.

The officer lawfully discharging the functions of Queen's Advocate.

The officer lawfully discharging the functions of Treasurer.

Such other persons as Her Majesty may, from time to time, appoint by any instruction or warrant under Her sign manual and signet.

Any extraordinary member whom the Governor may, on any special occasion, for the purpose of obtaining the advice of such person, appoint by an instrument under the public seal of the Colony.

By the said instructions the Governor attends and presides at all meetings of the Executive Council, unless prevented by illness or other grave cause; and, in his absence, such member as the Governor may appoint, or, in the absence of such member, the senior Member of Council actually present, presides.

The Executive Council may not transact business unless two members at the least (exclusive of the Governor or member presiding) be present.

The Legislative Council.

The Legislative Council consists of the Governor and such persons, not being less than three at any time, as Her Majesty may direct by any instructions under Her sign manual and signet; all such persons holding office during pleasure.

By instructions at present in force the Legislative Council consists of :—

The Governor.

The Lieutenant Governor (if any).

The Chief Justice, or Acting Chief Justice.

The senior military officer for the time being in command of the regular troops within the Colony.

The officer for the time being discharging the functions of Colonial Secretary.

The officer for the time being discharging the functions of Queen's Advocate.

The officer for the time being discharging the functions of Treasurer.

Such other persons holding offices in the Colony as Her Majesty may, from time to time, appoint by any instructions or warrants under Her sign manual and signet.

Unofficial members not holding offices in the Colony, appointed by any instructions

tions or warrants under Her Majesty's sign manual and signet. At present there is only one such member. GOLD COAST.

Provisional unofficial members appointed by the Governor by an instrument under the public seal of the Colony in the place of any unofficial member who shall die, or become incapable, or be removed or suspended, or be absent from the Colony.*

By the said instructions the Governor attends and presides in the Legislative Council, unless prevented by illness or other grave cause, and in his absence the senior member present presides.

The Legislative Council may not transact business unless three members at the least (including the Governor or member presiding) be present.

All questions proposed for debate in the Legislative Council are decided by the majority of votes, the Governor or member presiding having an original as also a casting vote.

By the Letters Patent providing for the government of the Colony, the Governor is given a negative voice in the making and passing of all Ordinances.

(signed) *W. Brandford Griffith,*
Acting Queen's Advocate.

Victoriaborg,
18 May 1888.

— No. 8. —

THE present constitution of Sierra Leone is determined by Her Majesty's Letters Patent and Royal Instructions of 28th November 1888. SIERRA LEONE

The Executive consists of the Governor, aided by an Executive Council, composed as follows: The Lieutenant Governor (if any); the person for the time being discharging the functions of Chief Justice; the Senior Military Officer for the time being; the persons for the time being discharging the functions of Colonial Secretary and Treasurer and of Queen's Advocate; and such other persons as Her Majesty may from time to time appoint; all of whom hold their seats during Her Majesty's pleasure. The Governor may also summon extraordinary members for special occasions.

The meetings of the Executive Council are presided over by the Governor, or in his absence by such member as he may appoint, or failing such appointment by the senior member present.

The Legislative Council consists of the Governor and the official persons above described and such other persons holding offices as Her Majesty may from time to time appoint, and such other persons not holding offices as were members of the previous Legislative Council immediately before the publication of the above mentioned Letters Patent, or as the Governor in pursuance of instructions may from time to time appoint, all of whom hold their seats during Her Majesty's pleasure. The Governor may also summon extraordinary members for special occasions.

Power is reserved to legislate by order of Her Majesty in Council.

— No. 8a. —

THE present constitution of the Gambia is likewise determined by Her Majesty's Letters Patent and Royal Instructions, dated 28th November 1888. It corresponds with that of Sierra Leone, omitting the senior military officer from each Council, and for the Chief Justice, Colonial Secretary and Treasurer, and Queen's Advocate, substituting the Treasurer, Chief Magistrate, and Collector of Customs. GAMBIA.

* The Governor may also appoint extraordinary members as in the case of the Executive Council.

Power is reserved to legislate by order of Her Majesty in Council.

RETURN RELATING TO

— No. 9. —

GIBRALTAR.Sir *A. E. Hardinge* to Lord *Knutsford*.—(Received 26 April 1888.)

Gibraltar, 17 April 1888.

My Lord,

WITH reference to your Lordship's Circular Despatch of the 26th March requesting information, for the House of Commons, respecting the constitution of the Executive in this Colony, I have the honour to state that this Colony possesses no Representative Assembly, the Governor, who is also the General Commanding the Garrison, exercising by himself all the functions of Government and Legislation.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) *A. E. Hardinge*,
General and Governor.

— No. 10. —

MALTA.Sir *J. L. Simmons* to Lord *Knutsford*.—(Received 22 August 1888.)

My Lord,

Palace, Valetta, 17 August 1888.

WITH reference to your Lordship's Circular Despatch of 26th. March last, I have the honour to forward a memorandum by the Crown Advocate containing information respecting the Constitution of the Representative Assembly, &c., in Malta.

To the Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) *J. L. A. Simmons*,
Governor.

Enclosure in No. 10.

MEMORANDUM.

THE Government of Malta is administered by a Governor, advised and assisted by an Executive Council, originally established by Letters Patent, dated 24th May 1881.

2. By Letters Patent of the 12th December 1887, the Executive Council was reconstituted, and now consists of the military officer in command of the forces, not being in the administration of the Government, the Chief Secretary, the Crown Advocate, and other four public officers appointed by Royal Warrant, or by the Governor, subject to Her Majesty's disallowance or confirmation; these are styled the Official Members; and further, of not less than three at any one time of the elected Members of the Council of Government appointed by Royal Warrant, or by the Governor, subject to Her Majesty's disallowance or confirmation; and they are styled the Unofficial Members of the Executive Council.

3. The Council of Government under the said Letters Patent of the 12th December 1887, consists of the Governor as President, six Official Members, and 14 Elected Members.

4. The Official Members are the Chief Secretary, the Crown Advocate, and other four persons holding public offices in Malta, and being Members of the Executive Council.

5. Four of the elected members are elected by special electors, and chosen from the classes of (1) ecclesiastics; (2) holders of titles of nobility, and persons deriving in their own right, or in the right of their wives, from immoveable property in Malta, a yearly income of not less than 150 *l.*; (3) graduates of the University of Malta; and (4) Members of the Borsa de Commercio of Malta.

6. The qualification for a special elector is, besides those for a general elector, the possession in his own name, or in the name of his wife, of immoveable property in Malta yielding a clear yearly income of 60 *l.*, or the payment of rent for immoveable property in Malta to the annual value of at least 60 *l.* a year.

7. The

7. The other ten elected Members of the Council are elected by ten single member constituencies, established by Letters Patent dated 19th March 1888.

8. The qualifications for a Member of Council elected by the general electors are, registration as a general elector, and, either the possession in his own right, or in that of his wife, of immoveable property in Malta of the clear value of 100 £, or the payment of rent for immoveable property in Malta to the annual value of 10 £, or the payment of 40 £ a year for board and lodging, or for lodging only at the rate of 10 £ a year.

9. Holders of any office of emolument under the Crown, or under the Government of Malta, are ineligible, and not more than two ecclesiastics may be chosen by the general electors.

10. Persons sentenced by a competent court for any crime punishable by death, labour for any period, imprisonment for a period exceeding one year, or for any crime against the peace and honour of families, and who have not received a free pardon for the crime for which they have been so sentenced, are disqualified for Elected Members; sentences for manslaughter, or for other crimes against the person excusable for any of the causes contemplated in the Criminal Laws of Malta, are excepted.

11. Uncertificated bankrupts, person in receipt, within five years before the election, of charitable relief in Malta from any public source, and persons of unsound mind, are likewise disqualified for Elected Members.

12. Every male person who has attained his 21st year, and is a British subject by birth or naturalisation, and either—

(a) is qualified by the law of Malta to serve as a common juror, whether he is, or is not, exempted by age, office, or profession from the obligation of serving as a juror; or

(b) pays rent for immoveable property in Malta at the rate of at least 6 £ per annum; or

(c) is, in his own right, or in the right of his wife, in receipt from immoveable property in Malta of at least 6 £ in the year;

is entitled to be registered as a general elector, provided he is not subject to any disqualification for being elected as a Member of Council, uncertificated bankrupts excepted.

13. All votes of public money, if challenged, are determined by the majority of the votes of the elected members present. In the case of equality of votes the question is determined in the negative.

14. The Governor is the President of the Council of Government, and in his absence the Chief Secretary to Government, and in the absence of both, the senior in official rank of the official members present, presides at the meetings of the Council.

15. The President has neither an original nor a casting vote.

16. The Governor has the power of veto.

17. The Council of Government, unless sooner dissolved by the Governor, last three years.

(signed) *G. Carbone*

NOTE. — Power is reserved to legislate by Order of Her Majesty in Council.

RETURN RELATING TO

WEST INDIAN COLONIES.

— No. 11. —

BERMUDA.

Governor *Gallwey* to Lord *Knutsford*.—(Received 11 May 1888.)

My Lord,

Bermuda, 25 April, 1888

IN obedience to the instructions contained in your Lordship's Circu Despatch of the 26th ultimo, I have the honour to transmit a Memorandum giving the information required for the Return relating to the constitution of the Executive of this Colony, and other particulars with reference to the constitution of the Councils and Assembly, the number of electors, and the qualifications requisite for members and for electors, which was moved for in the House of Commons by Mr. Francis Stevenson.

I have, &c.

(signed) *T. L. Gallwey*,
Governor and Commander in Chief.

The Right Honourable Lord Knutsford, G.C.M.G.,
Downing-street.

Enclosure in No 11.

MEMORANDUM of the Constitution of the Executive, and of the Constitution, Number of Members, and Conditions of Tenure of the Legislative Bodies of the Colony.

THE Executive office of Bermuda is vested in a Governor and Commander in Chief, constituted by Letters Patent under the Great Seal, dated 19th January 1888. The Governor is assisted by the Executive Council consisting of, at present, the senior Military Officer in command of Her Majesty's regular Troops on the Station, the Colonial Secretary, the Receiver General, and two unofficial members.

The Crown has sole power of appointment of members of the Executive Council.

There is a Legislative Council nominated by the Crown consisting at present of ten members, namely, the Chief Justice, the Colonial Secretary, and the Receiver General, and seven unofficial members. The President of the Legislative Council is appointed by the Governor. That appointment has hitherto been, and is now, held by the Chief Justice.

There is a Representative Assembly consisting of 36 members: four for each of the nine parishes (or, as they were formerly called, tribes) into which the Colony is divided. The qualifications requisite for a Member of Assembly is freehold property of the value of 240 £.; for an elector the qualification is freehold property of the value of 60 £. Electors can only vote for the parishes in which they hold property, but qualified candidates can be elected for any parish. The number of electors registered at the last annual revision was 1,027, consisting of 677 white and 350 coloured, and there were then 374 white persons qualified to sit in the Assembly and 78 coloured.

No alien or naturalised British subject can sit in the Legislature of the Colony, but the latter can become qualified to vote.

Representative Government was introduced in 1620, but the Charter of the Bermuda Company of London was cancelled in 1684, and the Crown has since then appointed the Governors.

The laws are enacted "By the Governor, Lieutenant Governor, or Officer Administering the Government (as the case may be), Legislative Council, and Assembly of the " Bermudas or Somers' Islands."

The Assembly initiates all money votes, and bills involving such votes cannot be amended by the Legislative Council.

The Governor has a negative voice in making and passing all laws, and he alone can prorogue or dissolve the Assembly. The General Assembly is elected for seven years.

In the absence of the Governor the senior Officer in command of the regular Troops succeeds to the Administration of the Government. Since the early part of the present century the Governor has always been a military man.

24 April 1888.

(signed) *Cavendish Boyle*,
Colonial Secretary.

— No. 12. —

Governor *Goldsworthy* to Lord *Knutsford*.—(Received 17 May 1888.)

BRITISH
HONDURAS

Government House, Belize,
1 May 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 26th March, transmitting copy of a Resolution of the House of Commons, and asking for information relative to the constitution of the Executive in this Colony.

In compliance therewith I have afforded the same in the accompanying Enclosure.

I have, &c.

The Right Honourable
Lord Knutsford, G.C.M.G.;
&c. &c. &c.

(signed) *Roger Tuckfield Goldsworthy*,
Governor.

Enclosure in No. 12.

MEMORANDUM.

British Honduras was styled a British Settlement until the year 1862.

It was styled a Colony by Letters Patent, 12th February 1862, under the Governor of Jamaica.

It became an Independent Colony, with its own Governor, by Letters Patent, of 2nd October 1884.

It was politically defined as a Crown Colony by the Local Act, 34 Vict. c. 1, of 13th December 1870, which abolished the previously existing Elective Assembly, and this Act was confirmed by the Queen in Council, 8th February 1871.

It possesses a Legislative and an Executive Council.

The Legislative Council is regulated by the Local Act, 34 Vict. c. 1, 13th December 1870.*

Its members are, in order of precedence:—

The Governor; the Chief Justice; the Colonial Secretary; the Senior Military Officer† if of or above the rank of Major; the Treasurer; the Attorney General, all of whom are styled Official Members; and not less than four unofficial members, to be named by the Queen, or provisionally appointed by the Governor, subject to Her Majesty's approval, taking rank according to the date of their appointment, but after all Official Members.

The Executive Council is constituted under the Queen's Instructions.

Its members are, in order of precedence:—

The Governor; the Senior Officer‡ for the time being in command of the regular troops in the Colony, if not below the rank of Major; the Colonial Secretary; the Colonial Treasurer; the Attorney General; any other person specially appointed by Her Majesty.

All officers, both official and unofficial, of either Legislative or Executive Councils, hold office at Her Majesty's pleasure.

(initialed) *H. E. H. J.*

— No. 13. —

Sir *William Robinson* to Lord *Knutsford*.—(Received 26 May 1888.) † † TRINIDAD.

My Lord,

Government House, 10 May 1888.

WITH reference to your Lordship's Circular Despatch of the 26th March, I have the honour to enclose a Memorandum giving the information requested as regards the constitution of the Executive and Legislative Councils of this Colony.

I have, &c.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(signed) *William Robinson*.

* And by Her Majesty's Royal Instructions issued in pursuance thereof.

† By Royal Instructions, 18th July 1888, the Inspector Commandant of Constabulary has been substituted for the Senior Military Officer in both Councils, with precedence next after the Attorney General.

TRINIDAD.

Enclosure in No. 13.

RETURN showing the Constitution of the Executive in the Colony of Trinidad.

MEMBERS.

The Governor;* Colonial Secretary; Attorney General; Senior Military Officer for the time being in command of the regular troops within the Colony.

There is no Representative Legislative Assembly in Trinidad.

The Legislative Council is composed of the Governor, who is President, six official members, the Colonial Secretary, the Attorney General, the Solicitor General, the Auditor General, the Director of Public Works, and the Protector of Immigrants, who retain their seats as long as they hold those offices, to which they are appointed by the Crown, and eight unofficial members, who are appointed by the Governor under the public seal of the Colony, by virtue of the Royal Instructions.†

No legal qualifications are required. The unofficial members hold their seats during Her Majesty's pleasure. Under the Royal Instructions the Governor is empowered to suspend members who absent themselves without sufficient cause, and if any member absents himself from the Colony for six months without leave of the Governor, or shall remain absent from the Colony for one year without leave from the Queen his place in the Council becomes void.

— No. 14. —

BARBADOS.

Sir C. C. Lees to Lord Knutsford.—(Received 26 May 1888.)

Government House, Barbados,
11 May 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 26th of March last, and, in reply, I beg to enclose a Memorandum showing the constitution of the Executive of this Colony, the constitution of the Assembly, the number of members and electors, and the qualifications requisite in each case, and showing, also, the constitution of the Legislative Council.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) C. C. Lees,
Governor.

Enclosure in No. 14.

MEMORANDUM showing the Constitution, &c., of the Executive and Legislative Bodies in Barbados.

The Executive Council.

A body of an executive and administrative character composed, *ex-officio*, of the officer administering the Government, the senior military officer commanding the troops, the Colonial Secretary, the Attorney General, and also of such other persons who may, from time to time be appointed by the Crown. All members hold their places during pleasure.

The Executive Committee.

A body composed of the members of the Executive Council, one member of the Legislative Council, and four members of the House of Assembly nominated by the Governor. In its relations towards the House of Assembly, the Executive Committee introduces all money votes, prepares the estimates, and initiates all Government measures. It also has the conduct of public works, and the management of most of the public institutions.

* The Governor presides. The remaining officers are constituted Members of the Executive Council by Royal Instructions issued under Her Majesty's Letters Patent, and hold their seats during pleasure.

† Power is reserved to legislate by Imperial Act, or by Order of Her Majesty in Council.

The House of Assembly.

A wholly representative body, composed of 24 members, elected annually on the basis of a moderate franchise. Under the "Franchise Act, 1884," about two thousand three hundred and fifty electors have been registered, and under the provisions of the same Act the qualifications requisite for members and for electors are as follows:—

Franchise for Electors.

1. Any freehold estate in his own life or the life of another, or in right of marriage, or the dower of wife, or any larger estate of the yearly value of not less than five £. 5 pounds.
2. Rents and profits arising out of land in his own right or in the right of his wife, £. 5. of the amount of five pounds per annum.
3. Occupancy of any land or building, annual value, fifteen pounds. £. 15.
4. Parochial taxes, St. Michael's parish, two pounds; other parishes, one pound. £. 2.
£. 1.
5. Salary.—Agricultural, attorney, manager, book-keeper, clerk, agent, or upper servant in receipt of a salary of four pounds three shillings and four pence per month. £. 4. 3s. 4d.
6. Income.—Annual income of fifty pounds, derived from any occupation, office, or trade, other than that of servant. £. 50.
7. Income.—The receipt of fifteen pounds, charged on real estate, or being the interest of money invested in real securities, or being dividends arriving from debentures, or shares in any company. £. 15.
8. Any barrister, solicitor, physician, surgeon, B.A. or M.A., of any University in Great Britain and Ireland, or anyone having the "testamur" of Codrington College, Barbados.
9. Any *bonâ fide* lodger in a house rated at not less than fifty pounds per annum, who pays fifteen pounds for his lodgings. £. 50.
£. 15.

Qualifications for Members.

1. Thirty acres of land in fee simple or fee tail, having a dwelling-house thereon, which dwelling-house shall be of not less value than the sum of three hundred pounds. £. 300.
£. 120.
2. An estate for life, or for any greater estate in lands of the annual value of one hundred and twenty pounds. £. 200.
3. An income of two hundred pounds derived from any profession or trade. £. 1,500.
4. An estate in fee simple, or fee tail, of the absolute value of one thousand five hundred pounds.

The Legislative Council.

A legislative body performing the functions of a second Chamber, and composed of nine members, all of whom are appointed by the Crown, and hold their places in the Council during pleasure.

RETURN RELATING TO

— No. 15. —

BAHAMAS.Sir *Ambrose Shea* to Lord *Knutsford*.—(Received 28 May 1888.)Government House, Nassau, N. P.,
12 May 1888.

My Lord,

I HAVE the honour to transmit to your Lordship a Return containing the information requested in your Lordship's Circular Despatch of the 26th March 1888.

The Right Hon. Baron Knutsford,
&c. &c. &c.I have, &c.
(signed) *A. Shea*.

Enclosure in No. 15.

RETURN showing the Constitution of the Executive in the Colony of the Bahamas, also the Constitution of the Legislative Council and the House of Assembly, the Number of Members, the Number of Electors, and the Qualifications requisite for Members and for Electors,—called for by Her Majesty's Principal Secretary of State's Despatch of the 26th March 1888.

Constitution of Executive -

This Colony possesses Representative Institutions.

Constitution, &c. of Legislative Council.

Constitution, &c. of House of Assembly.

Governor and Executive Council of nine members, four of whom are *ex-officio*: viz., Colonial Secretary, Attorney General, Officer Commanding the Troops, and Receiver General. The remaining five unofficial; one a professional (medical) gentleman, the other four, merchants.

1. A Legislative Council composed of nine members, all of whom, with the exception of the President and one member, have previously sat in the House of Assembly.

This body is appointed by the Crown.

2. House of Assembly, composed of 29 members, elected by the people. The qualification for a member is that he must be either a natural-born British subject or foreigner duly naturalised, have resided in the Colony 12 months, and be the owner of real and personal, or personal property, for life, or other greater estate, over and above all incumbrances, of the value of 200 *l*. There are three exceptions to this: the Colonial Secretary, Attorney General, and Receiver General, who, if elected, may qualify in right of their respective offices.

There are at present 6,213 persons whose names are recorded as being entitled to vote at elections for Members of Assembly.

The qualifications required for electors are:—

(a.) To be a male of the age of 21 years, to have resided in the Colony for 12 months prior to the holding of an election at which he claims to vote; and

(b.) To be possessed in fee simple of land of the value of 5 *l*. or upwards, or

(c.) To be the occupier of a house, the annual rental of which, in the Island of New Providence (the seat of Government), is not less than 2 *l*. 8 *s*., and on an Out Island, not less than 1 *l*. 4 *s*., such occupation to have been for six months prior to the holding of an election.

E. B. A. Taylor,
Colonial Secretary.

— No. 16. —

Administrator Colonel *Justice* to Lord *Knutsford*.—(Received 2 July 1888.)

JAMAICA.

My Lord,

King's House, 12 June 1888.

I HAVE the honour to acknowledge the receipt of your Circular Despatch of the 26th of March last, and, in reply, to forward to your Lordship a Memorandum of Particulars in regard to the Legislative Council of this Colony, constituted under the Order of Her Majesty the Queen in Council, dated 19th May 1884,

2. The Privy Council of Jamaica is established under the Letters Patent of 29th July 1887, constituting the office of Captain General and Governor in Chief of the Colony, and under the Instructions to him of the same date. The Council at present consists of the Governor, the Senior Military Officer, the Colonial Secretary, and the Attorney General, who are *ex-officio* Members, the Director of Public Works, who, having been a Member at the date of the Instructions, namely, 29th July 1887, retains his seat, and two other Members appointed by Her Majesty for a period of five years.

I have, &c.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(signed) *W. C. Justice*, Colonel,
Administering the Government.

Enclosure in No. 16.

MEMORANDUM of Particulars desired by the Secretary of State for the Colonies in regard to the Legislative Council of Jamaica.

1. THE Legislative Council of Jamaica was constituted under the Order of Her Majesty in Council, dated the 19th day of May 1884.

2. The Council consists of the Governor, the Senior Military Officer for the time being in command of Her Majesty's regular troops in Jamaica, the persons for the time being lawfully exercising the functions of the respective offices of Colonial Secretary, Attorney General, and Director of Public Works (all *ex-officio* Members), such other persons, not exceeding five in number, as Her Majesty may from time to time appoint by Instructions, or Warrant or Warrants under Her sign manual and signet, or as the Governor in pursuance of the power thereby vested in him, may, from time to time, provisionally appoint as nominated members, and nine elected members.

3. The number of Members at present is 16, the number of nominated Members hitherto appointed having been limited to two.

4. The revised list of voters for the several parishes of this Island for the current year shows a total of 22,922 voters registered.

5. Elected Members must possess one of the following qualifications:

(a.) A clear annual income of 150 *l.*, arising from lands belonging to him in his own right or in right of his wife.

(b.) A clear annual income of 200 *l.*, arising partly from lands belonging as aforesaid, and partly from any freehold office or any business, after deducting all charges and expenses of such office or business.

(c.) A clear annual income of 300 *l.*, arising from any freehold office, or any business, after deducting all charges and expenses of such office or business.

(d.) The payment annually of direct taxes or export duty, or both, to the amount of not less than 10 *l.*

Each elected Member must be an elector, and must not be the holder of any office of emolument under the Crown or under the Government of Jamaica.

6. Under Law 22 of 1886 every male person is entitled to be registered in any year as a voter who—

(1.) Has attained the age of 21 years.

(2.) Is under no legal incapacity.

(3.) Is a British subject by birth or naturalisation.

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RETURN RELATING TO

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- (a) Is, on the 31st day of May in such year, and has since the first day of August then preceding, been an occupier as owner or tenant of a dwelling-house within such parish capable of being, during such occupation, rated in respect of all poor rates, and has, during the said period, paid taxes to the amount of not less than 10 s.
- (b) Is, on the 31st day of May in such year, possessed of property in respect of which he has since the preceding first day of August paid within such parish taxes to the amount of not less than one pound and ten shillings, and ordinarily resides within such division of such parish; or,
- (c) Is, in the parish in which he claims to vote, in the receipt of an annual salary of 50 L. and upwards. The exceptions are certain convicts, and paupers receiving relief.

7. The Governor may suspend a nominated member, or declare him incapable of exercising his functions as a member of the Council.

8. An elected member may resign his seat, or if he, without the leave of the Governor previously obtained, fails during a whole session of the Council to attend the Council, or makes any declaration or acknowledgment of allegiance to any foreign State or power, or becomes a citizen or subject of any foreign State or Power, or is adjudicated a bankrupt, or sentenced in any part of Her Majesty's Dominions to death, penal servitude, or imprisonment with hard labour, or for a term exceeding twelve months, or for the period of one month remains a party to any contract with the Government of Jamaica, or accepts any office of emolument under the Crown or under the Government of Jamaica, his seat in the Council, thereupon, becomes vacant.

9. The Governor may at any time prorogue or dissolve the Council, and must dissolve it at the expiration of five years from the date of the return of the first writ at the last preceding general election, if not sooner dissolved.

6 June 1888. (signed) *Thomas Oughton,*
Clerk, Legislative Council.

— No. 17. —

Administrator *Haynes Smith* to Lord *Knutsford*. — (Received 9 July 1888.)

LEEWARD
ISLANDS.

Government House, Antigua,
22 June 1888.

My Lord,

I HAVE the honour to transmit to your Lordship a Memorandum containing the information called for in your Lordship's Circular Despatch of the 26th March last with respect to the constitution of the Executive, and of the Legislative Bodies, in this Colony.

I have, &c.
(signed) *W. F. Haynes Smith.*

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

Enclosure in No. 17.

MEMORANDUM.

THE Colony of the Leeward Islands consists of five Presidencies, Antigua, St. Kitts-Nevis, Dominica, Montserrat, and the Virgin Islands. Each of these Presidencies has a separate Legislature, and there is, in addition, a general Legislature, which makes laws for the whole Colony on certain subjects. None of these Bodies are Representative Assemblies, and the executive authority is vested solely in the Governor, whose office is constituted and whose powers and duties are defined by Letters Patent.

2. The Governor is assisted by an Executive Council of the Leeward Islands, and by local Executive Councils in each of the Presidencies. These Councils consist partly of official members who hold their seats by virtue of their offices, and partly of unofficial members appointed by the Crown, who hold their seats during Her Majesty's pleasure.

3. The Governor is also assisted by a President in each Presidency, to whom are delegated during the Governor's absence from the Presidency certain powers necessary for the transaction of local business.

4. Of the local legislatures two are composed partly of nominated and partly of elected members, and three are Crown Councils.

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DS.

5. The Legislative Council of Antigua consists of 24 members, of whom four are public officers, who hold their seats by virtue of their offices, eight are nominated by the Governor, subject to the approval of the Crown, and 12 are elected. A President and Vice-President are appointed by the Governor from among the members of the Council, and the presiding member has an original and a casting vote. The qualification for members is an income of 66 *l.* 13 *s.* 4 *d.* per annum, derived from real property, or an income of 200 *l.* derived from any occupation. The qualification for electors in towns is ownership of property of the annual value of 13 *s.* 6 *s.* 8 *d.*, or occupancy of property of the annual value of 26 *l.* 13 *s.* 4 *d.*; and, for the rural divisions, ownership of 10 acres of land, or of five acres with buildings thereon of the value of 111 *l.*, or of one acre with buildings thereon of the value of 222 *l.*, or tenancy of property for three years at 88 *l.* per annum. The number of registered electors is 344. The duration of the Council is five years, unless sooner dissolved by the Governor. Any elective member who accepts an office of emolument under the Crown, and any elective or nominated member who absents himself from the Island without leave for more than 60 days, or fails to attend three consecutive meetings without a satisfactory excuse, vacates his seat, but is eligible for re-election or re-appointment.

6. The Legislative Assembly of Dominica consists of the Governor, seven members nominated by him, and seven elected members. The Governor, or, in his absence from the Island, the President, presides, and has a casting vote, and in committee a deliberative vote also. In the absence from any meeting of the Governor or President, a Chairman, elected by the members present, presides. The qualification for members is (a), ownership of property of the annual value of 10 *l.*; (b) occupancy of property of the annual value of 20 *l.*; (c), annual income of 100 *l.*; or (d), payment of 2 *l.* 10 *s.* per annum for assessed taxes. The qualification for electors is, (a), ownership of annual property of 4 *l.*; (b), occupancy of property of annual value of 8 *l.*; (c), annual income of 25 *l.*; or (d), payment of 15 *s.* per annum of assessed taxes. The number of registered electors is 500. The duration of the Assembly is three years unless sooner dissolved by the Governor. An elective member vacates his seat on accepting an office of emolument under the Crown, but is eligible for re-election.

7. The Legislative Council of St. Kitts-Nevis consists of the Governor, 10 official and 10 unofficial members, all of whom are appointed by Warrant from the Crown or instruction through the Secretary of State, and hold their seats during Her Majesty's pleasure. The Governor, or, in his absence, any person, whether a member or not, whom he may appoint, presides, and has a casting, as well as a deliberative vote. Of the unofficial members seven must belong to the Islands of St. Kitts and Anguilla, and three to the Island of Nevis.

8. The Legislative Council of Montserrat consists of the Governor, three official and three unofficial members, who are appointed by Warrant from the Crown and hold their seats during Her Majesty's pleasure. During the absence of any unofficial member the Governor is authorised to appoint a provisional member in his place. The Governor presides, his place during his absence from the Presidency being taken by the President. In the absence of the Governor or President such person, whether a member not, as the Governor may appoint, presides. The Governor, or presiding member, has a casting as well as a deliberative vote.

9. The Legislative Council of the Virgin Islands consists of three official members, of whom the Governor is one, and three unofficial members, who are appointed by Warrant from the Crown, and hold their seats during Her Majesty's pleasure. During the absence of any unofficial member, the Governor may appoint a provisional member in his place. The Governor, or, in his absence from the Presidency, the President, presides. In the absence of the Governor or President, any Member appointed by the Governor in writing, or, in default of such appointment, the senior member present presides. In all cases the presiding member has a casting as well as a deliberative vote.

10. The General Legislative Council of the Leeward Islands is composed of 20 members, of whom 10 are elective and 10 non-elective. The non-elective members consist of a President, appointed by the Governor, who, at the time of his appointment, must be a member of some local Legislature, four *ex-officio* members, and five unofficial members, appointed by the Governor, one from each of the local Legislatures.

Of the 10 elective members, four are elected by the elective members of the Legislative Council of Antigua, four by the unofficial members of the Legislative Council of St. Kitts-Nevis, and two by the elective members of the Legislative Assembly of Dominica, from among the members of those bodies respectively.

Every unofficial or elective member vacates his seat on ceasing to be a member of the local council from which he is taken, and every elective member vacates his seat on accepting an office of emolument under the Crown. In the latter case the member is eligible for re-election.

In the absence of the President the Vice-President, who is elected by the Council, presides. The presiding member has no casting votes, questions being deemed to be decided in the negative when the votes are equal.

The duration of the Council is three years unless sooner dissolved.

LEEWARD
ISLANDS.

11. The subjects on which the General Legislative Council is empowered by the "Leeward Islands Act, 1871," to legislate, are as follows :

1. The law of real and personal property, including wills, testaments, probate, and administration of estates of deceased persons.
2. The mercantile law.
3. The law relating to husband and wife, parent and child, marriage, divorce, and guardianship of infants.
4. The criminal law.
5. The constitution of courts of law, the criminal and civil administration of justice, including the jurisdiction, practice, and procedure of all courts of law, criminal and civil.
6. The establishment and regulation of a common convict station and a common prison discipline.
7. The establishment and regulation of a general police force and of the other protective forces of the Leeward Islands.
8. The post office and electric telegraph.
9. Quarantine.
10. Currency.
11. Audit of the public accounts in the several Presidencies.
12. Education.
13. Immigration and treatment of immigrants.
14. Idiots, lunatics, and idiot and lunatic asylums.
15. Copyright and patents.
16. The constitution and procedure of the Council.

In addition to these subjects the Council has from time to time been empowered by the local Legislatures to make laws on the following subjects :—

- The superannuation of public officers.
- The formation of a fund for the relief of the widows and orphans of public officers.
- Aliens.
- Friendly societies.
- Commissions of Inquiry.
- Apprentices.
- The better protection of the property and clothing of seamen in Her Majesty's Navy.
- The union of the Presidencies of St. Kitts and Nevis.

— No. 18. —

TOBAGO.

Administrator *Laborde* to Lord *Knutsford*.— (Received 10 July 1888.)

St. Lucia, 16 June 1888.

Forwarded.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(signed) *Edward Laborde*.

Government Office, Tobago,
22 May 1888.

Sir,

WITH reference to the Secretary of State's Circular Despatch of the 26th March 1888, calling for certain information respecting the constitution of the Executive in each Colony (in compliance with a Resolution of the House of Commons, dated 9th March 1888), I have the honour to submit the following particulars :—

2. The Colony is what is termed a Crown Colony of the first class, *i. e.*, a Colony in which the Crown has the entire control of legislation, while the administration is carried on by public officers under the control of the Home Government.

3. The Administrator, the Attorney General, the Treasurer, and one official member, compose the existing Executive Council.

4. The Legislative Council at present consists of the following official members :—The Administrator, the Attorney General, the Treasurer, and the Colonial Surgeon, and three unofficial members.

5. When the Governor of the Windward Islands is present in the Colony the Administrator sits in both Councils as Colonial Secretary.

6. I do not think it necessary to enter into further particulars on this subject, as Tobago is about to be annexed to the Colony of Trinidad, and a new order of things will in consequence shortly exist.

His Excellency the Officer Administering
the Government of the Windward
Islands.

I have, &c.
(signed) *L. G. Hay*.

— No. 19. —

Administrator *Laborde* to Lord *Knutsford*.—(Received 10 July 1888.)

ST. LUCIA.

Government House, St. Lucia,
23 June 1888.

My Lord,

I HAVE the honour to acknowledge your Lordship's Circular Despatch of the 26th March last, transmitting a copy of a Resolution of the House of Commons on the motion of Mr. Francis Stevenson, for a Return showing the constitution of the Executive in each Colony, and requesting that I would furnish a Memorandum giving the desired information for this Colony.

2. I annex a Memorandum hereto, which I trust may be found to contain all the information concerning St. Lucia which may be necessary for the Return called for by the House of Commons.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) *Edward Laborde*.

Enclosure in No. 19.

MEMORANDUM showing the Constitution of the Executive in the Colony of St. Lucia, West Indies, and the Number of Members, and Condition of Tenure, of the Legislative Council of the Colony.

ST. LUCIA, having been acquired by conquest, is a Crown Colony, for the Government of which laws may be made by Orders of the Queen in Council, but which is ordinarily governed by laws framed by the Governor and a Legislative Council, composed of ten members nominated by the Crown.

2. It is one of a group of four islands, namely, Grenada, St. Lucia, St. Vincent, and Tobago, comprised under one general Government of the Windward Islands.

3. These islands are under a Governor in Chief, who resides in Grenada. A Resident Administrator has charge of the administration of affairs in St. Lucia while the Governor in Chief is not in the island. This officer corresponds with the Governor in Chief, and takes instructions from him concerning all public matters.

4. The Administrator is assisted in the Government by an Executive Council composed of three official members nominated by the Crown.

5. Legislation is conducted by a council composed of ten members, five official, and five unofficial, presided over by the Administrator, and by the Governor in Chief, when present in the island. These members are all nominated by the Crown. The official members hold office during Her Majesty's pleasure; the unofficial members for six years from the date of their appointments.

(signed) *Edward Laborde*.

— No. 20. —

Viscount *Gormanston* to Lord *Knutsford*.—(Received 3 August 1888.)

BRITISH GUIANA.

Government House, George Town,
Demerara, 19 July 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th of March last, marked "Circular," and to transmit to you herewith, Extracts from the Blue Book of last year, corrected to date, which will give the information respecting the constitution of this Colony, moved for by Mr. Francis Stevenson, in the House of Commons.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) *Gormanston*.

Enclosure 1 in No. 20.

POLITICAL FRANCHISE.

Franchise.	Name of Electoral Division.	Number of Members.	Number of Registered Electors in December 1887.
FOR A COUNTY. Possession of Three Acres of Land under cultivation or of a House, or House and Land of 20 <i>l.</i> annual rental, or Occupancy for Three Years of Six Acres of Land under cultivation, or for One Year of a House, or House and Land, of 40 <i>l.</i> rental.	No. 1— County of Demerara (exclusive of Georgetown).	{ 1 Financial - 1 Elector.	235
	No. 2— City of Georgetown.	{ 1 Financial - 2 Electors.	729
FOR A TOWN. Possession of a House or House and Premises, of the value of 104 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i>, or Occupancy of the same for One Year at a rental of 25 <i>l.</i>	No. 3— County of Essequibo.	{ 2 Financials - 2 Electors.	258
FOR A COUNTY OR TOWN. Income of 125 <i>l.</i>, or payment of 4 <i>l.</i> 3 <i>s.</i> 4 <i>d.</i> direct Taxes.	No. 4— County of Berbice (exclusive of the Town of New Amsterdam).	{ 1 Financial - 1 Elector.	100
NOTE. — Aliens, after three years' residence, and in possession of any of the above qualifications, are entitled to vote at Elections.	No. 5— Town of New Amsterdam.	{ 1 Financial - 1 Elector.	96
		TOTAL - - -	1,418

REMARKS:

Qualification for an Elective Member of the Court of Policy.—Ownership under a title by a grant from the Crown, transport, letters of decree, inheritance *ab intestato vel ex testamento*, devise or marriage of not less than 80 acres of land within the Colony, 40 acres whereof shall be actually and *bonâ fide* under cultivation.

Qualification for a Member of the College of Electors, same as for a Member of the Court of Policy; or, if the person shall be possessed of any house or house and land under title, or held on lease for 21 years or upwards, the rental or value of which per annum shall be at least 250 *l.*, or unless he shall be possessed of a clear annual income of 300 *l.* derived from any other kind of property in the Colony, or from the profits of any trade or profession carried on within the Colony.

Qualification for a Member of the College of Financial Representatives, same as for the College of Electors.

Enclosure 1 in No. 20.

POLITICAL FRANCHISE.

Ordinary duration of Sessions and Assemblies, and Periods of Meeting.	By what Acts regulated.	REMARKS.
The Court of Policy has quarterly Sessions, and adjourns from meeting to meeting, or may be summoned to meet, at the Governor's pleasure. During 1887 the Court of Policy sat 41 days.	Plan of Redress of 1789. Proclamation of 11th June 1796, 31st July 1797, and 21st and 23rd July 1831.	There are no General Elections. Vacancies in the Court of
The Combined Court meets when summoned by the Governor for the purpose of passing the Estimates and raising the Taxes. The Session for 1886-87 was opened on the 7th December, and sat for three days in December, when the Estimate for 1887 was passed. The Court was then adjourned, and re-assembled on 5th April 1887; sat again on the 17th, 18th, 19th, and 20th of May, and again on the 7th June, when the Session was closed. The Session for 1887-88 was opened on 6th December 1887, and sat on the 12th, 13th, 14th, 15th, and 16th December, when the Court was adjourned to 8th May 1888.	ORDINANCES. VII. of 1847. XV. of 1849. II. of 1850. XXI. of 1855. I. of 1864. XVI. of 1864. I. of 1876.	Policy, in the College of Electors, or in the College of Financial Representatives
The Committee of Ways and Means sat on the 19th and 20th May for the revision of the Customs Tariff, and consideration of the Annual Tax Ordinance.	XXV. of 1880. VII. of 1882.	are filled up as they occur.
The Council of Official Members of the Court of Policy sat for 35 days.	XIII. of 1883.	

RETURN RELATING TO

Enclosure 2 in No. 20.

FUNCTIONS OF COUNCILS AND ASSEMBLIES.

THE functions of a Legislative Council and House of Assembly are performed by the Governor and Court of Policy except as regards taxation and finance, which are dealt with by the combined Court, i. e., the Governor and Court of Policy, combined with the Six Financial Representatives.

The Governor and Court of Policy pass all Ordinances except Tax Ordinances, which are passed by the Combined Court.

The Combined Court which comprises all the Members of the Court of Policy together with six Financial Representatives, have the power of raising taxes, and of examining the public accounts, and may discuss in detail, freely and without reserve, the several items of the Annual Estimate, but can only decrease or strike off any item, and cannot increase it; the Estimate is prepared by the Governor and Court of Policy. The Governor does not attend the Meetings of the Combined Court when assembled, as a Committee of Ways and Means.

The Court of Policy is composed of the Governor and Four Official Members, viz., at present Attorney General, Government Secretary (Lieutenant Governor), Auditor General, and Immigration Agent General, appointed in compliance with the Royal Instructions, and Five Elective Members. Whenever the seat of one of the Elective Members becomes vacant it is filled up by the Court of Policy by selection from two nominations sent up by the College of Electors. The Senior Elective Member of the Court retires every year on the termination of the Annual Session of the Combined Court.

The College of Electors is composed of Seven Members, chosen for life, elected by the same constituents as the Financial Representatives. They are summoned by Proclamation whenever a vacancy occurs in the Court of Policy, when they nominate two duly qualified persons, one of whom is selected by the Court of Policy to supply the vacancy in its body.

The Financial Representatives are elected by their several constituencies, and serve for a period of two years.

The Governor sits as President of the Court of Policy and of the Combined Court, in each of which he has a deliberative as well as a casting vote. He alone can initiate money votes, and no Bill can be introduced unless with his sanction. The Senior Financial Representative is Vice-President of the Financial Representatives.

The Government Secretary is *ex-officio* Secretary, and the Assistant Government Secretary *ex-officio* Clerk, to the Court of Policy and Combined Court.

The functions of an Executive Council are performed by the Governor and Official Members of the Court of Policy, and the Assistant Government Secretary is the Clerk to such Council.

NOTE.—Power is reserved to legislate by order of Her Majesty in Council.

— No. 21. —

Governor *Sendall* to Lord *Knutsford*.—(Received 3 September 1888.)

Grenada, 13 August 1888. ST. VINCENT.

Forwarded.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(signed) *Walter J. Sendall*

Government House, St. Vincent,
25 July 1888.

Sir,
I HAVE the honour to acknowledge the receipt of the Circular Despatch, noted in the margin, calling for certain information respecting the constitution of the Executive and Legislative Councils in this Colony. Downing-street
26th March 1888.

2. The Executive in this Island is constituted the same as in Grenada, which is the Seat of Government of the Windward Islands.

3. At present the Executive Council consists of the Administrator, the Attorney General, and the Treasurer, who are all *ex-officio* members, and two gentlemen who have been appointed as members for life.

4. The Legislative Council consists of the Administrator, the Attorney General, and the Treasurer, as *ex officio* members, and the Police Magistrate of the Kingstown district, who has been appointed as an official member.

5. When the Governor in Chief is present the Administrator sits as Colonial Secretary, and the Police Magistrate then ceases to take his seat.

6. By this arrangement the number of official members is kept at four, and there are four unofficial members, who hold their seats for six years from the date of their respective appointments.

His Excellency
Governor Sendall, C.M.G.,
&c. &c. &c.
Grenada.

I have, &c.
(signed) *R. B. Llewelyn*,
Administrator.

— No. 22. —

Governor *Sendall* to Lord *Knutsford*.—(Received 18 February 1889.) GRENADA.

St. Lucia, 2 February 1889.

Forwarded.

(signed) *Walter J. Sendall*.

The Right Honourable
Lord Knutsford, G.C.M.G.

Sir,
I HAVE the honour to acknowledge your Excellency's Minute Paper, Grenada, of the 15th instant, transmitting for my immediate attention a copy of Lord Knutsford's Despatch, Grenada, of the 18th December last, referring to his Circular Despatch of the 26th March last, and asking for the transmission of the information sought by that circular.

RETURN RELATING TO

2. I find that the Circular Despatch referred to was minuted by your Excellency on the 8th May last to the Colonial Secretary for report, but that no further action was taken.

3. I annex a report on the constitution of the Executive in this Colony, and of the constitution, number of members, and tenure of office of the Legislative Council.

His Excellency
W. J. Sendall, Esq., C.M.G.,
&c. &c. &c.
St. Lucia.

I have, &c.
(signed) Edward Laborde.

Enclosure in No. 22.

GRENADA.

Constitution of Executive.

THIS Colony is under the immediate government of the Governor-in-Chief of the Windward Islands (comprising the islands of Grenada, St. Lucia, and St. Vincent), and is the seat of the general Government. When the Governor is absent in any other island of his government, the administration devolves on such person as may be appointed Lieutenant Governor or Administrator, or in default of such appointment then upon the senior resident member of the Executive Council.

2. The Governor is assisted in his administration by an Executive or advising Council composed of the Lieutenant Governor or Administrator, the persons exercising the functions of Colonial Secretary, Attorney General, and Treasurer, and of such other persons as Her Majesty may be pleased to appoint.

3. Grenada is a Crown Colony, and its laws are made by the Governor, with the advice and consent of a Legislative Council nominated by the Crown under authority of Imperial Law.

4. The Legislative Council is composed of the Governor, the Lieutenant Governor or Administrator, the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney General, and Treasurer, of such persons holding office under the Crown (styled official members), and of such other persons not holding office under the Crown (styled unofficial members), as Her Majesty may appoint. The unofficial members of the Legislative Council vacate their seats at the end of six years from the date of the instrument appointing them.

5. The Legislative Council at present consists of the Governor and of five official and seven unofficial members.

(signed) Edward Laborde.

AUSTRALASIAN COLONIES.

— No. 23. —

Sir F. Napier Broome to Lord Knutsford.—(Received 25 June 1888.)

My Lord,

Government House, Perth,
16 May 1888.

IN accordance with the request contained in your Lordship's Circular Despatch of the 26th of March last, I have the honour to transmit herewith, for your Lordship's information, a return showing the constitution of the Executive and Legislature of the Colony, and the qualifications for members and electors.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) F. Napier Broome.

Enclosure in No. 23.

WESTERN
AUSTRALIA.

WESTERN AUSTRALIA.

RETURN in reply to the Right Honourable the Secretary of State's Circular
Despatch, dated 26th March 1888.

Constitution of the Executive.

The Executive power is vested in the Governor, and is exercised by him on his personal responsibility to the Secretary of State.

The Governor is assisted by a Council of advice, called the Executive Council.

The Executive Council consists of five of the chief officers of Government, namely: the Colonial Secretary, the Attorney General, the Treasurer, the Surveyor General, and the Director of Public Works. In addition to these there is one unofficial member.

The Members of the Executive Council are appointed by the Crown.

Constitution, &c. of the Representative Assembly.

The (partly) representative Assembly is called the Legislative Council.

There is no other Legislative Chamber.

The Legislative Council is composed of 26 members, of whom four are official, five are nominated, and 17 are elected.

The four official members are, the Colonial Secretary, the Attorney General, the Surveyor General, and the Director of Public Works.

The official members are nominated by the Governor, and, acting under the Governor's instructions, represent the Government in the Legislative Council.

The five nominated members, who cannot be officers of Government, are appointed by the Governor.

The 17 elected members are returned by 14 electoral districts.

The number of registered electors in the Colony is 5,500.

The qualification for an elected member of the Legislative Council is the possession of freehold property of the yearly value of 50 £, or of the unencumbered absolute value of 1,000 £.

Official and nominated members of the Legislative Council are not required by law to possess property qualification.

The Legislative Council is appointed or elected (as the case may be) for five years, unless sooner dissolved.

A seat in the Legislative Council may be vacated by resignation, absence without permission, and the usual disqualifications.

The qualification to vote at elections to the Legislative Council is the possession of freehold estate, value 100 £, in addition to which there is a household qualification of 10 £ annual value, and lessees of Crown lands paying 10 £ annual rent are also entitled to vote.

Government House, Perth,
10 May 1888.

(signed) *F. Napier Broome*, Governor.

— No. 24. —

Sir *W. C. F. Robinson* to Lord *Knutsford*.—(Received 23 July 1888).

SOUTH AUSTRALIA

Government House, Adelaide,

7 June 1888.

My Lord,

In reply to your Circular Despatch of 26th March 1888, asking for full particulars as to the Legislative Chambers of this Colony, I have the honour to forward you a report drawn up by Mr. Boothby, the returning officer for the Province of South Australia, giving every information on the subject.

I have, &c.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(signed) *William C. F. Robinson*.

Enclosure in No. 24.

Office of Returning Officer for the Province,
Adelaide, 21 May 1888.

THE constitution granted to South Australia by Her Majesty, by virtue of the Imperial Act, 13 & 14 Vict. c. 59, was proclaimed on the 24th October 1856, on which day the Queen's Assent to the Constitution Act, No. 2 of 1855-6, was received. Since then Acts have been passed to amend the Constitution Act, viz., No. 5 of 1873, which came into operation on the 1st July 1874; No. 236 of 1881, on the 13th April 1882; and No. 278 of 1882, by Proclamation on the 18th May 1883.

SOUTH AUSTRALIA.

Under these Statutes the Parliament consists of two Houses—the Legislative Council and House of Assembly; the former being composed of twenty-four members, and the latter of fifty-two.

The Province is divided into four Electoral Districts for the election of members of the Council; each district returns six members. It is also divided into twenty-six Electoral Districts for the election of members of the House of Assembly, each district returning two members.

The Qualifications of Members of the Council.

A member must be of the full age of thirty years, and a natural born or naturalised subject resident within the Province for three years prior to election.

For the House of Assembly.

Any person qualified to be an elector, but if an alien, not eligible until after residence of five years. There is a disqualifying Clause in the Acts that with the exception of the members of the Houses forming the Ministry, the acceptance of any office of profit or pension vacates the seat of the member. There is also an Act (No. 19 of 1869-70) to prevent public contractors being returned to, or sitting or voting in Parliament under a penalty of 500*l.* There are, however, limitations in the Act, as its provisions do not extend to members of incorporated trading companies.

Tenure of Seats in the Legislative Council.

A Roll is kept showing, under the heading of each district, the names of the members in the order of time in which they were elected; the member receiving the least number of votes being placed first on the list. At the expiration of every three years the two members whose names are first on the Roll for each of the four Electoral Districts retire, and two members are elected by each of the four districts. This provision ensures the re-election of one-third of the members of the Legislative Council once in every three years. There is no power to dissolve the Legislative Council at the same time as the House of Assembly, unless the Council shall have rejected a Bill twice passed by the House of Assembly, during two Parliaments, a general election of the Assembly intervening, and the Bill in the last passage through the Assembly carried by an absolute majority. In such case the Governor can dissolve the Legislative Council and House of Assembly, or the Governor may issue writs for the election of one or not more than two members for each of the four districts. This power is intended to prevent the possibility of any deadlock, to remove any legislative obstruction on the part of the Legislative Council to necessary measures; and as a means of bringing public opinion to bear on that body. However, without this provision every three years one-third of the members of the Legislative Council go to their constituents the same period that the House of Assembly exists, so that public opinion on questions of special interest before the country can be brought to bear on the Council as well as the Assembly. These elections are, however, not concurrent with those of the Assembly. The occasion has not arisen for the Governor to exercise the power of dissolution rendered lawful but not obligatory on the rejection of Bills by the Council in the manner before alluded to.

Vacancies occurring from death, resignation, or any other cause, are filled up by the return of a member for the district for which such member was returned; when the name of the newly-elected member is placed last on the Member's Roll.

The qualifications of electors of the Legislative Council is as follows:—

“Every man of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty, or legally made a denizen of the Province, and having a freehold estate in possession, either legal or equitable, situate within the said Province of the clear value of fifty pounds sterling, above all charges and incumbrances affecting the same, or having a leasehold estate in possession, situate within the said Province, of the clear annual value of twenty pounds, the lease thereof having been registered in the General Registry Office for the registration of deeds and having three years to run at the time of voting, or containing a clause authorising the lessee to become the purchaser of the land thereby demised, or occupying a dwelling-house of the clear annual value of twenty-five pounds sterling money, and who shall have been registered on the Electoral Roll of the district six months prior to the Election, shall be entitled to vote at the election of Members of the Legislative Council.”

The House of Assembly can be dissolved at the will of the Governor. The qualification of a Member of the Assembly is simply “being qualified and entitled to be registered as a voter in and for any Electoral District.” The qualification of electors for the House of Assembly is as follows:—

“Every man of the age of twenty-one years, being a natural born or naturalised subject of Her Majesty, and having been registered upon the Electoral Roll of any district for six months prior to any election shall be qualified to vote in the election of Members to serve in the House of Assembly. Provided that no man shall be entitled to vote at the election of a Member of the Legislative Council or House of Assembly who has been attainted or convicted of treason or felony or other infamous offence in any part of Her Majesty's Dominions, unless he has received a free pardon for such offence, or has undergone the sentence passed on him for such offence.”

The voting at Elections is by ballot; by making a cross within the square opposite the name of the candidate; a mode of voting originated by the Returning Officer of this Province in 1857, and adopted in the English Ballot Act.

The Parliament has power to alter or vary the provisions of the Constitution Act, but no alteration in the Constitution of the Legislative Council or House of Assembly can be made, or the Bill presented to the Governor for Her Majesty's Assent, unless the second and third readings shall have been passed with the concurrence of an absolute majority of both Houses, when the Bill has to be reserved for the signification of Her Majesty's pleasure thereon. The Parliament had power to define by any Act their privileges. This has been done, such privileges, immunities, and powers being defined as those held, enjoyed, and exercised by the Commons House of Parliament, or the Members thereof.

The Parliaments are triennial, with annual Sessions, although in cases of emergency there may be more than one Session in a year.

An Act (No. 399, 1887) was passed last year, providing for the payment of two hundred pounds per annum to Members of both Houses not in receipt of official salaries. This Act will take effect at the next meeting of Parliament, and will continue in force until the end of one year from the first day of meeting of the House of Assembly.

The power of the two Houses of Parliament is the same, excepting in one important respect as to Bills for appropriating any part of the Revenue or of imposing Taxation, which, by the Constitution, must originate in the House of Assembly.

The Executive Council consists of the Governor, the Chief Justice, and the six responsible Ministers of State, viz.:—The Chief Secretary, Attorney General, Treasurer, Commissioner of Crown Lands, Commissioner of Public Works, and the Minister of Education. These officers must be Members of Parliament three months after appointment. The persons for the time being holding the above offices, with the exception of the Chief Justice, are by Statute *ex-officio* Members of the Executive Council.

The annexed Return shows the number of Electors on the Rolls of the Legislative Council and House of Assembly on the 31st January 1888.

RETURN showing the Number of Electors on the Rolls of the Legislative Council and House of Assembly on 31st January 1888.

No.	District.	Legislative Council.	House of Assembly.
1	East Adelaide - - - - -	1,307	3,444
2	North Adelaide - - - - -	1,427	2,592
3	West Adelaide - - - - -	1,184	3,101
4	Albert - - - - -	707	1,447
5	Barossa - - - - -	1,151	1,937
6	Burra - - - - -	1,394	2,442
7	East Torrens - - - - -	2,890	4,604
8	Encounter Bay - - - - -	569	1,066
9	Flinders - - - - -	990	2,800
10	Frome - - - - -	1,832	3,209
11	Gladstone - - - - -	928	1,534
12	Gumeracha - - - - -	831	1,694
13	Light - - - - -	1,167	2,170
14	Mount Barker - - - - -	781	1,503
15	Newcastle - - - - -	1,272	2,494
16	Noarlunga - - - - -	782	1,373
17	Onkaparinga - - - - -	992	1,860
18	Port Adelaide - - - - -	2,473	4,516
19	Stanley - - - - -	1,146	2,095
20	Sturt - - - - -	1,989	3,387
21	Victoria - - - - -	1,010	2,208
22	West Torrens - - - - -	1,384	2,980
23	Wallaroo - - - - -	893	3,268
24	Wooroorra - - - - -	1,067	1,732
25	Yatala - - - - -	859	1,632
26	Yorke's Peninsula - - - - -	926	1,455
		31,951	62,546

Certified correct,

Sheriff's Office, Adelaide,
29 May 1888.

(signed) *Will. R. Boothby,*
Returning Officer, Province
South Australia.

— No. 25. —

NEW ZEALAND.

Sir W. F. D. Jervois to Lord Knutsford.—(Received 8 August 1888.)

Government House, Wellington,
20 June 1888.

My Lord,

Premier.
18 June 1888.

WITH reference to your Lordship's Circular Despatch of 26th March last, forwarding copy of a Resolution of the House of Commons for a Return showing the constitutions of the Colonies, I have the honour to transmit herewith copy of a Memorandum which I have received from the Premier, furnishing the desired information so far as regards New Zealand.

The Right Hon. Lord Knutsford,
&c. &c. &c.

I have, &c.
(signed) W. F. D. Jervois.

Enclosure in No. 25.

The Premier to the Governor of New Zealand.

Memorandum for His Excellency.

IN compliance with the request conveyed in Circular Despatch from the Right Honourable the Secretary of State for the Colonies, the Premier has the honour to submit a statement of the constitution of the Executive in this Colony, and also of the General Assembly.

Executive Council.

The Executive Council is constituted under the Letters Patent passed under the Great Seal of the United Kingdom, constituting the office of Governor of New Zealand, dated at Westminster the 22nd February 1879, and there has not been any legislation on the subject in the Colony.

General Assembly.

The authority for the constitution of the General Assembly of New Zealand is contained in the Constitution Act (XV. and XVI. Vict. c. 72, sec. 32), which enacts that "there shall be within the Colony of New Zealand a General Assembly, to consist of the Governor, a Legislative Council, and House of Representatives.

Legislative Council

The members of the Legislative Council, not being less than ten, are summoned by the Governor in Her Majesty's name, under the same authority (section 33). At present the number of members is 45, of whom two are of the aboriginal native race.

House of Representatives.

At present the House of Representatives consists of 95 members, four of whom represent Maori constituencies, under authority of the "Maori Representation Act, 1867," and its amendments; but as provided by the "Representation Acts Amendment Act, 1887," the number, after the determination of the present General Assembly, will be reduced to 74, inclusive of the Maori representatives.

Members, electors,
and their qualifica-
tions.

The number of names on the electoral rolls at the last general election in 1887 was 175,410; and the qualifications for members and electors are as follows:—

For the General Assembly.

Any male person being either a natural born or naturalised subject of Her Majesty, and being of the full age of 21 years may, unless specially disqualified, be appointed a member of the Legislative Council, and any person, being a registered elector, may, unless specially disqualified, be elected a member of the House of Representatives.

For Electors.

Every man of the age of 21 years or upwards, having, of his own right and not as a trustee, a freehold estate in possession, situate within the electoral district for which he desires to be registered, of the value of 25 £, or,

Every man of the age of 21 years or upwards, who has resided for one year in the Colony, and in the electoral district for which he claims to vote, during the six months preceding the registration of his vote.

And in the case of aboriginal natives, every male Maori of the age of 21 years and upwards, whose name is enrolled upon a ratepayers' roll within the electoral district for which he claims to vote; or who is seised, in severalty, of a freehold estate of the value of 25 £.

For Maori Electoral Districts.

Every male aboriginal native inhabitant of the Colony, and every male half-caste, of the age of twenty-one years or upwards, who shall not at any time have been attainted or convicted of treason, &c., is entitled to vote for a member for the Maori district in which he resides.

(signed) *T. W. Hislop,*
Colonial Secretary (for the Premier).

— No. 26. —

Sir *A. Musgrave* to Lord *Knutsford*.—(Received 22 September 1888.)

QUEENSLAND

Government House, Brisbane,
24 July 1888.

My Lord,

WITH reference to your Despatch Circular of the 26th March last, asking, with a view to the preparation of a Return moved for in the Imperial Parliament, for a Memorandum showing the constitution of the Executive and Legislative authorities in this Colony, I have now the honour to forward to your Lordship the enclosed Tabular Synopsis of the political constitution of the Colony of Queensland, which has been prepared in accordance with the several suggestions contained in your Lordship's Despatch.

I have, &c.
(signed) *A. Musgrave.*

The Right Hon.
The Secretary of State, Colonial Office.

Enclosure in No. 26.

THE POLITICAL CONSTITUTION OF THE COLONY OF QUEENSLAND.

THE GOVERNOR, appointed by Her Majesty by Commission, under the Royal Sign Manual and Signet, to the Office of Governor and Commander in Chief, constituted by Royal Letters Patent.

THE EXECUTIVE COUNCIL, constituted by the said Letters Patent, and consisting of "such Persons as are now or may at any time be declared by any Law enacted by the Legislature of the said Colony, to be Members of the said Executive Council, and of such other Persons as the Governor shall, from time to time, on behalf of Her Majesty, but subject to any Law as aforesaid, appoint under the Great Seal of the Colony to be Members of the said Council." In the Administration of the Government, the Governor acts on the advice of the Executive Council, who are responsible to the Legislative Assembly for the advice which they tender, and who resign their appointments and the charge of Departments with which they have been entrusted on losing the confidence of the Assembly.

THE LEGISLATURE.	Present Number of Members.	HOW APPOINTED.	QUALIFICATIONS.	REMARKS.
LEGISLATIVE COUNCIL	26	Members are appointed by the Governor for Life, under the authority, and subject to the provisions, of "The Constitution Act of 1867," but, in practice, this authority is only used on the recommendation of the Executive Council, commonly called the Ministry.	Twenty-one years of age, and a natural born subject of Her Majesty, or naturalised by an Act of the Imperial Parliament, or by the Legislature of New South Wales before separation, or by an Act of this Colony.	The President is appointed by the Governor, with the advice of the Executive Council, subject, however, to the provisions of the Constitution Act, for vacating the Office. He receives a salary of 1,000 £-per annum. The other Members of the Council, with the exception of the Chairman of Committees, who is appointed at the beginning of each Parliament, and receives 500 £ a year, are not paid Members of the Legislative Council, hold their seats for life, subject to statutory provisions for vacating same.
LEGISLATIVE ASSEMBLY	72	Elected by the suffrages of qualified and registered Voters of 60 Constituencies into which the Colony is divided. Every natural born or naturalised male subject of Her Majesty, of the age of 21 years (not being an aboriginal native of Australia, India, China, or the South Sea Islands), is entitled to registration as a Voter, if possessed of either of the following qualifications — (a) Residence for six months in the Electoral District. (b) Possession for six months of a freehold estate of the clear value of 100 £ above all encumbrances. (c) Household occupation for six months of clear annual value of 10 £. (d) Leasehold estate of the annual value of 10 £, the lease of which has 18 months to run. (e) Holder for 18 months of leasehold of the annual value of 10 £. (f) Holder for six months of License from Government to depasture land. The number of Registered Electors in the Colony, on the 1st of January 1888, was 65,313.	Enrolment as an Elector of any Electoral District in the Colony, must not, however, be a minister of religion, or a Member of the Legislative Council, or hold any office of profit under the Crown, or be a public contractor.	Members of the Assembly hold their seats during the Parliament for which they are elected, subject, however, to statutory provision for vacating same. They are paid at the rate of two guineas for each day's attendance, in addition to travelling expenses allowed, the maximum any Member receives for attendance is not, however, to exceed 200 £ a year Duration of Parliament, five years, subject to being sooner dissolved by the Governor.

— No. 27. —

VICTORIA.

Sir *H. B. Loch* to Lord *Knutsford*.—(Received 8 October 1888.)

Government House, Melbourne,
31 August 1888.

My Lord,

IN reply to your Lordship's Circular Despatch requesting certain information desired by the House of Commons, showing the constitution of the Executive of each Colony, and, in the case of Colonies having Representative Assemblies, the number of members, electors, &c., I have the honour to transmit a copy of a Return which has been prepared by the Honourable the Attorney General, giving the desired information as far as this Colony is concerned.

I have, &c.
(signed) *Henry B. Loch*.

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

Enclosure in No. 27.

RETURN furnished for the information of His Excellency the Governor, showing the Constitution of the EXECUTIVE of VICTORIA, and also the CONSTITUTION, Number of MEMBERS, Number of ELECTORS and the Qualifications requisite for MEMBERS and for ELECTORS of the LEGISLATIVE COUNCIL and LEGISLATIVE ASSEMBLY of VICTORIA.

THE Executive in Victoria is constituted by His Excellency the Governor, and the Responsible Ministers of the Crown appointed by him as the Representative of the Sovereign. These Responsible Ministers stand in the same relation to the Crown and to the Legislature of the Colony as do the Responsible Ministers in the United Kingdom to the Crown and to the Imperial Parliament.

The Governor may appoint as Responsible Ministers of the Crown and Members of the Executive Council any number of officers (not exceeding 10 in all) capable of being elected Members of either of the Houses of Parliament; four, at least, of such officers must be Members of one House or the other, and not more than eight of such officers are at any one time to be Members of the Legislative Assembly.

The Executive Council is referred to in Section 37 of "The Constitution Act," and in Section 2 of "The Officials in Parliament Act, 1883."

It is not dependent for its existence on any Imperial or Colonial Statute, but is created under the authority and by the direction of the Royal Letters Patent creating the office of Governor and Commander in Chief of the Colony, subject to the provisions of the laws (above referred to) in force in the Colony, and is a necessary accompaniment of Responsible Government established under the Crown of the United Kingdom. It consists of two classes of Members, namely:—

(1.) Members forming the Ministry of the day, whether they hold any office of profit as Responsible Ministers, or whether they are Members of the Cabinet without office.

(2.) Members not forming the Ministry of the day. This latter class comprises all ex-Ministers who have not actually resigned or vacated their seats as Members of the Executive Council.

The instrument appointing an Executive Councillor makes the office tenable only during the pleasure of the Crown, and during the residence of the appointee in the Colony.

The expression, "Governor in Council," which occurs so frequently in Victorian Acts, means the Governor acting by and with the advice of the Members present at a meeting of the Executive Council. Such Members as have been duly summoned to a meeting, attend thereat, and the Members summoned are, except in rare instances, the Responsible Ministers for the time being.

2. The legislative power is vested in the Crown and the two Houses of Parliament, the Legislative Council and the Legislative Assembly.

These two Houses of Parliament depend for their existence on the first section of the Constitution Act (Schedule to 18 and 19 Vict. c. 55), which provides there shall be established in Victoria, "One Legislative Council and one Legislative Assembly, &c."

VICTORIA.

The Legislative Council consists of 42 elected Members representing 14 Provinces, each of which returns three Members. Members hold their seats for six years, one Member in each Province retiring by effluxion of time every alternate year.

A Member must be of the full age of 30 years, and a natural-born subject, or have been naturalised for 10 years, and have resided during that period in Victoria, and must possess, and have possessed, for 12 months previous to election, freehold property of the annual value of 100 £, "above all charges and incumbrances affecting the same, other than any public or Parliamentary tax on municipal or other rate or assessment."

None of the following classes of persons can be elected as Members of the Legislative Council :—

- (1.) Members of the Legislative Assembly.
- (2.) Judges of any Court in Victoria.
- (3.) Ministers of Religion.
- (4.) Persons who have been attainted of any treason, or convicted of any felony or infamous offence within any part of Her Majesty's Dominion; any persons interested in any bargain or contract entered into by or on behalf of Her Majesty uncertificated bankrupts or insolvents.
- (5.) Persons holding any office or place of profit under the Crown, or employed in the Public Service for salary, wages, fees, or emoluments (except Responsible Ministers of the Crown and Members of the Naval Reserve, or Militia occasionally employed).

The persons qualified to vote at elections for the Legislative Council are all male persons of the full age of 21 years, natural-born or naturalised subjects of Her Majesty, not subject to any legal incapacity, and must be either :—

- (1.) Freeholders of lands situated in any one province, rated at not less than 10 £ a year.
- (2.) Leaseholders or occupying tenants rated at not less than 25 £ a year for the unexpired residue of any term originally created for a period of not less than five years.
- (3.) Joint owners or occupiers of property sufficient to give each of the foregoing qualifications.
- (4.) Mortgagees, mortgagees, or *cestui qui trustent* in actual possession of property rated at not less than 10 £ a year.

The names of all such persons are, without action of their own, extracted from the Municipal Rolls and placed on Electoral Rolls, entitling them to vote for the Legislative Council, but certain other persons of full age, if not included in such Rolls, are also entitled to vote if they obtain an elector's right, for which 1 s. is payable.

Such electors' rights to vote in any electoral division of any electoral province for Members of the Legislative Council may be obtained by any persons resident in such division who are :—

- (1.) Graduates of any University in the British Dominions.
- (2.) Legal and Medical Practitioners and Ministers of Religion.
- (3.) Certified School Masters.
- (4.) Military or Naval Officers, or
- (5.) Matriculated students of the Melbourne University.

All voters not being natural-born subjects of Her Majesty must have resided in Victoria for 12 months previous to 1st January or 1st July in any year, and have been naturalized at least three years next preceding that day.

The number of electors on the roll for the Legislative Council in the year 1886-87 was 121,376.

Members of the Legislative Council receive no reimbursement of their expenses in relation to their attendance at Parliament.

The Legislative Assembly consists of 86 elected members representing 55 electoral districts, of which five districts return three members each, 21 return two members each, and 29 districts return one member each.

Every Legislative Assembly exists for three years only from the day of its first meeting, unless sooner dissolved by the Governor.

Any natural-born subject of the Queen, or any alien naturalized by law for the space of five years, and resident in the Colony of Victoria for the space of two years, who is of the full age of 21 years, is qualified to be elected a member of the Legislative Assembly. The following classes of persons are, however, disqualified from being so elected, viz. :—

- (1.) Members of the Legislative Council.
- (2.) Judges of any Court in Victoria.
- (3.) Ministers of Religion.
- (4.) Persons interested in any bargain or contract entered into by or on behalf of Her Majesty.
- (5.) Persons

(5.) Persons holding any office or place of profit under the Crown, or employed in the Public Service of Victoria for salary, wages, fees, or emoluments (except Responsible Ministers of the Crown, and members of the Naval Reserve or Militia occasionally employed).

(6.) Persons attainted of any treason or convicted of any felony or infamous crime, in any part of Her Majesty's Dominions, uncertificated bankrupts or insolvents.

Persons are qualified to vote at elections for the Legislative Assembly by virtue of being included in lists of ratepaying electors, or by virtue of being holders of electors' rights.

(1) Rate-paying Qualifications:—Every male person, not subject to any legal incapacity, and being a natural-born, or naturalized subject of Her Majesty, who is enrolled on the ratepayers' roll of any city, town, borough, or shire, in respect of rateable property situated in any division of any electoral district.

Such persons are placed on the roll of ratepaying electors for the Legislative Assembly without any action on their part.

(2.) Qualification by electors' rights:—

(a) Residential Qualification:—Every male person of the full age of 21 years, and not subject to any legal incapacity, who is a natural-born or naturalized subject of Her Majesty, and has resided in Victoria for 12 months previous to the 1st day of January or July in any year, may on payment of a fee of 1 s. take out an elector's right (good for three years) for the electoral district in which he resides.

(b) Non-residential qualification:—Every such male person who is seized at law or in equity of lands or tenements for his own life or for the life of any other person, or for any large estate of the clear value of 50 l., or of the clear annual value of 5 l., may, on payment of a fee of 1 s., take out an elector's right (good for three years) for the electoral district in which such lands or tenements are situate.

An elector's right cannot issue to any person who has a right already for the same district, or who is on the roll of ratepaying electors for any division of the district, or who is receiving relief as an inmate of any charitable institution.

The number of electors on the roll for the Legislative Assembly in the year 1886–87 was 224,378.

At every general election for the Legislative Assembly, all elections take place on the same day.

Every Member of the Legislative Assembly who is not in receipt of any official salary or annual payment from the State is entitled to receive reimbursement of his expenses in relation to his attendance in the discharge of his Parliamentary duties at the rate of 300 l. per annum.

General Tenure of Seats:

Members of the Legislative Council and Assembly vacate their seats by:—

(1.) The acceptance of any office or place of profit under the Crown except some office involving only occasional employment in the Naval Reserve or Militia.

(2.) Absence for one entire Session without leave of the Council or Assembly as the case may be.

(3.) Taking the oath of allegiance to any foreign prince or power.

(4.) Becoming insolvent, insane, being attainted of treason, or being convicted of felony or infamous crime.

(5.) Becoming concerned or interested in any bargain or contract entered into by or on behalf of Her Majesty, or participating, &c., either directly or indirectly in the profit thereof, &c.

(6.) And also, in the case of the Legislative Council, by not continuing to hold a sufficient property qualification.

If any Member of the Legislative Council or Legislative Assembly whilst he is a Member, or within six months after ceasing to be a Member, accept any office or place of profit under the Crown he is liable to a penalty of 50 l. a week, whilst he continues to hold that office or place of profit.

This provision, however, does not apply to the office of Responsible Minister of the Crown, Judge of the Supreme Court, or Agent General, nor to persons occasionally employed in the Naval or Military Forces, that is to say, to persons who are members of the Naval Reserve or Militia.

D. G.

25 August 1888.

Sir *J. B. Thurston* to Lord *Knutsford* — (Received 16 October 1888.)

Government House, Suva, Fiji,
20 August 1888.

My Lord,

IN accordance with the request contained in your Lordship's Circular Despatch of the 26th March, I have the honour to forward for your Lordship's information two Returns, showing the Constitution of the Executive and Legislative Councils, and other information asked for.

I have, &c.
(signed) *John B. Thurston.*

The Right Hon. Lord Knutsford, G.C.M.G.,
Secretary of State for the Colonies.

Enclosure in No. 28.

COLONY OF FIJI.

CONSTITUTION OF LEGISLATURE.

RETURN in reply to Circular Despatch dated 26 March 1888.

LEGISLATIVE COUNCIL.

CONSTITUTED by Sections III. and IV. of the Charter passed under the Great Seal of the United Kingdom, for erecting the Fiji Islands into a separate Colony, to be called the Colony of Fiji and for providing for the Government thereof:

Given at Westminster the 2nd day of January 1875, viz. :—

* * * * *

III. And we do hereby further further declare and appoint that there shall be, within our said Colony, a Legislative Council, which shall consist of the said Governor for the time being, and of such other public officers and persons within the same, not being less than two in number, as shall be named or designated for that purpose by us, by any instruction or instructions, or warrant or warrants, to be by us for that purpose issued under our sign manual and signet, and with the advice of our Privy Council; all of which persons or officers shall hold their places in the said Council during our pleasure.

IV. And we do further declare and appoint that the Governor for the time being of the said Colony, with the advice of the said Legislative Council, shall have full power and authority to make and enact all such laws and ordinances as may from time to time be required for the peace, order, and good government of our said Colony, and that in the making of all such laws and ordinances the said Governor shall exercise all such powers and authorities, and the said Legislative Council shall conform to and observe all such rules and regulations as shall be given and prescribed in and by such instructions as we, with the advice of our Privy Council, shall from time to time make for his and their guidance therein. Provided nevertheless, and we do hereby reserve to ourselves, our heirs and successors, our and their right and authority to disallow any such Ordinances in the whole or in part, and to make and establish from time to time, with the advice and consent of Parliament, or with the advice of our or their Privy Council, all such laws as may to us or them appear necessary for the peace, order, and good government of our said Colony, as fully as if these presents had not been made.

* CONSTITUTION altered by Section II. of the Supplementary Charter passed under the Great Seal of the United Kingdom, dated 1st October 1880, viz. :—

Full

* * * * *

II. And we do hereby further declare that any instruction or warrant naming or designating any public officers or persons to be Members of the Legislative Council of our said Colony, and issued by us under our sign manual and signet, shall be sufficient, without the advice of our Privy Council having been taken thereon.

FURTHER constituted by Instructions passed under the Royal Sign Manual and Signet, dated 1st October 1880, as follows :—

* * * * *

XIV. The Legislative Council of the Colony shall consist of the Governor and of persons holding public offices in the Colony, who shall be styled official Members, and of other persons, inhabitants of the Colony, who shall be styled unofficial Members.

The official and unofficial Members together shall not at any time be less than six or more than 12 in number, and of such number at least one-half shall at all times be official Members.

The said official and unofficial Members shall consist of such persons as are now Members of the Legislative Council, and of such persons as have been heretofore provisionally appointed to the said Council by the Governor, but have not yet been confirmed by us, and of such other persons as we may hereafter name or designate by any instruction or warrant under our sign-manual and signet.

XV. If any Member of the Legislative Council shall die, or become incapable or be suspended or removed from his office (*vide* subsequent Instructions of 3rd September 1886).

XVI. If any Member of the Legislative Council be absent from the Colony for the space of six calendar months, without the leave of the Governor first obtained, or shall remain absent from the Colony for the space of two years continuously, without our leave first obtained, the seat of such Member shall thereupon become vacant.

XVII. The Governor shall without delay report to us, for our approval or disallowance, through one of our principal Secretaries of State, every provisional appointment of any person as an official or unofficial Member of the Legislative Council. Every such person shall hold his office during our pleasure, and the Governor may, by any instrument under the public seal, revoke any such appointment.

XVIII. The Legislative Council shall not be disqualified from the transaction of business on account of any vacancies among the official or unofficial Members thereof.

XIX. The official Members of the Legislative Council shall take precedence of the unofficial Members, and among themselves shall take precedence according to the order which they now hold, and in the case of Members hereafter appointed according to their seniority in the Executive Council; or, if they are not Members thereof, according to the priority of their respective appointments, but with this qualification, that whenever the Chief Justice, or the person lawfully discharging the functions of Chief Justice, is an official Member of the Legislative Council, he shall take precedence therein next after the Governor.

The unofficial Members shall among themselves take precedence according to the order which they now hold, and in the case of Members hereafter appointed, according to the priority of their respective appointments; or, if appointed by the same instrument, according to the order in which they are named therein.

XX. The Legislative Council shall not be competent to act in any case unless four Members, at the least, beside the Governor or the Member presiding, be present at and throughout the meetings of such Council.

XXI. The Governor shall attend and preside in the said Council, unless prevented by illness or other grave cause, and, in his absence, that Member shall preside who is first in precedence of those present.

FIII.

XXII. All questions proposed for debate in the said Council shall be decided by the majority of votes, and the Governor or Member presiding shall have an original vote in common with the other Members of the said Council, as also a casting vote, if upon any question the votes shall be equal.

XXIII. The Governor may, with the advice of the said Council, from time to time make, alter, revoke, and renew such standing rules and orders as may be necessary to ensure punctuality of attendance of the Members of the said Council, and to prevent meetings of the said Council being holden without convenient notice to the several Members thereof, and to maintain order and method in the despatch of business, and in the conduct of debates in the said Council, and to secure due deliberation in the passing of laws, and to provide that, before the passing of any law intended to affect the interests of private persons, due notice of the same is given to all persons concerned therein.

All such rules and orders not being repugnant to our said Charter, or to these our instructions, or to any other instructions which the Governor may receive from us, shall at all times be followed and observed, and shall be binding upon the said Council, unless the same or any of them shall be disallowed by us.

XXIV. It shall be competent for any Member of the said Council to propose any question for debate therein; and such question, if seconded by any other Member, shall be debated and disposed of according to the Standing Rules and Orders: Provided always, that every law, vote, resolution, or question the object or effect of which may be to dispose of or charge any part of our revenue arising within the Colony shall be proposed by the Governor, unless the proposal of the same shall have been expressly allowed or directed by him.

FURTHER constituted by Additional Instructions passed under the Royal Sign Manual and Signet, dated 3rd September 1886.

1. If any Member of the Legislative Council shall die, or become incapable, or be suspended or removed from his office, or be absent from the Colony, or be unable, at the time of any meeting of the Council, to be present at the place at which it is held, or be temporarily absent from the island in which the meetings of the Council are held; or if, being an unofficial Member, he resign, by writing under his hand, or his seat become vacant, the Governor may, by an instrument under the public seal of the Colony, appoint any fit person to be a Member of the Council provisionally, in the place of such Member.

So soon as such Member shall return, or be declared by the Governor capable of discharging the functions of his office, or our instructions or warrant shall have been received for the appointment of another Member, the person so provisionally appointed shall cease to be a Member of the Council.

In the instrument appointing any such person to be provisionally an unofficial Member of the Council the Governor may provide that such appointment shall continue and have effect until disallowed by us, or until revoked by the Governor by an instrument under the public seal of the Colony; and any person so appointed may attend the Council as a Member in place of any Member who is unable to be present at the place of meeting.

No person shall be qualified to become provisionally an official Member of the Legislative Council unless he hold some public office in the Colony.

The present Members of the Legislative Council, are as follows: Six official Members, viz., Governor, Chief Justice, Attorney General, Acting Receiver General, Chief Medical Officer, Commissioner of Lands, and six unofficial Members.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

CONSTITUTION OF EXECUTIVE.

RETURN, in reply to CIRCULAR DESPATCH from the Right Hon. the SECRETARY OF STATE for the COLONIES, dated 26th March 1888.

EXECUTIVE COUNCIL.

CONSTITUTED by Section V. of the Charter passed under the Great Seal of the United Kingdom for erecting the Fiji Islands into a separate colony, to be called the Colony of Fiji, and for providing for the Government thereof: Given at Westminster the Second day of January 1875, viz.:—

V. And we do further declare our pleasure to be that, for the purpose of advising our said Governor, there shall be for our said Colony an Executive Council, which shall be composed of such persons and constituted in such manner as may be directed by any instructions which may from time to time be addressed to our said Governor by us under our sign-manual and signet, and all such persons shall hold their places in the said Council at our pleasure.

FURTHER constituted by Clause IV. of Instructions passed under the Royal Sign Manual and Signet to the Governor and Commander in Chief of the Colony of Fiji, and dated 1st October 1880, viz.:—

IV. The Executive Council shall consist of the persons for the time being lawfully discharging the functions of the respective offices of Colonial Secretary and Attorney General of the Colony, and of such other persons as are now Members of the said Council, or as we may from time to time appoint by any Instructions or Warrant under our sign-manual and signet.

Whenever upon any special occasion the Governor desires to obtain the advice of any person within the Colony touching our affairs therein, he may, by an Instrument under the Public Seal of the Colony, summon for such special occasion any such person as an extraordinary Member of the Executive Council.

The Members of the said Council shall have seniority and precedence among themselves, first the above-mentioned Officers in the order above given, then other Members in the order they now hold, and Members hereafter appointed by us according to the priority of their respective appointments, finally extraordinary Members according to the like priority.

The appointment of Provisional Members is regulated by Clause V. of the above recited instructions, viz.:—

V. If any Member of the Executive Council shall die or become incapable, or be suspended or removed from his office, or if his office be abolished or amalgamated with another, or if he be absent from the Colony, or be temporarily absent from the Island in which the meetings of the Council are held, the Governor may, by an instrument under the Public Seal of the Colony, appoint any person holding a public office in the Colony to be a Member of the said Council provisionally in the place of such Member.

So soon as such Member shall return, or be declared by the Governor capable of discharging the functions of his office, the person so provisionally appointed shall cease to be a Member of the Council.

It is further provided by Clause 6 of the Instructions that

VI. The Governor shall, without delay, report to us, for our approval or disallowance, through one of our principal Secretaries of State, every provisional appointment of any person to be a Member of the Executive Council. Every such person shall hold his office during our pleasure, and the Governor may, by any Instrument under the Public Seal, revoke any such appointment.

Number of Members. — The number of Members is not specifically limited, *vide* Clause IV. of Instructions of 1st October 1880.

The Council at present consists of the following Members in addition to the Governor, viz.:—

The Attorney General, the Acting Receiver General, and the following Officers, who are Members of the Executive Council when sitting for the re-hearing of Land Claims, and will resign their appointments so soon as the Land Claims are settled: The Commissioner of Lands, his Honour the Chief Justice, and one other.

No. 29.

Lord Carrington to Lord Knutsford.—(Received 29 October 1888.)

NEW SOUTH WALES.

My Lord.

Sydney, 13 September 1888.

IN reply to your Lordship's Circular Despatch of the 26th March last, transmitting a copy of a Resolution of the House of Commons for a Return showing the constitution of the Executive of this Colony, and the qualifications requisite for Members of the Assembly, I have the honour to forward to your Lordship the enclosed Papers, which have been handed to me by the Colonial Secretary, giving the desired information.

I have, &c.

(signed) Carrington.

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

Enclosures in No. 29.

THE EXECUTIVE.

The Cabinet.

THE Executive Council is composed of the ten Ministers, namely : The Colonial Secretary, the Treasurer, the Attorney General, the Secretary for Lands, the Secretary for Works, the Minister of Justice, the Minister of Public Instruction, the Secretary for Mines, and the Postmaster General, and a Vice-President of the Executive Council, without a portfolio, but who represents the Government in the Legislative Council. These form the Cabinet, and, of course, are responsible to Parliament. The Ministry, as the advisers of the Governor, must also retain his confidence, but, practically, this is seldom likely to be withdrawn, so long as they can command a working majority in the Assembly. The Governor may dissolve Parliament although the Ministry have not sustained a defeat, and in this case the continued existence of any Government would depend directly on the vote of the constituencies, but such a contingency can happen but seldom.

Ministers not
usually appointed
from Upper House.

It is rare for more than one Minister to be selected from the Upper House, and it will thus be seen that the principle of the responsibility of the members of the Government to Parliament is fully carried out. For every act of the Governor as Viceroy, some Minister is responsible to Parliament, and even in matters of Imperial interest, where the final onus rests on the Governor, he himself is responsible to the Imperial Government, whose members are under the control of the House of Commons, so that no loophole is left for the exercise of any arbitrary act. The Crown, except in two instances (appeals to the Privy Council and the bestowal of titles), acts towards the Executive through its representative the Governor, and so long ago as the inception of Responsible Government, Earl Grey declared, in an official despatch, that he should make "a judicious use of the influence, rather than of the authority, of his office," which wise maxim has usually been followed. But in extreme cases, such as when his sanction is requested to anything illegal, the Governor is bound, without question, to keep the law, though he may thereby be brought into hostile relations with the Cabinet. Sir Michael Hicks Beach, in a communication to the Governor-General of Canada in 1879, clearly laid down the doctrine that the Governor of any British Colony "has an unquestionable constitutional right to dismiss his Ministers, if from any cause he feels it incumbent on him to do so." This does not militate against the doctrine of responsibility, for if the Ministry appointed by the Governor do not possess the confidence of Parliament, they cannot hold office, and hence the Governor will be forced to give way, or else persevere till he can select a Ministry which the Assembly will accept. The final control will thus be, as in every other case, with the representatives of the people. In matters of routine, the Governor will necessarily act on the advice of his Ministers, and in most cases relating to the internal economy of the departments he will adopt even the individual recommendations of the Ministers by whom they are severally controlled.

Dismissal of Minis-
ters.

As regards matters of purely Imperial interest, the Governor is responsible to the Home authorities for their due conservation. If, in consequence of his action on any such matter, he is involved in a dispute with his Ministers, he is bound to refer them to the Sovereign, should his action have been endorsed by the Colonial Office. If his conduct is not approved of at Home he would most likely be recalled. It follows from this, that in no case can the Governor be held to be responsible directly to Parliament for his conduct. His Ministers are responsible, but personally he has only to render an account to the Crown itself, that is, to the Imperial Parliament.

The

The Executive Council cannot discharge any function unless duly summoned by the Governor, and at least two members, besides the Governor or presiding member, are present to form a quorum. Formal minutes are, of course, kept of all proceedings.

Since the introduction of Responsible Government, there have been twenty-four Ministries, the average tenure of office being one year and seven months.

NEW SOUTH WALES.

Executive must be summoned by Governor.

THE PARLIAMENT.

It seems a singular omission in the Constitution Act that no definition is given of the relative powers of the Legislative Council and Legislative Assembly. Such is the fact, but no inconvenience has arisen thereby, since by common consent it has been agreed that the precedents regulating the proceedings and relations, *inter se*, of the two Houses of the Imperial Parliament shall be followed, as far as applicable, in New South Wales. The Constitution Act provides that all Money Bills shall be introduced in the Lower House only. The important rule of the House of Commons, affirmed 200 years ago and constantly enforced ever since, that "all aids and supplies, and aids to Her Majesty in Parliament, are the sole gift of the Commons, and it is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills, the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords," is also held to be in force as regards the Parliament of this Colony, and has always been recognized and acted upon.

Relative powers of the two Houses undefined.

The two Houses, however, do not possess the most important of the privileges of the Imperial Parliament, namely, the right of punishing for contempt, although the Legislative Assembly has, on one occasion, punished one of its members, for conduct assumed to be dishonourable beyond its precincts, by expelling him. As regards disorderly conduct within the walls of the Chamber, it has been held by the Supreme Court, and affirmed by the Privy Council, that the Assembly only possesses the power of suspending a member for disorderly conduct for the period of the sitting at which such conduct took place. A member may be also removed from the House by order of the Speaker if he persists in obstruction or contemns the Standing Orders; but fortunately this course has very seldom been rendered necessary.

Parliament cannot punish for contempt.

Witnesses may be summoned to give evidence before either House, or before committees of the Council or Assembly, the necessary powers for compelling their attendance having been conferred by an Act passed in 1881. Any person disobeying a summons may be arrested on a judge's warrant, and the maximum penalty for refusing to give evidence when brought up is imprisonment for one calendar month.

Witnesses may be summoned.

As regards the maximum number of members of the Legislative Council, no limit is assigned by the Constitution Act, although the minimum number is fixed at 21. It will be seen that this gives power to a Governor to quash any possible obstruction on the part of the Council to the will of the Government and the Lower House by "swamping" the Council. Such a proceeding, however, can hardly be held to be allowable, except under extreme circumstances. As a matter of fact, an attempt to "swamp" the Council was made during one of the premierships of the late Sir Charles Cowper, but public opinion condemned his action most strongly, although the somewhat peculiar circumstances of the case were thought at the time to justify the Governor's action. The Home authorities severely rebuked the Governor (Sir John Young) for the course he had taken, and since then "swamping" the Council has never been seriously entertained, nor is there much chance that it will ever again be attempted. The principle in fact has been affirmed, on the basis of an understanding entered into between Sir John Young and the leading statesmen of the day (of both sides of the House), that the members of the Legislative Council should be limited to a convenient number, and that no nominations should ever be made merely for the purpose of strengthening the party which happens to be in power. A dead-lock between the two Houses is provided against by the universal feeling that the Assembly represents the will of the people, and in such case the Council would certainly have to give way to the deliberate will of the people's representatives. The Council is intended as a check to hasty legislation; and it doubtless acts as a useful "brake" to violent party feeling.

No limit to numbers of Council.

THE LEGISLATIVE COUNCIL.

As before stated, the members of the Upper House are nominated by the Governor, the minimum number composing the House being fixed at 21. No limit as to numbers is fixed by the Constitution Act, but in accordance with the arrangement already described, the number is practically kept down by the exclusion of all purely political appointments. As the number of members of the Assembly has been greatly increased in pursuance of the "expansion" clauses of the Act, the present number of members composing the Council (sixty-five) will not be considered an unfair proportion, as the increase is in about the same ratio as that of the Assembly. The members must be of full age, and either natural-born or duly naturalized subjects of the empire. Four-fifths of the members must be persons not holding any paid office under the Crown, but this is not held to include officers "in Her Majesty's sea and land forces on full or half-pay, or retired officers on pensions." Though the appointment is for life, a member may resign his seat, and he also forfeits it by absence from two consecutive sessions without leave, by becoming naturalized in a foreign State, by becoming insolvent, by becoming a public

Constitution of the Legislative Council.

Members may resign.

NEW SOUTH WALES.

contractor, or defaulter, by being attainted of treason, or being convicted of felony, or any infamous crime. The Governor appoints and removes, if considered necessary, the President, who may speak in debate, but can only give a casting vote. An attendance of one-third of the members on the roll is necessary to constitute a quorum. The Council must hold a sitting at least once in every year, and no greater interval than twelve months must elapse between session and session. The proceedings are regulated by standing orders, which are, in the main, similar to those of the Assembly, the latter being framed on the model of the rules obtaining in the House of Commons. No member may sit or vote till he has taken the oath of allegiance, or the affirmation prescribed in lieu of that oath.

THE LEGISLATIVE ASSEMBLY.

The Lower House of Parliament is elected by manhood suffrage, the number of electorates being at present 72, returning 124 members. The qualification of electors is derived either from actual residence in an electorate, or ownership of a freehold or leasehold therein. The following are the rules applying to each of the two cases:—

Qualification of electors.

1. Any person claiming a right to have his name on the electoral roll in respect of residence, must prove that at the time of the collection of the roll he resided in the electorate in question, and had done so for six months previously.

2. Any person who claims in respect of property must show that at the time the electoral list was made up, and during the preceding six months:—

- (a) He is and has been holder of a freehold or leasehold estate of the clear value of 100 £., or
- (b) He is and has been in the receipt of rents and profits of the annual value of 10 £., arising from freehold or leasehold property, or
- (c) Occupies and has occupied a house, warehouse, office, shop, room, or building, either with or without land attached, of the annual value of 10 £., or
- (d) Holds and has held a Crown lease or license for pastoral purposes within the electoral district.

The six months' occupation is not required to be of the same premises; provided he has occupied continuously several sets of premises of the required value he is entitled to vote.

A man must be possessed of one or other of the above qualifications to entitle him to vote in any electorate; but he can only have one vote in each electorate, no matter how many qualifications he has in that electorate. If he is qualified in several electorates, he is entitled to have his name on the electoral roll in each.

When any premises are jointly owned or occupied, or held on lease by more persons than one, each of such joint owners, occupiers, or leaseholders, shall be entitled to vote in respect of such premises in case the value of his individual interest therein separately taken would, under the provisions of the said section, entitle him to vote if solely interested.

A person is disabled from voting by reason of the existence of any of the following disqualifications at the time of making out the electoral roll:—

- 1. Being of unsound mind.
- 2. Being in receipt of eleemosynary aid.
- 3. Having been convicted of treason, felony, or other infamous crime, unless he has either received a free or conditional pardon, or has served his sentence.
- 4. Being in the military or naval service on full pay. Membership in a Volunteer or Militia corps does not disqualify.
- 5. Being a police magistrate or member of the police force (including the Inspector General).

"Expansion" clauses of Electoral Act.

The "expansion clauses" of the Act, as they are called, provide that when an electorate which has previously returned only one member has 3,000 names on its electoral roll, or when one which returns two members is possessed of 5,000 voters, or one which returns three, has reached 8,000, such electorate, in each case, is entitled to return an additional member at next general election; but the Governor must first notify the fact by proclamation in the "Gazette."

Any natural born, or duly naturalized subject of Her Majesty is capable of being elected a member of the Assembly, subject to the same disqualifications as for voters, with the following additional ones:—

- 1. He must not be a member of the Legislative Council.
- 2. He must not hold any office of profit under the Crown, either for a term of years or during pleasure.
- 3. He must not be in any way interested in any contract for the public service.

By

By the "Constitution Act Amendment Act of 1884" the disqualification of persons holding office of profit was declared not to apply to the Colonial Secretary or other member of the Ministry. The third disqualification also does not apply to any contract made by a company consisting of more than twenty persons.

NEW SOUTH WALES.
Offices of profit.

If any disqualified person should be elected, the election is voided by the House, and should such person presume to sit or vote, he is liable to a fine of 500 *l*.

Before taking his seat, each member must take the oath of allegiance in the prescribed form, or make an affirmation in lieu of it. A member may resign his seat at any time, and he is held to have vacated it under each or any of the following conditions:—Absence during a whole session without leave, naturalization in a foreign country, insolvency, being a defaulter, or convicted of treason, felony, or any other infamous crime.

Members must take oath of allegiance.

The Act 37 Vict. No. 7, provides that no Assembly can prolong its existence beyond the term of three years. One session, at least, must be held every year, and twelve months must not elapse between any two sessions. On first meeting after a general election, the first business is to elect a Speaker, who has only a casting vote. Twenty of the members (exclusive of the Speaker) constitute a quorum.

Writs for general elections must be made returnable not later than 35 clear days after the date of the proclamation dissolving the former Parliament.

Writs for general elections, and also for vacancies occurring between a general election and the meeting of Parliament for the dispatch of business, are issued by the Governor. For all other elections the writs are issued by the Speaker, unless absent from the Colony or unless no Speaker has yet been elected, when the Governor signs these writs in like manner to the others.

Election is by ballot, the names of those entitled to vote being compiled annually and published for general information.

Election is by ballot.

LEGISLATIVE COUNCIL.—Compiled in the Office of the Clerk of the Parliaments.

President, how elected.—Appointed by the Governor. The President takes part in the debates, but only has a casting vote.

Members, 65.—Summoned by the Governor with the advice of the Executive Council.
Quorum—one-third of the members, exclusive of the President.

Qualification.—Twenty-one years of age and a natural-born subject of Her Majesty, or naturalized by an Act of the Legislature of New South Wales. (*Const. Act, Cl. 2.*)

Disqualifications.—Under the age of 21 years, not being a naturalized born subject, and unnaturalized, allegiance to foreign power, contractors and persons interested in contracts, except members of companies exceeding 20 in number.

Re-imbusement of Members.—None.

Tenure of Seat.—Life.

Seat is vacated by absence for two successive sessions without the permission of the Governor signified to the Council, by taking an oath of allegiance, or becoming the subject of any foreign power, by becoming bankrupt or a public contractor or defaulter, by being attainted of treason, or being convicted of felony or any infamous crime.

Sitting Days.—The President takes the chair on Wednesdays and Thursdays at 4 o'clock p.m.

LEGISLATIVE ASSEMBLY.—Compiled in the Office of the Legislative Assembly.

Thirteenth Parliament.—Commenced 8th March 1887.

Electorates, 72; Electors, 196,261.

Members, 124. Quorum—20, exclusive of the Speaker.

0.15.

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Number

NEW SOUTH WALES.

Number of Members to an Electorate.—One member under 3,000 electors; two members, 3,000 to 5,000 electors; three members, 5,000 to 8,000 electors; four members, above 8,000 electors.

Qualification of Members.—Every male subject of Her Majesty of the full age of 21 years and absolutely free, being a natural-born or naturalized subject, shall be qualified to be elected a member of the Assembly for any electoral district, unless disqualified by section 17 or 18 of the Constitution Act, or unless under section 12 of this Act he would be disqualified or incapacitated as an elector.

Disqualifications.—Being a member of the Legislative Council, holding any office of profit under the Crown (not being a political office), by holding a pension from the Crown during pleasure or for a term of years. An uncertificated insolvent is not disqualified for election.

Re-imbusement of Members.—None.

Tenure of Seat.—Duration of Parliament limited to three years, from the date of the return of the writs.

Seat is vacated by being absent for one whole session without the sanction of the Assembly, by taking an oath of allegiance or becoming the subject of any foreign power, by becoming bankrupt or an insolvent debtor, by being attainted of treason, or being convicted of felony or any infamous crime, by becoming interested in any contract for the public service, unless as a member of an incorporated company, consisting of more than 20 persons.

Qualification of Electors.—Every male subject of Her Majesty of the full age of 21 years, and absolutely free, being a natural born or naturalized subject, shall, if entered on the roll of electors and not disqualified or incapacitated for some cause hereinafter specified, be entitled to vote at any election for the electoral district in respect of which he shall be so qualified, that is to say: (1.) Every such subject who at the time of making out the electoral list in any such district shall reside, and during the six months then next preceding shall have resided, in that district, (2.) Every such subject whether or not so resident as aforesaid, who shall have at the time of making out the said electoral list, and for the six months then next preceding shall have had, within the district a freehold or leasehold estate in possession, or have been in the receipt of the rents and profits thereof for his own use of the clear value of 100 £, or of the annual value of 10 £, respectively, or who shall then occupy, and for the said six months have occupied, within the district, any house, warehouse, counting-house, office, shop, room, or building, being either separately or jointly with any land within such district occupied by him therewith of the annual value of 10 £, such occupation being either continuously of the same premises, or successively of any two or more respectively of the required value, or who shall hold, and for the said six months shall have held, a Crown lease or license for pastoral purposes within such district. Provided that no elector possessing more than one qualification within the same electoral district shall be thereby entitled to an additional vote for that district. Provided also when any premises are jointly owned or occupied, or held on lease by more persons than one, each of such joint owners, occupiers, or leaseholders, shall be entitled to vote in respect of such premises in case the value of his individual interest therein separately taken would, under the provisions of the said section, entitle him to vote if solely interested.

Persons not entitled to Vote.—Persons who are not naturalized subjects of Her Majesty, and persons who do not possess the qualifications required by the Act.

Elections are conducted by ballot.

Polling commences at 8 a.m. and closes at 4 p.m.

Electoral Rolls are made up on the 1st June each year.

Sitting Days.—Wednesdays and Thursdays for Government business; Tuesdays for private business. The Speaker takes the chair at 3.30 p.m. on each of the above days; adjournment from 7 to 7.45 p.m.

Number of Members.	Electoral Districts.	Roll for 1887-88. No. of Names on Roll for each Electorate.	Number of Members.	Electoral Districts.	Rolls for 1887-88. No. of Names on Roll for each Electorate.
1	Albury - - - -	1,444	1	West Macquarie - - -	1,133
2	Argyle - - - -	2,783	1	East Maitland - - -	1,227
3	Balmain - - - -	8,686	1	West Maitland - - -	1,773
2	Balranald - - - -	4,064	1	Molong - - - -	1,387
1	Bathurst - - - -	1,962	2	Monaro - - - -	3,553
2	The Bogan - - - -	4,923	1	Morpeth - - - -	1,281
1	Boorowa - - - -	1,081	3	Mudgee - - - -	3,808
2	Bourke - - - -	5,289	2	The Murray - - - -	2,846
1	Braidwood - - - -	1,571	3	The Murrumbidgee - -	7,750
2	Camden - - - -	5,347	1	The Namoi - - - -	2,707
4	Canterbury - - - -	15,221	1	The Nepean - - - -	2,148
2	Carcoar - - - -	3,814	2	Newcastle - - - -	6,153
1	The Clarence - - - -	1,934	2	New England - - - -	3,910
3	Central Cumberland -	9,005	3	Newtown - - - -	6,766
1	Durham - - - -	1,543	3	Northumberland - - -	6,206
2	Eden - - - -	3,425	2	Orange - - - -	2,682
2	Forbes - - - -	2,384	3	Paddington - - - -	8,381
2	The Glebe - - - -	4,042	1	Parramatta - - - -	2,170
1	Glen Innes - - - -	3,040	1	Patrick's Plains - - -	1,785
1	Gloucester - - - -	1,725	1	Queanbeyan - - - -	1,920
1	Goulburn - - - -	2,200	4	Redfern - - - -	9,159
1	Grafton - - - -	2,128	2	The Richmond - - - -	3,439
1	Grenfell - - - -	1,647	1	Shoalhaven - - - -	2,335
1	Gundagai - - - -	2,224	2	St. Leonards - - - -	5,807
1	Gunnedah - - - -	1,982	4	East Sydney - - - -	10,889
1	The Gwydir - - - -	2,390	4	South Sydney - - - -	9,730
1	Hartley - - - -	2,325	4	West Sydney - - - -	11,442
2	The Hastings and Manning	3,012	2	Tamworth - - - -	3,208
1	The Hawkesbury - - -	2,328	1	Tenterfield - - - -	2,320
2	The Hume - - - -	2,640	1	Tumut - - - -	1,737
1	The Hunter - - - -	1,530	1	Wellington - - - -	1,441
2	The Upper Hunter - - -	2,947	2	Wentworth - - - -	5,617
1	Illawarra - - - -	3,111	1	Wollombi - - - -	2,134
1	Inverell - - - -	2,177	1	Yass Plains - - - -	1,972
1	Kiama - - - -	1,774	2	Young - - - -	3,171
1	The Macleay - - - -	3,367			
2	East Macquarie - - -	2,842	124	GRAND TOTAL - - -	270,394

EASTERN COLONIES.

STRAITS SETTLEMENTS

— No. 30. —

Sir C. C. Smith to Lord Knutsford.—(Received 7 June 1888).

Government House, Singapore,
11 May 1888.

My Lord,
In reply to your Lordship's Circular Despatch of the 26th March 1888, I have the honour to forward a return showing the constitution of the Executive in this Colony.

2. I have added to the return information as to the number and method of appointment of members of the Legislative Council.

The Right Honourable
The Lord Knutsford, G.C.M.G.,
&c. &c. &c.
Colonial Office.

I have, &c.
(signed) Cecil C. Smith.

RETURN RELATING TO

Enclosure in No. 30.

STRAITS
SETTLEMENTS.

RETURN showing the Constitution of the Executive of the Colony of the STRAITS SETTLEMENTS, with the Constitution of the LEGISLATIVE COUNCIL of the Colony, ordered by CIRCULAR DESPATCH from the SECRETARY OF STATE for the COLONIES, dated 26th March 1888

EXECUTIVE COUNCIL.

Office.	By whom appointed.	REMARKS.
The Governor* - - -	The Queen under the Sign Manual.	
The Senior Officer in command of H.M.'s Land Forces if of or above the rank of Lieutenant-Colonel.	<i>Ex-officio.</i> By Royal Instructions.	
The Colonial Secretary - - -	ditto.	
The Resident Councillor of Penang.	ditto - -	This officer only attends when in Singapore, or when a meeting of the Executive Council is held in Penang.
The Resident Councillor of Malacca.	ditto - -	This officer only attends when in Singapore, or when a meeting of the Executive Council is held in Malacca.
The Attorney General - - -	ditto.	
The Treasurer - - -	ditto.	
The Auditor-General - - -	ditto.	
The Colonial Engineer - - -	ditto.	
The Commissioner of Lands Titles.	ditto - -	This appointment is additional only, and personal to the present holder.

LEGISLATIVE COUNCIL.

Official Members.

The Members of the Executive Council as above.

Unofficial Members.

Number.	By whom appointed.	REMARKS.
Five	The Queen on the recommendation of the Governor.	There is no qualification required.
One	The Governor upon the nomination of the Chamber of Commerce, Singapore.	ditto.
One	The Governor upon the nomination of the Chamber of Commerce, Penang.	ditto.

* The Governor presides in both Councils. The official members of both Councils and the unofficial members of the Legislative Council hold their seats during pleasure. The tenure of the seats of the unofficial members of the Legislative Council is further limited to three years. The Lieutenant Governor (if any), is a member of each Council, and ranks next to the Governor. There is no Lieutenant Governor at present.

NOTE.—Power is reserved to legislate by Order of H. M. S. G. O.

— No. 31. —

Administrator *Walker* to Lord *Knutsford*. — (Received 8 June 1888.)

CEYLON.

The Pavilion, Kandy, Ceylon,
18 May 1888.

My Lord,

In compliance with the request contained in your Lordship's Circular Despatch of the 26th March last, I have the honour to transmit a Memorandum giving the information asked for regarding the constitution of the Executive and Legislative Councils of this island.

I may add that the six unofficial members of the Legislative Council represent the interests of the Sinhalese, the Tamils (and Moors), the Burghers, the Planting community, the Chamber of Commerce, and general European interests, respectively, and that it has been the practice for many years for the Governor, on the fourth or the fifth-mentioned seat becoming vacant, to invite the Planters' Association or the Chamber of Commerce, as the case may be, to submit the names of gentlemen whom they may wish him to appoint, and that the Governor has invariably adopted the recommendations so made.

I have, &c.

(signed) *E. Noël Walker.*

The Right Honourable Lord Knutsford, G.C.M.G.,
&c. &c. &c.

Enclosure in No. 31.

CONSTITUTION of the EXECUTIVE COUNCIL of the Island of *Ceylon*.

The Executive Council is composed of the undermentioned officers, that is to say, the Lieutenant Governor, if any, for the time being of the said island; the senior military officer for the time being in command of Her Majesty's regular troops within the island, if not below the rank of Captain, and the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney General, Colonial Treasurer and Auditor General. In the event of the senior officer, for the time being in command of Her Majesty's regular troops within the island, being in the administration of the Government thereof, his place in the Executive Council is filled by the next senior officer in command of Her Majesty's regular troops.

The Governor attends and presides at the meetings of the Council, and during the Governor's absence the senior member present presides.

CONSTITUTION of the LEGISLATIVE COUNCIL of the Island of *Ceylon*.

The Legislative Council consists of official and unofficial members. The official members are the Lieutenant Governor, if any, for the time being of the island; the senior officer for the time being in command of Her Majesty's regular troops within the island, if not below the rank of Captain in the army, and not being in the administration of the Government thereof, and the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney General, Auditor General, Colonial Treasurer, Government Agent for the Western Province, Government Agent for the Central Province, Surveyor General and Collector of Customs at the Port of Colombo. When the senior officer for the time being in command of the regular troops within the island is in the administration of the Government, his place in the Council is filled by the next senior officer (if not below the rank of Captain in the Army) in command of the regular troops within the island.

The unofficial members are nominated and appointed by the Governor, and the total number of unofficial members resident in the island, and capable of acting in the exercise of their offices is at no time to exceed the number of six. All such appointments made by any Governor are valid, and in force only until a new Governor is appointed.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

— No. 32. —

MAURITIUS.

Administrator *Fleming* to Lord *Knutsford*.—(Received 19 July 1888.)

Government House, Mauritius,

28 June 1888.

My Lord,

Constitution of the
Council of Govern-
ment of Mauritius.Constitution of the
Executive.

IN reply to your Lordship's Circular Despatch of the 26th March last, transmitting a copy of a Resolution of the House of Commons for a Return, moved for by Mr. Francis Stevenson, showing the constitution of the Executive and Legislative Councils in each Colony, I have the honour to enclose herewith the documents noted in the margin which have been prepared in accordance with the instructions given in your Lordship's Despatch.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) *F. Fleming*.

Enclosure in No. 32.

CONSTITUTION of the COUNCIL of GOVERNMENT of MAURITIUS.

1. The Council of Government in and for the Colony of Mauritius is constituted by Her Majesty's Letters Patent, dated 16th September 1885.

2. The Council is partly elective, and consists of the Governor, of eight *ex-officio* members, of nine nominated members, of whom one-third at least must be persons not holding any office in the public service of the Colony, and of 10 elected members.

Ex-officio members, who take precedence of the other members, and rank among themselves in the order hereafter named, are:

1. The Senior Military Officer in command of the Troops.
2. „ Colonial Secretary.
3. „ Procureur and Advocate General.
4. „ Receiver General.
5. „ Auditor General.
6. „ Collector of Customs.
7. „ Protector of Immigrants.
8. „ Surveyor General.

Nominated members, whose nomination is vested in the Queen, and who hold their seats until the next dissolution of the Council after their appointment, unless previously removed by Her Majesty, or suspended by the Governor, are at present,—

The Chief Medical Officer, Director of the Royal Observatory, Colonial Postmaster, Substitute Procureur General, and six persons not holding any office in the public service.

Public officers must accept seat in Council if so required, or vacate their office.

Elected members, one for each rural district of the Colony, and two for the district of Port Louis, viz.:—

1. } Port Louis.
2. }
3. Black River.
4. Plaines Wilhems.
5. Moka.
6. Pamplemousses.
7. Rivière du Rempart.
8. Flacq.
9. Savanne.
10. Grand Port.

3. No person is capable of being elected a member of the Council, or, having been elected, can sit or vote in the Council, who

MAURITIUS

- (1.) Is the holder of any office of emolument under the Crown, or under a Municipal Corporation within the Colony; or
- (2.) Is a minister of religion; or
- (3.) Is the returning officer of the district for which the election is held; or
- (4.) Is not entitled to vote at the election of a member of the Council for some electoral district.

The term "office of emolument" does not extend to the Mayor or any other member of a Municipal Corporation, and does not include a pension or other allowance to an officer who has ceased to be in the service of the Crown or of a Municipal Corporation.

Electoral Districts.

4. For the purpose of the election of members of the Council, the nine districts of the island form nine electoral districts.

Qualification of Electors.

5. Every male person is entitled to be registered in any year as a voter for any electoral district, and, when registered, to vote at the election of a Member of the Council for such district who:

- (1.) Has attained the age of 21 years.
- (2.) Is under no legal incapacity, and is in possession of his civil rights.
- (3.) Is a British subject by birth or naturalization.
- (4.) Has resided in the Colony at least three years previous to the date of registration, and possess some one of the following qualifications:—
 - (a.) Is on the 1st day of January in such year, and has during the preceding six calendar months been, the owner of immoveable property within such district of the annual value of 300 rupees, or the monthly value of 25 rupees above all charges and encumbrances affecting the same.
 - (b.) Is at the date of registration paying, and has for six calendar months previous to the 1st of January in such year paid, rent in respect of immoveable property, situate within such district, at the rate of at least 25 rupees per month.
 - (c.) Has for three calendar months previous to the 1st of January in such year resided or had his principal place of business or employment within such district, and is the owner of moveable property within the Colony of the value of at least 3,000 rupees.
 - (d.) Is the husband of a wife, or the eldest son of a widow, possessing any one of the above qualifications.
 - (e.) Has for three calendar months previous to the 1st of January in such year resided, or had his principal place of business or employment, within such district, and is in receipt of a yearly salary of at least 600 rupees, or of a monthly salary of at least 50 rupees.
 - (f.) Has for three calendar months previous to the 1st January in such year resided, or had his principal place of business or employment, within such district, and pays license duty to the amount of at least 200 rupees per annum.

Provided:—

- (1.) That no person shall be registered as a voter or be entitled to vote for the election of a Member of the Council who has been convicted of perjury in any Court in the British Dominions, or who has been sentenced by any such Court to death, or penal servitude, or imprisonment with hard labour, or for a term exceeding twelve months, and has not either suffered the punishment to which he was sentenced or such punishment as may have been competently substituted for the same or received a free pardon.
- (2.) That no person shall be registered as a voter in any year who has within twelve calendar months immediately preceding the 1st January in that year received any relief from public or parochial funds.

MAURITIUS.

- (3.) That no person shall be registered as a voter in any year unless he shall in the presence of the registering officer or of a magistrate with his own hand subscribe his name to his claim to be registered, and write thereon the date of such subscription, and the qualification in respect of which he claims to be registered.
- (4.) That no person claiming to be registered in the district in which he resides, in respect of either of the qualifications (c), (d), (e), (f), shall be registered in respect of the same qualification in the district in which he has his principal place of business or employment, or *vice versa*.

Nomination of Candidates.

6. Every candidate for election as a Member of the Council shall be nominated in writing by not less than six registered electors of the electoral district for which he seeks to be elected.

Voters physically incapacitated from Voting or unable to read.

7. If any voter is incapacitated by blindness or other physical cause from voting, or shall at the time of polling sign with his name or mark, attested by the officer presiding at the polling station, a declaration that he is unable to read the ballot paper, his vote shall be marked on a ballot paper in the manner directed by such voter.

8. Each voter in the Port Louis district may vote for two candidates when two members are to be elected, but in no other case shall any voter have more than one vote in any one district.

9. Whenever there is an equality of votes between candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if he is a registered elector of the electoral district for which the election is held, may give such additional vote.

10. Petitions against disputed elections may be presented to the Supreme Court by (1) a person who voted or had a right to vote at the election to which the petition relates, (2) a person claiming to have had a right to be returned at such election, (3) a person alleging himself to have been a candidate at such election.

11. Election petitions shall be tried by a Judge of the Supreme Court without a jury, who shall finally determine whether the member of Council whose return or election is complained of was duly returned or elected, or whether the election was void. The Judge has the same powers and witnesses are subpoenaed and sworn in the same manner, as in a trial of a Civil action in the Supreme Court.

12. The Council may make Standing rules and orders.

13. Under the existing Standing rules and orders the Meetings of the Council shall be held at 11.30 a.m., on each alternate Tuesday during the Session, and upon such other days as they may be convened by order of the Governor, and to which they may stand adjourned. The quorum of the Council is fixed at nine members.

14. The Sessions of the Council shall be held at such times and places as the Governor shall, by Proclamation, appoint, and there shall be at least one Session in every year.

15. The Governor may at any time prorogue or dissolve the Council.

Duration of Council.

16. The Governor shall prorogue the Council at the expiration of five years from the date of the return of the first writs at the last preceding general election, if it shall not sooner have been dissolved.

17. A general election shall be held within two months after every dissolution of the Council.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

Enclosure 2 in No. 32.

Constitution of the Executive.

1. The Office of Governor and Commander-in-Chief of the Colony of Mauritius and its Dependencies is constituted by Her Majesty's Letters Patent, dated 22nd March 1879.
2. The said Governor and Commander-in-Chief is therein authorised, empowered, and commanded to do and execute all things that belong to his said office according to the tenor of Her Majesty's Letters Patent and of such Commission as may be issued to him under the Royal Sign Manual and Signet and according to such Instructions as may from time to time be given to him under the Royal Sign Manual and Signet or by Her Majesty in Her Privy Council, or by Her Majesty through one of Her Majesty's Principal Secretaries of State, and to such Laws as are or shall hereafter be in force in the Colony.
3. Every person appointed to fill the Office of Governor shall, with all due solemnity, before entering on any of the duties of his Office, cause the Commission appointing him to be Governor to be read and published at the seat of Government, in the presence of the Chief Justice, or some other Judge of the Supreme Court of the Colony, and of the Members of the Executive Council thereof, which being done, he shall then and there take before them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of Her Majesty's Reign, intituled an Act to amend the Law relating to Promissory Oaths; and likewise the usual Oath for the due execution of the Office of Governor, and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge is required to administer.
4. The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Public Seal. Public Seal.
5. There shall be an Executive Council for the Colony and the said Council shall consist of such persons as Her Majesty shall direct by the Instructions accompanying Her Majesty's Letters Patent, or by any other Instructions under the Royal Sign Manual and Signet, and all such persons shall hold their places in the Executive Council during Her Majesty's pleasure. Executive Council
Constitution of.
6. There shall be within the Colony a Council of Government, and the said Council shall consist of such persons as Her Majesty shall direct. Council of Government.
7. The Governor, by and with the advice and consent of the Council of Government may make laws for the peace, order and good Government of the Colony, subject nevertheless to such rules as Her Majesty shall make for their guidance by the Instructions accompanying the said Letters Patent, or by any other Instructions under the Royal Sign Manual and Signet. Provided, nevertheless, that nothing herein contained shall affect the undoubted right of Her Majesty, Her Heirs and Successors, with the advice and consent of Parliament, or with the advice of the Privy Council, to repeal or amend any law so made as aforesaid, or to make from time to time all such laws as may to Her Majesty or Her Heirs or Successors appear necessary for the peace, order and good Government of the Colony. Governor and Council to enact laws.
8. The Governor in Her Majesty's Name and on Her Majesty's behalf may make and execute under the Public Seal of the Colony grants and dispositions of any lands which may be lawfully granted or disposed of by Her Majesty, within the Colony: Provided that every such grant or disposition be made in conformity either with some law in force in the Colony, or with some Instructions addressed to the Governor under the Royal Sign Manual and Signet, or through one of Her Majesty's Principal Secretaries of State, or with some regulation in force in the Colony. Governor empowered to make grants of lands.
9. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace and other necessary Officers and Ministers, in the Colony, as may be lawfully constituted or appointed by Her Majesty, all of whom shall hold their offices during Her Majesty's pleasure. And to appoint Judges and other officers.
10. The Governor may, upon sufficient cause to him appearing, suspend from the exercise of his office any person holding any office within the Colony, whether appointed by virtue of any Commission or Warrant from Her Majesty or in Her Majesty's Name or by any other mode of appointment. Every such suspension shall continue and have effect only until Her Majesty's pleasure thereon shall be signified to the Governor. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him by the Instructions accompanying Her Majesty's Letters Patent, or by any other Instructions as aforesaid. Suspension of officers.

MAURITIUS.

Grant of pardons.

Remission of fines.

Proviso. Banishment from Colony prohibited.

Exception. Political Offences. Succession to the Government. Lieutenant-Governor.

Administrator.

Senior Civil Member of the Council of Government to be Administrator.

Proviso. Lieutenant Governor, &c., to take Oaths of Office before administering Government.

Powers and Authorities of Administrators.

Governor may delegate powers during absence from the Colony of Mauritius, but within limits of Government.

Officers and others to obey and assist the Governor.

Power reserved to Her Majesty to revoke, alter, or amend the present Letters Patent.

Publication of Letters Patent.

12. When any crime has been committed within the Colony, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in Her Majesty's name and on Her Majesty's behalf, grant a pardon to any accomplice in such crime who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender convicted in any court, or before any judge, or other magistrate, within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor thinks fit, and may remit any fines, penalties, or forfeitures, due or accrued to Her Majesty. Provided always, that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the Colony.

13. In the event of the death, incapacity, or removal of the Governor, or of his departure from the Colony, Her Majesty's Lieutenant-Governor, or if there be no such officer in the Colony then such person or persons as Her Majesty may appoint under the Royal Sign Manual and Signet, and in default of any such appointment the senior civil member of the Council of Government, shall, during Her Majesty's pleasure, administer the Government of the Colony, first taking the oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed, which being done, Her Majesty does hereby authorise, empower, and command the Lieutenant-Governor, or any other such administrator as aforesaid, to do and execute, during Her Majesty's pleasure, all things that belong to the office of Governor and Commander in Chief, according to the tenor of Her Majesty's Letters Patent, and according to Her Majesty's instructions as aforesaid, and the laws of the Colony.

14. In the event of the Governor having occasion to leave the Island of Mauritius for the purpose of visiting any Dependency thereof, he may appoint by Commission, under the Public Seal of the Colony, some person resident in the Colony to exercise during his absence such of the powers and authorities granted by Her Majesty's Letters Patent (except the power of granting a pardon or remission of sentence) as the Governor shall think fit to assign to such person; and Her Majesty does hereby authorise and empower the person so appointed to exercise all powers and authorities so assigned to him.

15. And Her Majesty does hereby require and command all her officers and ministers, civil and military, and all other the inhabitants of the Colony, to be obedient, aiding, and assisting unto the Governor, or to such person or persons as may, from time to time, under the provisions of Her Majesty's Letter Patent, administer the Government of the Colony, or to such person as under the last preceding article may from time to time be appointed to exercise any of the powers and authorities hereby granted.

16. And Her Majesty does hereby reserve to Herself, Her Heirs and Successors, full power and authority from time to time to revoke, alter, or amend Her Majesty's Letters Patent as to Her or them shall seem fit.

17. And Her Majesty does direct and enjoin that Her said Letters Patent shall be read and proclaimed at such place or places within the Colony as the Governor shall think fit.

— No. 33. —

HONG KONG.

Sir G. W. Des Vœux to Lord Knutsford.—(Received 1 September 1888.)

Government House, Hong Kong,
26 July 1888.

My Lord,
In reply to your Lordship's Circular Despatch of the 26th March last, I have the honour to transmit herewith a Memorandum showing the constitution of the Executive and Legislative Councils of this Colony.

20th July 1888.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) G. W. Des Vœux.

Enclosure in No. 33.

HONG KONG.

H O N G K O N G.

MEMORANDUM on the Constitution of the EXECUTIVE and LEGISLATIVE COUNCILS.

EXECUTIVE COUNCIL.

THE Executive Council of the Colony consists of such persons as may be directed by the Queen by any instructions under Her Majesty's sign manual and signet, and they hold their places in the Council during Her Majesty's pleasure. Letters Patent,
19th January 1888,
Art. VII.

According to the Queen's recent Instructions the Council is to consist of—

The Governor (President).

The Lieutenant Governor (if any).

The Senior Military Officer for the time being in command of Her Majesty's regular troops.

The Governor's
Instructions,
19th January 1888,
Art. III.

The persons for the time being lawfully discharging the functions of—

- Colonial Secretary,
- Attorney General,
- Treasurer,

and of such other persons as, at the date of the receipt of the Instructions in the Colony, are members of this Council, or as Her Majesty may from time to time appoint.*

At present the Council consists of—

The Governor (*ex-officio*).

The Major General Commanding the Troops (*ex-officio*).

The Colonial Secretary (*ex-officio*).

The Attorney General (*ex-officio*).

The Treasurer (*ex-officio*).

The Surveyor General appointed by Queen's Instructions, dated 8th December 1883.

The Captain Superintendent of Police appointed by Queen's Warrant, dated 11th October 1887.

Three Members to form a quorum.

Instructions,
Art. VII.

LEGISLATIVE COUNCIL.

The Legislative Council consists of such persons as may be directed by the Queen by any Instructions under Her Majesty's sign manual and signet, and such persons hold their places in the Council during Her Majesty's pleasure. Letters Patent,
19th January 1888,
Art. VII.

According to Her Majesty's recent Instructions, the Legislative Council is to consist of—

Governor's
Instructions,
19th January 1888,
Art. XIII.

Official Members.

The Governor.

The Lieutenant Governor (if any).

The persons lawfully discharging the functions of—

- Colonial Secretary,
- Attorney General,
- Treasurer,

and such other persons holding office in the Colony, and not exceeding three in number at any one time as at the time of the receipt of these Instructions in Colony were official Members of the Council, or as Her Majesty may from time to time appoint by any Instructions or Warrants under Her Majesty's sign manual and signet. (6th March 1888.)

Unofficial Members.

Such persons not exceeding five at any one time, as at the time of the receipt of the Instructions in the Colony were unofficial members of the Council, or as the Governor in pursuance of instructions may from time to time appoint by any instrument under the public seal of the Colony.

Unofficial

* The members of the Executive Council hold their seats during pleasure.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

HONG KONG.

Governor's Instructions, 18th January 1888, Art. XV,
C. O. Despatch,
7th August
1883.

Unofficial members are to vacate their seats at the end of six years from the date of their appointment.

Five members to form a quorum.

By a Despatch from the Secretary of State, the following course is followed in the appointment of unofficial members:—

Appointed by the Governor (one at least of whom being a member of the Chinese community)	-	-	-	-	-	-	3
Elected by the Chamber of Commerce	-	-	-	-	-	-	1
Elected by the Justices of the Peace	-	-	-	-	-	-	1
Total	-	-	-	-	-	-	5

At present the Council consists of the Governor; the Chief Justice; the Colonial Secretary; the Attorney General; the Treasurer; the Surveyor General; the Captain Superintendent of Police; and five unofficial members.

NORTH AMERICAN COLONIES.

— No. 34. —

NEWFOUNDLAND.

Governor *Blake* to Lord *Knutsford*.—(Received 26 May 1888.)

Government House, Newfoundland,
5 May 1888.

My Lord,
IN accordance with your request in the Circular Despatch of 26th March, I have the honour to enclose a Return showing the constitution of the Executive, &c., in this Colony.

I have, &c.
(signed) *Henry A. Blake*,
Governor.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.
Colonial Office.

Enclosure in No. 34.

GOVERNMENT	-	Responsible.
EXECUTIVE	-	Governor and Council.
		Council as at present constituted, consists of,— The Premier. Receiver General. Surveyor General. Colonial Secretary. Attorney General. Two Members. Number of Members not limited, but usually seven.
HOUSE OF ASSEMBLY.		Members, thirty-six. Number of Voters, 29,358. By Election Act of 1887, Voting is to be by Ballot in future Elections.
		<i>Qualifications requisite for Members.</i> The qualification of persons to be elected to serve as Members of the House of Assembly, shall be a net annual income arising, from any source whatever, of four hundred and eighty dollars, or the possession of property exceeding two thousand four hundred dollars, clear of all incumbrances; and the length of the period of residence within the said Island shall be the period of two years next preceding such election; and every candidate for such election shall be a male British subject of the full age of twenty-one years, of sound understanding, and never having been convicted in due course of law of any infamous crime.

HOUSE OF ASSEMBLY—*continued.*

Qualification of Electors.

Every man, who, for two years next immediately preceding the day of election, has occupied a dwelling-house within this Colony, as owner or tenant thereof, being of the full age of twenty-one years, and of sound understanding, a British subject, and never having been convicted in due course of law of any infamous crime, shall be competent, and entitled to vote for the election of Members of the said Assembly in or for the district in which the dwelling-house so occupied as aforesaid may be situate: Provided that any elector who may change his residence from one to another of the Electoral Districts of this Island, shall, upon proof upon oath of qualification in the district in which he has last resided, or upon proof that he has for a period of two years next preceding such election, continuously occupied a dwelling-house or dwelling-houses, as owner or tenant thereof, in some electoral district or districts of this Colony, and also upon proof that at the time of registration, he is the actual occupier, as owner or tenant, of a dwelling-house in the district into which he has come to reside, be entitled to registration as an elector of the district in which, at the time of registration he resides. No person who shall have received relief as a pauper from or out of the public moneys at any time during the year immediately preceding any election of a Member to serve in the House of Assembly, shall be competent to vote at such election; and the parties revising the list of Voters shall strike therefrom the name of all persons who shall have received relief as aforesaid.

LEGISLATIVE COUNCIL.

Number limited to 15. Usual number 12.

* Members appointed provisionally by the Governor, pending the receipt of Her Majesty's Letters Patent.† No legal qualifications.

MISCELLANEOUS COLONIES.

— No. 35. —

Sir Terence O'Brien to Lord Knutsford.—(Received 20 April 1888.)

HELGOLAND.

(Extract.)

Heligoland, 14 April 1888.

IN reply to your Lordship's Circular of the 26th ultimo, I have the honour to report that the Executive of this Colony consists of the Governor, and the two *ex-officio* members of the Executive Council, viz., the Government Secretary and the Town Clerk,† with the powers defined by Her Majesty in Her Instructions dated 2nd July 1882.‡

* Members of the Legislative Council are appointed by Her Majesty or provisionally by the Governor till Her Majesty's pleasure be known, and hold their seats during pleasure.

† Other persons may be appointed by Her Majesty.

‡ Legislation is vested in the Governor by Proclamation, but power is reserved to legislate by Order of Her Majesty in Council.

RETURN RELATING TO

— No. 36. —

FALKLAND
ISLANDS.

Governor *Kerr* to Lord *Knutsford*.—(Received 27 December 1888.)

Government House, Stanley, Falkland Islands,
23 October 1888.

My Lord,

I HAVE the honour to acknowledge the receipt of your Circular Despatch of the 26th, of March last, transmitting a copy of a Resolution of the House of Commons for a Return showing the constitution of the Executive in each Colony; and requesting me to supply a memorandum giving the information desired for this Return so far, as it is applicable to this Colony.

2. I have the honour to transmit herewith, in duplicate, a Memorandum showing the constitution of the Executive in this Colony.

The Right Honourable
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(signed) *T. Kerr.*

Enclosure in No. 36.

FALKLAND ISLANDS.

MEMORANDUM showing the CONSTITUTION of the EXECUTIVE.

1. THE Government is administered by the Governor, aided by an Executive and a Legislative Council.
2. The Executive Council is composed of three members, who are at present—
The Colonial Secretary;
The Colonial Surgeon;
The Colonial Chaplain.
3. The Legislative Council is composed of four members, who are—
The Colonial Secretary.
The Colonial Surgeon and two non-official members appointed under Her Majesty's sign manual.
4. The Governor presides in both Councils, and has a casting vote in addition to his primary vote.

— No. 37. —

Sir Henry Bulwer to Lord Knutsford.—(Received 4 June 1888.)

My Lord,

Government House, Nicosia, 16 May 1888.

I HAVE the honour to transmit to your Lordship in connection with your Lordship's Circular Despatch of 26th March last the document specified in the margin.

The Right Honourable
The Secretary of State for the Colonies,
Downing-street.

I have, &c.
(signed) H. Bulwer,
High Commissioner.

CYPRUS.

Memorandum
giving information
as to Constitution of
Executive and Legis-
lature of Colony
asked for by a
Resolution of the
House of Commons

Enclosure in No. 37.

MEMORANDUM.

CYPRUS.

I.—CONSTITUTION OF THE EXECUTIVE.

1. THE Executive of the Island of Cyprus is constituted as laid down by Her Majesty's Order in Council of the 14th September 1878. Under the provisions of that Order, and those of the Royal Instructions to the Officer Administering the Government of the same date, the administration of the Government of the Island is placed in the hands of an officer styled the High Commissioner and Commander in chief, who receives his appointment by Commission under Her Majesty's sign manual and signet. In the event of the death, incapacity, removal, or absence from the Island of the High Commissioner, the administration is vested in such person as may be appointed by any Instrument under Her Majesty's sign manual and signet, or, in default of any such appointment, in the senior military officer for the time being in command of Her Majesty's regular troops in the Island.

2. There is an Executive Council for the purpose of advising the High Commissioner. The Council is composed of the senior officer in command of the troops, and any other persons holding public offices within the Island, not exceeding three, whom the High Commissioner may think fit to appoint. The appointments are held during Her Majesty's pleasure. When the senior officer in command of the troops is administering the Government in the absence of the High Commissioner, his place in the Council is filled by the next senior officer in command of the troops. The High Commissioner is also empowered, if on any special occasions he judges it advisable, to obtain the advice of any other persons residing in the Island touching the affairs thereof, to summon for any such special occasions any such persons as extraordinary members of the Council.

3. At present the Executive Council consists, besides the senior officer in command of the troops, of the Chief Secretary to Government, the Queen's Advocate, and the Receiver General.

4. The functions of the Executive Council, and the relations of the High Commissioner towards it, are detailed in the Royal Instructions already quoted.

5. For administrative, as well as legal purposes, the Island is divided into six districts, namely, Nicosia, Larnaca, Limassol, Famagusta, Papho, and Kyrenia. In each district the Government is represented by an officer styled the Commissioner.

II.—LEGISLATIVE COUNCIL.

(a.) Constitution and Number of Members.

1. There is a Legislative Council constituted by the Order of the Queen in Council of the 30th November 1882, as amended by the Order in Council of the 14th February 1883.

2. The Council consists of the High Commissioner and 18 members, of whom 12 are elective and six non-elective. The non-elective members are the persons for the time being lawfully discharging the duties of the Chief Secretary to Government, Queen's Advocate, and Receiver General, and such other officers, not exceeding three in number, as may be appointed by Her Majesty. These officers are at present the Government Engineer, the Director of Survey, and the Chief Medical Officer. Vacancies among non-elective members may be provisionally filled by the High Commissioner.

60 RETURN :—REPRESENTATIVE ASSEMBLIES IN THE COLONIES.

CYPRUS.

3. Of the elective members three are elected by the Mahometan and nine by the non-Mahometan voters. The Island is divided into three electoral districts, each consisting of two administrative districts, namely :

- 1st district, Nicosia and Kyrenia ;
- 2nd district, Famagusta and Larnaca ;
- 3rd district, Limassol and Papho ;

each of which returns four representatives ; one elected by the Mahometan and three by the non-Mahometan electors.

4. The High Commissioner, when present, presides at all meetings of the Council, and, in his absence, such non-elective member as he shall appoint presides, and, in default of such appointment, the senior non-elective member presides.

5. The Council may be dissolved by the High Commissioner.

6. The rules and regulations to be observed in the transaction of business, and the passing of laws by the High Commissioner and the Council are laid down by the Order of the Queen in Council of the 30th November 1882, above referred to, and the Royal Instructions to the High Commissioner of the 14th December 1882.

(b.) Number of Electors.

1. The number of registered electors at the last general election which took place in October 1886 was—

Mahometan	-	-	-	-	-	-	3,478
Non-Mahometan	-	-	-	-	-	-	15,408
TOTAL							18,886

(c.) Qualifications for Members.

1. Every registered voter who is not subject to certain disqualifications is eligible as a member of the Legislative Council. The following persons are disqualified :—

- Judges of any Court in the Island ;
- Public contractors ;
- Uncertificated bankrupts ;

and persons convicted of any offence and sentenced to imprisonment for a term of not less than six months until the expiration or remission of such sentence, or of the unexpired residue thereof.

(d.) Qualifications for Voters.

1. Every male person being either an Ottoman or a British subject, or having resided in the Island not less than five years, who has attained the age of 21 years, and who is a payer of any class of the taxes called verghi, and has, on or before the day appointed for the making of the voters lists in any district paid in respect of any electoral district all verghi payable by him up to the 13th of January previous, is entitled to be registered as a voter, and, when so registered, to vote at the election of members for such district. Every elector may vote for as many candidates in his district as there are members to be elected, for whom he is entitled to vote ; he may only give one vote to any candidate, but he need not vote for the full number to be elected.

NOTE.—Power is reserved to legislate by Order of Her Majesty in Council.

COLONIAL EXECUTIVES, REPRESENTATIVE ASSEMBLIES, AND ELECTORATES.

RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES, the Number MEMBERS, the Number of ELECTORS, and, QUALIFICATIONS requisite for MEMBERS and for ELECTORS.

(*Mr. Francis Stevenson.*)

*Ordered, by The House of Commons, to be Printed,
12 March 1889.*

[*Price 8½ d.*]

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COLONIES (APPOINTMENT OF GOVERNOR.)

S 2314

CORRESPONDENCE

RESPECTING THE



APPOINTMENT OF GOVERNOR IN COLONIES UNDER RESPONSIBLE GOVERNMENT.

Presented to both Houses of Parliament by Command of Her Majesty,
August 1889.



LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C., and
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1889.

[C.—5828.] *Price 3d.*

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CORRESPONDENCE

RESPECTING THE

APPOINTMENT OF GOVERNOR IN COLONIES UNDER RESPONSIBLE GOVERNMENT.

No. 1.

THE AGENT-GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

Queensland Government Office,
1, Westminster Chambers,
Victoria Street, London, S.W.,
October 17, 1888.

SIR,

WITH reference to my interview with you to-day, when I showed you the following telegram,—

“Urge that I may be informed confidentially of name of proposed Governor of Queensland before the Secretary of State for the Colonies decides definitely upon the matter,”

I have the honour to request that you will be pleased to bring the subject before Lord Knutsford, so that the wishes of my Government may be complied with in this respect.

The Under Secretary of State,
Colonial Office.

I have, &c.,
(Signed) THOS. ARCHER,
Agent-General.

No. 2.

COLONIAL OFFICE to the AGENT-GENERAL FOR QUEENSLAND.

SIR,

Downing Street, October 19, 1888.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 17th instant* respecting the telegram which you had received from the Government of Queensland, desiring that the name of the proposed Governor should be submitted to them before a definite decision was arrived at.

In reply I am desired to acquaint you that this is a request which, in previous cases, it has been decided that Her Majesty's Government cannot comply with.

It is obvious that the officer charged with the duty of conducting the foreign relations of the Crown, and of advising the Crown when any question of Imperial, as distinct from Colonial, interests arises, must be selected by the Secretary of State for the Queen's approval, and must owe his appointment and be responsible to the Crown alone.

It is not possible, therefore, for the responsible Ministers of the Colony to share the responsibility of nominating the Governor, or to have a veto on the selection.

* No. 1.

Lord Knutsford trusts, nevertheless, that the Colonial Ministers will understand that he has been deeply sensible of the importance of selecting a gentleman of high character and proved capacity for the very important post of Governor of Queensland, and trusts, very confidently, that when he is in a position to make known the name of the person selected, it will be acknowledged that a satisfactory appointment has been made.

The Agent-General
for Queensland.

I am, &c.,
(Signed) ROBERT G. W. HERBERT.

No. 3.

THE AGENT-GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

Queensland Government Office,
1, Westminster Chambers,
Victoria Street, London, S.W.

November 8, 1888.

SIR,

I HAVE the honour to state, for the information of the Secretary of State for the Colonies, that I have received the following telegram from the Chief Secretary at Brisbane.

"Referring to your telegram of the 19th October, inform the Secretary of State for the Colonies that Sir Henry Blake's appointment is not acknowledged to be satisfactory; its announcement has been received with general astonishment and indignation. His career should not have marked him out as fit for governing a Colony possessing responsible government. A more unfortunate appointment could not have been made. Sir Samuel Griffith authorises me to join his protest with mine. Thus all sides in politics are represented."

The telegram referred to of the 19th of October was one which was sent by me, summarising your despatch of that date.

As it is apparent that the Colony does not view the appointment of Sir Henry Blake favourably, I have to urge that Lord Knutsford may be pleased to reconsider the matter with the object of recommending to Her Majesty the cancellation of this appointment.

I would take this opportunity of again bringing to Lord Knutsford's notice the previously expressed wishes of my Government that the name of the Governor should be first submitted to the Ministry in the Colony before the appointment is finally confirmed, and I trust that a means may be arrived at by which this view may now be favourably considered.

The Under Secretary of State,
Colonial Office.

I have, &c.,
(Signed) THOS. ARCHER,
Agent-General.

No. 4.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

12th November.—Inform your Ministers that Her Majesty's Government are not prepared to take any action upon the telegram* communicated by the Agent-General and previously made public respecting the Governor. They prefer that any communication on so serious a subject should be made in the usual formal manner through the Officer Administering the Government. Request your Ministers to state to you the specific reasons for which they object to the appointment of a gentleman of high character who has administered responsible Government with great discretion and success.

No. 5.

COLONIAL OFFICE to the AGENT-GENERAL FOR QUEENSLAND.

SIR,

Downing Street, November 12, 1888.

I AM directed by Lord Knutsford to acknowledge the receipt of your letter of the 8th instant,* relating to the appointment of Sir H. Blake to the Government of Queensland.

His Lordship desires me to transmit to you, in reply, a copy of a telegram† which has this day been addressed to the Officer Administering the Government of Queensland on the subject.

The Agent-General
for Queensland.

I am, &c.,
(Signed) ROBERT G. W HERBERT.

No. 6.

The AGENT-GENERAL FOR SOUTH AUSTRALIA to COLONIAL OFFICE.

Office of Agent-General for South Australia,
8, Victoria Chambers, Westminster, S.W.,

MY LORD,

November 13, 1888.

WITH reference to the interview which I had with your Lordship to-day, I have the honour to transmit copy of a telegram that I have just received from the Government of South Australia on the subject of the appointment of the new Governor, in succession to Sir W. C. F. Robinson, G.C.M.G., and I also transmit, for facility of reference, copy of the telegram referred to therein, with the contents of which your Lordship has already been made acquainted.

I very respectfully invite your Lordship's consideration to the request of the Government that I have the honour to represent here, and beg that you will inform me at the earliest possible opportunity of the arrangements that the Imperial Government propose making.

The Right Hon.
The Lord Knutsford.

I have, &c.,
(Signed) ARTHUR BLYTH,
Agent-General.

Enclosure 1 in No. 6.

COPY of TELEGRAM received from the GOVERNMENT of SOUTH AUSTRALIA by the
AGENT-GENERAL, viz. :—

November 13, 1888.

IN view of the recent circumstances regarding the appointment of the Governor of Queensland, we wish to emphasize our former telegram as to the expediency of affording the Government of South Australia an opportunity of expressing an opinion respecting the appointment of the new Governor of South Australia.

We presume that there will be no objection to the required information being informally conveyed by you to us. Reply by wire as soon as you possibly can.

Enclosure 2 in No. 6.

RESRIPT of TELEGRAM dated 23rd July 1888.

TREASURER, Adelaide, to BLYTH, London.

Ask the Right Hon. the Secretary of State for the Colonies to inform us who is proposed as Governor of South Australia before actually deciding, to enable this Government to object if thought necessary.

(Signed) PLAYFORD.

No. 7.

COLONIAL OFFICE to the AGENT-GENERAL FOR SOUTH
AUSTRALIA.

SIR,

Downing Street, November 15, 1888.

I AM directed by the Secretary of State for the Colonies to acknowledge the receipt of your letter of the 13th instant,* conveying the renewed request of your Government that they may have an opportunity, before any appointment is made, of expressing an opinion with regard to the person whom it may be proposed to appoint as Governor of South Australia.

Lord Knutsford regrets that he is not able to give to this request any other answer than that returned to the Government of Queensland last month, in the letter which was read in the House of Commons by the Under Secretary of State on Monday last. It would be a great satisfaction and assistance to the Secretary of State in the performance of a very responsible duty, if it were possible in some manner to ascertain, before the Queen's pleasure is taken, that the gentleman whom he thinks suitable is also acceptable to the Government and people of the Colony in which he is to represent Her Majesty for several years. And Lord Knutsford trusts that it will be understood that the inability of Her Majesty's Government to comply with the wish of your Ministers in this matter is in no way connected with any indisposition to consult their views in other cases whenever practicable.

As Lord Knutsford stated to the Agent-General for Queensland, Her Majesty's Government feel precluded, by the conditions of the Governor's office, from having recourse to the advice of the Colonial Ministry in regard to the selection of a Governor. There are certain extra-Colonial functions in the discharge of which the Governor must be responsible to the Crown alone, and his action in regard to which does not interfere with or affect the full responsibility of the Ministry in the internal affairs of the Colony. But, independently of his more strictly Imperial duties, the Governor occupies a position in regard to political matters which appears to preclude the local Ministry from taking any part in his selection. The antagonism between parties in the Colonial Parliaments has frequently been very strong, and on the retirement of the Ministry, which had virtually controlled the selection of the Governor, the succeeding Ministry might not improbably feel doubt as to his impartiality. For example, in dealing with the question—often one of much difficulty—whether a dissolution of Parliament ought to be granted or withheld, if the Governor should, however *bonâ fide*, act in accordance with the political interests of the party which had approved his appointment, his fairness might not improbably be called in question by the other side.

Indeed, it seems obvious that in this and similar cases the relations of the Governor to the Colonists, as well as to the Crown, might be gravely embarrassed.

I am further to point out that a public man of high standing could not well be asked to undertake an office subject to the approval of others at a distance who may have little information as to his fitness, but beyond such personal considerations the constitutional obstacle which has been referred to appears to Lord Knutsford to be insurmountable.

Sir A. Blyth.

I am, &c.,
(Signed) ROBERT G. W. HERBERT.

No. 8.

ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND) to LORD KNUTSFORD.
(Received November 15, 1888.)

TELEGRAPHIC.

Brisbane, 15th November 1888.—Referring to your telegram [of] 12th November,† my Ministers consider (1) that Sir Henry Blake is not known in Australia as a gentleman who has administered responsible government with discretion and success; (2), that the importance of the Colony entitles it to a Governor of proved ability and discretion in the administration of responsible government; (3), that his experience in responsible government is considered to be one year's service in Newfoundland; (4), that his

* No. 6.

† No. 4.

previous experience is, in their opinion, a disqualification for the office of Governor of Queensland; (5), that the expressed disapproval of his appointment, when announced, was spontaneous, immediate, and general; (6), that this disapproval was more strongly accentuated because the appointment followed closely upon a constitutional crisis, where the rigid adherence to the exercise of prerogative came in direct antagonism with responsible government, when the former had to give way; (7), that it is impossible to make the appointment from an Imperial point of view alone: a gentleman appointed simply as a conservator of Imperial interests can in no adequate sense be called a Governor, the Governor of a Colony with responsible government must work heartily and loyally for the interests of the Colony. When Imperial and Colonial interests clash, the Governor's Ministers have always sought out and advised a course that would harmonize both; (8), the Colonial Legislature votes and the Colony pays the Governor's salary, the amount voted and the fact of payment imply approval of the occupant of the office. My Ministers desire me also to point out that their being asked now to give specific reasons against the appointment shows that they were reasonable or right in seeking to express an opinion before the appointment was made.

No. 9.

LORD KNUTSFORD to SIR W. C. F. ROBINSON (SOUTH AUSTRALIA).

TELEGRAPHIC.

16th November 1888.—Following reply given to Agent-General:—It would be great satisfaction and assistance to Secretary of State for the Colonies in performance of a very responsible duty if it were possible to ascertain in some manner before taking Queen's pleasure that the gentleman thought suitable is also acceptable to Colony in which he is to be Her Majesty's Representative, and I trust that it will be understood that inability to comply with wishes of your Government in this matter in no way involves indisposition to consult views of your Ministers in other cases whenever practicable. Her Majesty's Government feel precluded by conditions of Governor's office from having recourse to advice of Colonial Government with regard to selection of Governor. Apart from Imperial duties position of Governor as regards political matters precludes local Government from taking part in his selection. Antagonism between the parties in Colonial Parliaments has been frequently very strong, and on retirement of Ministry which virtually controlled selection of Governor succeeding Ministry might doubt his impartiality.

For instance in question often one of great difficulty whether a dissolution of Parliament ought to be granted if Governor should however *bonâ fide* act in accordance with political interests of that party which approved his appointment, his fairness might be questioned by the other side. Public man of high standing could not be well requested to undertake office subject to approval of others at a distance who may have little information respecting his fitness. Please communicate to Council and give publicity.

No. 10.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

November 17.—Inform Ministers received telegram of 15th November;* reasons assigned shall have due consideration.

No. 11.

The AGENT-GENERAL FOR VICTORIA to COLONIAL OFFICE.

Victoria Office, 8, Victoria Chambers, Westminster, S.W.,
November 19, 1888.

MY LORD,

IN a telegraphic despatch received from my Government on the 17th instant, reference is made to a cablegram transmitted through Reuter's agency on the previous day, and which is, I assume, the same which appeared in the public press describing the debate in the Legislative Assembly on the right of Colonial Governments to advise in the nomination of Governors. I am instructed by my Government to communicate its contents officially to your Lordship, and I accordingly enclose a copy of the same.

I have, &c.,

The Right Hon.
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(Signed) GRAHAM BERRY.

Enclosure in No. 11.

TELEGRAM referred to in accompanying Letter.

Melbourne, November 16.

"IN the Legislative Assembly to-day a discussion arose on the subject of the abstract right of the Colonies to a voice in the nomination of Colonial Governors. The Hon. Duncan Gillies, the Premier, without discussing the merits of the Queensland protest, pointed out that under the terms of the Constitution the Queen alone could appoint Governors by the advice of Her Ministers, who were responsible to the Imperial Parliament.

"He dwelt upon the inconvenience which would be likely to arise if the Imperial Ministers declined to endorse the Colonial selection for the post. A deadlock would, in that case, ensue, and he was confident that the less a Colony insisted upon the power to appoint or nominate its Governor the better.

"Victoria, added Mr. Gillies, had no such desire, and was perfectly satisfied that the appointments made would be such as the Colony could approve.

"Other members spoke in a similar vein.

"The Premier's remarks were received with much cheering, the House evidently concurring in the views which he expressed."

No. 12.

COLONIAL OFFICE to the AGENT-GENERAL FOR SOUTH AUSTRALIA.

SIR,

Downing Street, November 20, 1888.

WITH reference to your letter of the 13th instant, and to the reply from this despatch of the 15th,* respecting the desire expressed by the South Australian Government to be afforded an opportunity of stating their opinion with regard to the person proposed for appointment as Governor of the Colony, I am directed by Lord Knutsford to transmit to you a copy of a telegram† which was sent to Sir W. Robinson on the subject, on the 16th instant.

I am, &c.,

The Agent-General for
South Australia.

(Signed) ROBERT G. W. HERBERT.

No. 13.

SIR W. C. F. ROBINSON (SOUTH AUSTRALIA) to LORD KNUTSFORD
(Received November 21, 1888.)

TELEGRAPHIC.

Following telegram received from my Ministers :—

Respectfully acknowledge receipt from Governor of copy of telegram from Secretary of State for the Colonies relating to the appointment of Colonial Governors. In reply, Ministers desire respectfully to remark that the objections which are urged to course they have ventured to suggest appear to be untenable. Even if control over selection of Governor were conceded to Local Government, as it has been suggested that they desire, they [are] contend this would not warrant a suspicion of impartiality of gentlemen appointed. An argument to the contrary carried to its logical conclusion would justify doubts as to integrity of highest judicial officer whenever dealing with question affecting interests of Government by which he was appointed ; but, as a matter of fact, Ministers have no desire that Local Government should have power of controlling election Governor, or that any gentleman should be asked to undertake office subject to approval of Local Government. They only seek opportunity to state for favourable consideration of Imperial Government in such a manner as may be most convenient to Colonial Office any reasons which may occur to them why any contemplated appointment appears to be undesirable to them. If this opportunity is not to be afforded, there is without doubt possibility of objection being overlooked or not fully considered, which, if noted or fully considered prior to appointment, would prevent it from being made. It would then become duty of Ministers to call attention to objection in question, and this would without doubt lead to much more undesirable position than if course Ministers have suggested were adopted. If after full consideration of objection the appointment were cancelled, it would involve no small annoyance to gentleman principally interested, and if, on the other hand, appointment were persisted in, it would be certainly much more reasonable to expect prejudice on part of Governor against Ministry raising objection than it would be to suspect bias on part of Governor in favour of Government for the simple reason that they could see no cause to protest against his appointment. Ministers most respectfully assure your Excellency that they have not slightest desire to encroach on constitutional rights of Imperial Government with reference to Viceregal office ; they are, however, convinced that probability of satisfactory appointment thus strengthening the bonds of union between Great Britain and Colony will be increased by course suggested. If South Australia were conceded privilege of stating objections to a proposed appointment, the power would be exercised with due regard to its importance and no objection would be lightly made. Furthermore, should there be difficulty arising from scarcity of information in Colony regarding fitness of gentleman suggested, it might be obviated by selection only men well-known reputation, and who might possibly be found amongst those who have exhibited an interest in Colonial affairs. The dignity and importance of office would without doubt justify such a choice. Indeed, if so desired by Secretary of State for Colonies, Ministers would be possibly able to suggest for Imperial consideration names gentlemen whose appointment would be acceptable to Colony. Ministers are encouraged to respectfully venture this last suggestion in view of expression of Secretary of State of great satisfaction and assistance which he would derive in selection on account of knowledge of views of Colony on subject. (Signed) PLAYFORD.

No. 14.

SIR H. A. BLAKE to LORD KNUTSFORD.
(Received November 22, 1888.)

Government House, Newfoundland,
November 13, 1888.

MY LORD,

I HAVE the honour to enclose, for your Lordship's information, copies of addresses presented to me by the inhabitants of St. John's, by the Executive Council, by the inhabitants of Harbour Grace, and by the fishermen of Topsail previous to my departure from the Colony.

I have, &c.,

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(Signed) HENRY A. BLAKE,
Governor.

Enclosure 1 in No. 14.

ADDRESS presented from the INHABITANTS of ST. JOHN'S.

To his Excellency Sir HENRY ARTHUR BLAKE, K.C.M.G., Governor and Commander-in-Chief of the Island of Newfoundland and its Dependencies.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the undersigned inhabitants of St. John's, beg to present to your Excellency our sincere congratulations upon the distinction just conferred on you by Her Gracious Majesty in appointing you to be Knight Commander of the Most Distinguished Order of St. Michael and St. George; and on your promotion to the Governorship of the important Colony of Queensland.

With the pleasure we now experience, however, is mingled a feeling of deepest regret for your removal from this Colony, and the consequent loss of those administrative abilities, which, brief as has been your residence amongst us, we have learned to estimate at high value. We are most sensible of the zealous and energetic interest you have, since the day of your arrival, evinced in the fortunes of this Colony. Its fisheries, its general commerce, its agriculture, in a word every question involving its well-being and progress, has engaged your anxious attention and study. You have visited nearly every portion of the island and learned from the humblest as well as from those of more favoured lot, all that was to be told of their condition and pursuits. You have thus acquired a large fund of knowledge not otherwise obtainable, and we gratefully remember in your public addresses many wise and practical suggestions offered to our people for the improvement of their resources, and more especially regarding the increased cultivation of the soil, as their most trustworthy assurance of comfort and independence.

We desire also to record our obligations to your Excellency for the valuable assistance you have rendered to our educational and literary institutions, and to every movement directed to intellectual advancement.

We beg that your Excellency, and Lady Blake, who has so effectively aided your beneficent endeavours, will accept our cordial wishes for many, many years of happiness and prosperity.

(Signed) JOHN THOMAS POWER,
Bishop of St. John's,
and 365 others.

Enclosure 2 in No. 14.

His Excellency's REPLY to the ADDRESS.

GENTLEMEN,

THE kind and too flattering address with which you present me from the people of St. John's moves me very deeply. I thank you for your congratulations upon the distinction that Her Majesty has conferred upon me, and I share with you most heartily the regret that the term of my administration of the Government of this old Colony has been so short. I am conscious that the year that has passed has been only a year of observation and effort on my part to acquire the knowledge of the Colony without which advice or guidance must lose half its value. I can only say that I have endeavoured honestly to do my duty, and govern constitutionally as Her Majesty's Representative; and, while the fruition of any attempt of mine to bring before the people the blessings of agriculture, education, and thrift must be a matter of the future, I am deeply gratified by your generous appreciation of my endeavours, by the manner in which my observations have been received, and the cordial assurances of co-operation that have been given by every section of the inhabitants of Newfoundland.

I am happy to be able to inform you that the fishermen of this country have not been deaf to my advice, and on my tour round the Island last summer, I received satisfactory assurance that the benefits of agriculture as an aid to the fisheries are beginning to be appreciated. I look forward with confidence to important results from the Department of Fisheries that has just been established, and I believe that in a few years tangible evidence of its value will be experienced in the restoration of the shore fishery.

It is a great pleasure to me to know that the depression that had reached its lowest level before my advent to this Colony has begun to pass away, and that trade shows signs of solid improvement. While the generally awakened feeling that the continued

emigration of working men from an undeveloped country is a serious loss to the Colony will assuredly result in systematic effort to direct such labour into channels alike remunerative to the labourer and important in the strengthening and development of his native land.

On behalf of my wife and myself, I thank you for your hearty good wishes. I am proud that our last act in the Colony has been the establishment of the Newfoundland Society for the Prevention of Cruelty to Animals, and we hope that the society inaugurated yesterday will bear good fruit in the future.

Once more I thank you for the unvarying kindness that we have received, and I fervently hope that the sunshine of renewed prosperity may once more gladden the warm-hearted people of Newfoundland.

Government House,
13th November 1888.

(Signed) HENRY A. BLAKE,
Governor.

Enclosure 3 in No. 14.

"The ROYAL GAZETTE."

November 13, 1888.

His Excellency the Governor, Lady Blake and party, leave for England to-morrow. Seldom has such an occasion evoked so general an expression of regret as that which has been called forth by the Governor's departure. He had fully won the confidence, respect, and good-will of our people, and their best wishes will follow Sir Henry and Lady Blake to their new home.

Lord George Fitz-Gerald, by his unvarying consideration, by tact and courtesy, has made for himself hosts of friends, and they will all wish him a hearty God speed.

ADDRESS.

To his Excellency Sir HENRY ARTHUR BLAKE, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the Executive Council, on the eve of your departure from Newfoundland, consequent upon your appointment to the Governorship of the important Colony of Queensland, take the opportunity of congratulating your Excellency on this token of Her Majesty's approbation, enhanced as it is by the distinction of Knighthood with which you have recently been honoured.

Whilst appreciating the well-merited promotion conferred upon your Excellency, we cannot conceal from ourselves the loss which this Colony sustains in the departure from its shores of one who has, during the brief period of his administration, earned the esteem of all sections of the community, and who has acquired in a comparatively short time a knowledge of the requirements of the Colony, which we had hoped a more lengthened stay amongst us would have enabled your Excellency to turn to practical account.

The recognised ability which has characterised your Excellency's administration, and the pleasant relations which have at all times existed at the Council Board, render the termination of our official intercourse a matter of sincere and lasting regret.

It only remains for us to tender to your Excellency and Lady Blake a most cordial farewell, and praying that Providence may be pleased to grant you a safe and speedy passage to the scene of your future labours.

We have, &c.,
(Signed) ROBERT THORBURN,
Premier.
" M. FENELON,
Colonial Secretary.
" A. PENNEY,
Surveyor-General.
" A. F. GOODRIDGE.
" JAS. S. PITTS.

REPLY :

SIR ROBERT THORBURN, K.C.M.G., and GENTLEMEN of the EXECUTIVE COUNCIL,

I THANK you heartily for the address with which you are so kind as to present me, and for the flattering terms in which you speak of my administration of this Government.

Whatever success may have attended my short administration, I attribute to the cordial co-operation of the Executive Council. I rejoice that the business of the country shows decided improvement on that of last year, and I hope and believe that the immediate future will show a return of former prosperity.

For your cordial expressions as regards Lady Blake and myself I thank you, and assure you that your feelings are warmly reciprocated by us.

I will only add that it is with deep regret that I part from an Executive Council upon my relations with whom I shall always look back with the greatest pleasure.

Government House.
12th November 1888.

I am, &c.,
(Signed) HENRY A. BLAKE,
Governor.

SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS.

A committee consisting of the following gentlemen:—Sir Robert Thorburn, Hons. A. W. Harvey, E. D. Shea, Chas. Bowring, Jas. Pitts, J. Rogerson, and Messrs. W. B. Grieve, W. H. Robertson, and D. J. Greene, met at Government House this forenoon for the purpose of receiving from his Excellency the proceeds of Bazaar recently held there.

The amount of \$848.30 was handed over to the Hon. E. D. Shea, to be deposited in the Savings Bank in trust for the Society.

Sir R. Thorburn proposed, and Mr. Greene, Q.C., seconded, that his Excellency be on, and Lady Blake, Patroness of the Society; carried unanimously.

It was proposed by Hon. A. W. Harvey and seconded by Hon. E. D. Shea, that the Society be incorporated, and Her Majesty's assent to the Society using the title "Royal" be obtained by his Excellency, and that Mr. Greene take the necessary steps for incorporation. Carried.

Proposed by E. D. Shea and seconded by A. W. Harvey, that this Society be affiliated with the English Society. Carried.

Proposed by Mr. Greene and seconded by Hon. C. Bowring, that G. M. Johnson, Esq., be appointed Hon. Secretary. Carried.—*Mercury*, Nov. 12.

Enclosure 4 in No. 14.

ADDRESS from TOPSAIL LODGE, No. 41, of the Society of United Fishermen.

To his Excellency Sir HENRY A. BLAKE, K.C.M.G., &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the Working Master, Officers, and Members of Topsail Lodge, No. 41, of the Society of United Fishermen, respectfully beg to assure your Excellency that although we rejoice that Her Most Gracious Majesty has been pleased to offer you a more exalted and lucrative appointment in a distant part of Her Colonial Empire, yet it is with deep regret that we learn of the sudden departure of one who has taken such an active and intelligent interest in the piscatorial, agricultural, and other industrial pursuits of the people of this Colony, and that we were to hope that with the blessing of God, some good results would follow from a longer continuance of your Excellency at the head of the Councils of the Colony for the benefit and welfare of the operative classes, who from various causes have been compelled either to leave their native country in search of employment or to endeavour to support their families on very limited means.

Wishing your Excellency, Lady, and family every blessing for time and eternity,

We remain, &c.,
(Signed) W. SWANSBOROUGH,
W. Master.
SAMUEL PARMITER,
Secretary.
&c. &c.

Enclosure 5 in No. 14.

REPLY to ADDRESS from the TOPSAIL FISHERMEN.

Mr. SWANSBOROUGH and MEMBERS of the TOPSAIL LODGE, No. 41, of United Fishermen,
 I THANK you for your kind address, and for your expression of regret at my departure from this Colony. That regret is shared by me and Lady Blake, but our departure from the Colony will not lessen our interest in its future. That future is dependent upon the labouring population, and you can best assure your own future, comfort, and the prosperity of your country, by turning your attention to the excellent land lying idle in every direction, and supplementing your fishing voyages by the cultivation of the soil. That this shall be done by the fishermen will be the most gratifying assurance to me in distant lands that my advice has not been given in vain.

On behalf of Lady Blake and myself I thank you for your good wishes, and we hope that better times are in store for the fishermen of beautiful Topsail.

(Signed) HENRY A. BLAKE,
 Governor.
 Government House,
 13th November 1888.

Enclosure 6 in No. 14.

To his Excellency Sir HENRY ARTHUR BLAKE, K.C.M.G., &c. &c.

MAY IT PLEASE YOUR EXCELLENCY;

ON this the eve of your departure for the important sphere of duty to which the Queen has called you, we, the citizens of Harbour Grace cannot allow your Excellency to leave our shores without conveying to you our cordial congratulations upon the high dual honours lately bestowed on you by Her Majesty, and also without assuring you of the esteem and regard which we entertain both for your personal and official characters. We accept the recognition by the Government of Great Britain of your Excellency's political and administrative ability as a high honour.

While conveying to your Excellency an expression of the sincere pleasure which we, in common with the people of other communities, all feel at the high mark of esteem recently bestowed, we at the same time cannot but voice the regret which we entertain at the departure of your Excellency, just when you were prepared to turn to practical account to the advantage of the Colony the knowledge of it and its industrial life, which ever since your arrival on its shores you have zealously sought to attain.

We beg to assure your Excellency that we value highly the visits which you were pleased to pay as well to this as other districts in the Island, and that we incline to regard it as a misfortune that we are so soon to cease to have the benefit of your personal presence amongst us—to learn by personal observation the wants and requirements of the people whose government you had come to administer.

In conclusion we tender a kindly farewell to your Excellency, Lady Blake and family, wishing you and them a speedy passage to Queensland and every success in the administration of the country whose governmental affairs you are soon about to assume.

We are, &c.,
 (Signed) T. R. MACDONALD,
 Bishop of Harbour Grace,
 and many others.

No. 15.

LORD CARRINGTON (NEW SOUTH WALES) to LORD KNUTSFORD.
 (Received November 22, 1888.)

TELEGRAPHIC.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY it please your Majesty, we, Your Majesty's loyal and dutiful subjects, the members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to renew the expression of our devoted attachment to your Majesty's Throne and person, and to respectfully represent that circumstances occurring in a neighbouring

Colony have given rise to certain grave considerations in relation to the appointments to the office of Governor.

1. We gratefully acknowledge the wisdom of the selection of the present Representative of your Majesty in New South Wales, who, in the performance of his high duties, has secured the respect and confidence of all classes of the inhabitants.

2. In view of the great and growing interests of the Colony in connexion with the Empire, we desire dutifully to convey to your Majesty the expression of our opinion that no person in the future should be appointed to the office of Governor who has not had experience in the conduct of public affairs in high political office or in the Imperial Parliament.

3. Though not desirous of interfering with the functions of your Majesty's Imperial Adviser, we humbly submit that it is desirable and reasonable, and in strict accord with the privileges constitutionally conferred upon your Majesty's Australian subjects, that in future the Government of the Colony should be informed of any intended appointment to the high office of Governor before such appointment is finally made.

(Signed) HON. HENRY YOUNG,
Speaker.

No. 16.

LORD CARRINGTON (NEW SOUTH WALES) to LORD KNUTSFORD.

(Received November 22, 1888.)

TELEGRAPHIC.

Tone of last night's debate dignified and entirely free from any wish to interfere with constitutional rights or dictate, Prime Minister representing he did not take step with a view to disturb relations of Colonies and England, but in the interests of the Empire; in reply to speeches on subject of separation, deprecated seeking any other Government as long as Colonies are part of Empire. Although he moved Resolutions, Prime Minister wanted no separation. Amendment moved by David Buchanan in favour of separation only received one supporter. Address unanimously voted.

No. 17.

REUTER'S TELEGRAMS.

THE APPOINTMENT OF COLONIAL GOVERNOR

Sydney, November 22.

In the Legislative Assembly last night Sir Henry Parkes moved an address to the Queen on the subject of the appointment of Colonial Governors, expressing the opinion that they should be selected from that class of public men who would be called upon to assist in the Government of the Empire, and urging that a Colonial Government should be informed of any such intended appointment before it is actually made.

The Premier said that he did not take this step with any desire of disturbing, and still less of weakening, the relations between the Colonists and the mother-country, but in the interest of the Empire. The address would, he submitted, tend to increase the dignity of the office of Governor, would strengthen the claims of the Colonies, and would only be consistent with the developments in the national life which everyone must see in the Colonies. It was of the highest importance, viewing it steadily and in the light of their connexion with the mother-country, that the Queen's Imperial advisers should be fully informed of the increased responsibility falling upon them in appointing gentlemen to the high office of Governor of a Colony possessing self-government. While speaking without disrespect or discourtesy, he maintained that the time had come when precisely the same qualities which pointed out a man to be selected to assist in the administration of the Empire should be the qualities which should designate him as a fit person to be appointed Governor of a Colony. It would be ungracious not to say that with the present selection in New South Wales, the people were perfectly satisfied, and it would, indeed, be wrong to pass this

over, lest it should be thought that some latent dissatisfaction existed. The address, proceeded the Premier, pointed out that future Governors should be confined to persons who had served in some high office or in the Imperial Parliament. What it meant was, that they should be limited to that class of public men who had indicated that they possessed qualifications fitting them to assist in the government of the Empire.

No man ought to be appointed merely for the sake of the salary attached to the office, the position ought to be the object of the same kind of ambition as to serve the State as a Cabinet Minister. Sir Henry admitted that the appointment lay with the Imperial advisers of the Queen, but, at the same time, he asked what he termed a very reasonable and just thing, in the highest sense desirable and strictly in accord with the spirit of their free institutions, namely,—that the Colonies should be informed whom it was intended to appoint before an unalterable step was taken. It was far better, if occasion arose for representations, that they should be made at a time when a good opportunity presented itself, instead of when it was too late. Above all things, the communication of the new Governor's name appeared to him to be a concession to the authority of the Parliament and the Government of the Colony to which its growth and national attributes fairly entitled it. New South Wales could not, if it would, abstain from joining her sister colonies in a matter of this kind. The Premier, in conclusion, asked the House to take no rash or unnecessary step, nor strain any principle, but to be consistent and to take cognisance of the feeling which must be alive among the people and of that principle of self-government which lived in all their institutions. The address, which the House was asked to adopt, was strictly consistent with those conditions and with the Colony's national life.

After a lengthy and almost unanimous debate, the address was agreed to without a division, the result being received with cheers.

No. 18.

SIR H. B. LOCH (VICTORIA) to LORD KNUTSFORD.

(Received November 25, 1888.)

TELEGRAPHIC.

Mr. Gillies, the Premier, reports to me that on the 15th November Mr. Gaunson moved adjournment of House of Assembly in order to discuss the question that every British Colony under Responsible Government possesses the right to a voice in the choice of its Governor. This view was supported by Sir Bryan O'Loughlen. Mr. Gillies, in reply, expressed regret that a question of this kind had not been submitted in such a manner as to enable the House to give [vote?] that would clearly express the opinion of the House on the subject. For his part he would be extremely sorry if the Imperial Government came to the conclusion in the direction that they thought was the opinion of the Colonies, but which might be found afterwards was not the opinion of the Colonies. At all [events?] Mr. Gillies went on to argue that the honourable member's contention would come to this, that the Queen is to be advised in any prerogative appertaining to the appointment of a Governor by the Ministers of the day in the Colony; whereas the Queen, in making an appointment of that kind, has hitherto always been advised by Her Imperial advisers, who are responsible to Imperial Parliament for every act Her Majesty does, and that it is much better in the interests of this Colony, as well as every other, that they has [have?] not the power to appoint a Governor—the power to veto an appointment. Mr. Gillies went on to speak as follows: If the Colonies were placed in a position of being compelled to nominate their Governors, a Government having strong proclivities in some particular direction might recommend some particular gentleman for the position whose views accorded with their own, and in doing so they might set the whole of the Colonies by the ears.

In conclusion, the Premier also stated: “I feel confident that the less this Colony insists or makes any representation at all to that effect on having the power either to appoint the Governor or to nominate the Governor the better, and we may give the Imperial Government to understand that this Colony of Victoria at least has no desire to appoint its Governor, has no desire to veto the appointment of any Governor, but feels perfectly confident that Her Majesty, under the advice of the Imperial Government, with the supervision of the Imperial Parliament, will take care that such gentlemen as are sent

to represent the Queen in this Colony are upright, honest, and capable; we will not assume for a moment that they will think of sending us any other; should they do so it will be time enough for us to act; but I am confident that we can safely rest all cases as to the appointment of Governors in the hands of the Imperial Government advising Her Majesty the Queen."

The motion was then negatived. The above is a very brief précis of the arguments advanced by Mr. Gillies. He begs further to add that the opinion of the House in favour of the views enunciated on behalf of the Government was practically unanimous.

No. 19.

SIR H. A. BLAKE to LORD KNUTSFORD.

Marlborough Club, Pall Mall, S.W.,
November 26, 1888.

MY LORD,

HAVING regard to the important issues involved in the controversy between Her Majesty's Government and that of Queensland, affecting as they do the possible change of relations between England and her Colonies, it seems to me that I may relieve Her Majesty's Government of a difficulty in the matter by resigning an appointment the assumption of which, under the circumstances, would be at least as unpleasant for me, as it is stated to be distasteful to the present Government of the Colony.

I have therefore the honour to tender for Her Majesty's acceptance the resignation of my commission as Governor of Queensland.

I have, &c.,
(Signed) HENRY A. BLAKE.

No. 20.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

November 27.—Sir H. Blake has stated that after what has occurred it would be extremely unpleasant to him to undertake office of Governor of Queensland, and has requested to be relieved from that appointment. Her Majesty's Government have assented to request. Detailed answer to your telegram, 15th November,* will be sent by next mail.

No. 21.

LORD KNUTSFORD to SIR H. A. BLAKE.

SIR,

Downing Street, November 27, 1888.

I HAVE the honour to acknowledge the receipt of your letter of the 26th instant,† in which you request to be relieved of the appointment to be Governor of Queensland, feeling that the assumption of the appointment would, under the circumstances which have arisen, be at least as unpleasant to yourself as it is stated to be distasteful to the present Government of the Colony.

Her Majesty's Government continue to be fully satisfied that if you were to assume the office you would discharge its duties with the same discretion and ability which have been recognised by all parties in Newfoundland; but having regard to all the circumstances under which your appointment has been opposed, they do not feel justified in requiring you to proceed to the Colony; and I shall have pleasure in advising the Queen to transfer you to some other post.

Sir H. Blake.

I have, &c.,
(Signed) KNUTSFORD.

No. 22.

COLONIAL OFFICE to Sir H. A. BLAKE.

Sir,

Downing Street, November 27, 1888.

I AM directed by Lord Knutsford to acknowledge the receipt of your despatch, of the 13th instant,* transmitting copies of various addresses presented to you on the occasion of your departure from Newfoundland.

His Lordship observes with satisfaction the evidence which these addresses afford of the esteem in which you are held by all classes in Newfoundland, as well as of the interest which you have taken in promoting the welfare of the inhabitants of the Island during the term of your administration of the Government, and he is glad to take this opportunity of recording his own high appreciation of the ability and energy displayed by you in the discharge of your duties.

Sir Henry A. Blake, K.C.M.G.

I am, &c.,
(Signed) JOHN BRAMSTON.

No. 23.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

TELEGRAPHIC.

28th November.—Her Majesty's Government retain objection to Colonial Ministers expressing opinion on qualifications of person selected as Governor before appointment made. New Governor will be shortly announced, but decision on questions of constitutional principle which have been raised will be deferred until after full consideration of proceedings in Colonies when received by mail.

No. 24.

LORD KNUTSFORD to LORD CARRINGTON (NEW SOUTH WALES).

TELEGRAPHIC.

28th November.—Referring to your telegram 22nd November,† Assembly Address laid before the Queen, but have not been able to advise Her Majesty to take any present action upon it. Her Majesty's Government will wait full reports of discussions in Colonial Parliaments before announcing decisions on question of principle which have been raised.

No. 25.

LORD KNUTSFORD to Sir W. C. F. ROBINSON (SOUTH AUSTRALIA).

TELEGRAPHIC.

28th November.—Your Ministers' statement telegraphed 21st November‡ carefully considered. Her Majesty's Government still impressed with objections to consulting Ministers, but will defer final expression of opinion on principles involved until reports of recent discussions in Colonial Parliaments have been received by mail.

* No. 14.

† No. 15.

‡ No. 13.

No. 26.

LORD KNUTSFORD to SIR H. B. LOCH (VICTORIA).

TELEGRAPHIC.

28th November.—Yours 25th.* Am obliged for summary of Premier's speech. Decision on questions of principle raised will be communicated to Colonies in due course.

No. 27.

SIR H. B. LOCH (VICTORIA) to LORD KNUTSFORD
(Received November 29, 1888.)

TELEGRAPHIC.

Sir Bryan O'Loughlen moved last night in House of Assembly to support views of Prime Minister of Queensland, New South Wales, and South Australia. Motion rejected by majority of 57 against 3.

No. 28.

LORD KNUTSFORD to ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND).

SIR,

Downing Street, November 30, 1888.

I ACKNOWLEDGED by telegraph on the 17th instant† the receipt of your telegram of the 15th, conveying the reasons for which your Ministers objected to the appointment of Sir Henry Blake as Governor of Queensland. I have since informed you by telegraph‡ that Sir Henry Blake has expressed his desire not to assume that office, and the Queen has approved the appointment, in his place, of Sir Henry Norman, G.C.B., G.C.M.G., now Governor of Jamaica. It is nevertheless right, as Her Majesty's Government are unable to concur in the reasons stated by your Ministers, that I should reply to them in some detail; and I have now the honour to request that you will communicate to your Ministers the following observations.

2. A careful consideration of the arguments upon which your Ministers rely has confirmed the opinion of Her Majesty's Government, that the objections to Sir Henry Blake's appointment were not based upon any adequate knowledge of his qualifications and previous services. If, as alleged, he is not known in Australia as having administered responsible government with ability and success, this circumstance must be held to support strongly the view taken by Her Majesty's Government, that the Ministers of a Colony for the time being cannot with advantage be invited to express an opinion as to the personal fitness of a gentleman, unknown to them, but well known to Her Majesty's Government, who may be selected as Governor. To use the words of your Ministers' second reason, Sir Henry Blake was selected to govern the important Colony of Queensland expressly on account of his proved ability and discretion in the administration of responsible government. It is no doubt the case that Sir Henry Blake's experience in responsible government has been short, but during his term of office in Newfoundland he had the opportunity of showing his special aptitude for that form of government, and a thorough understanding of the relations of a governor with his responsible Ministers. Many of the questions with which the Governor and the Ministers of Newfoundland have to deal, as for example the questions affecting the French rights of fishery, are exceptionally difficult and complicated, and Sir Henry Blake had shown so much tact and prudence in dealing with them, that the intelligence of his transfer to another post was received throughout the Colony with universal regret, expressed in the strongest terms by the leaders of both parties in the local Parliament, by other leading men in the Colony, and by the various sections of the public press.

* No. 18.

† No. 10.

‡ No. 20.

3. It is necessary, however, here to remark that previous experience in Responsible Government has not been made, and could not conveniently have been made, an indispensable condition in the selection of a Governor of an Australian Colony; such a condition would in fact have disqualified the greater number of the most successful Australian Governors.

4. With regard to Sir Henry Blake's services anterior to his administration of Newfoundland, referred to in your Ministers' fourth reason, Her Majesty's Government fail to understand how those services can be considered as a disqualification for the office of Governor of Queensland. In the Bahamas he showed great energy and sympathy with the wishes and needs of the people, and achieved in all ways a marked success, while his services in Ireland, which were recognised by his appointment to the Bahamas, have been shown to have in no degree rendered him unacceptable to the community and Parliament of Newfoundland, although previously to his arrival there had unhappily been serious religious and political dissensions in that Colony.

5. Your Ministers observe, in the fifth place, that the disapproval of Sir Henry Blake's appointment was spontaneous, immediate, and general; and while Her Majesty's Government greatly regret the existence of that opinion, they feel that it has been attributable to the same imperfect knowledge of Sir Henry Blake's public services which led your Ministers into a similar misapprehension.

6. With reference to the sixth representation, that this disapproval was intensified by the appointment following closely upon the recent constitutional crisis, I may observe that the importance of precluding any probability of the recurrence of a similar difficulty, in so far as it might be precluded by the selection of a Governor who had shown conspicuous tact and judgment, and proved that he thoroughly appreciated his constitutional relations with his advisers, was the consideration principally in view when Sir Henry Blake was selected; and that for this reason care was taken not to make the appointment, as suggested in the seventh reason assigned by your Ministers, from the Imperial point of view alone. There are no Imperial, as distinct from Colonial, interests which in the case of Queensland could override the importance of appointing a Governor specially suited for responsible government; and Sir Henry Blake had shown himself determined to work heartily and loyally for the interests of the two Colonies previously placed under his charge.

7. It is stated in the eighth place that approval by the Colony of the occupant of the office of Governor is implied by the fact that the salary is voted by the Colonial Legislature and paid by the Colony, and by the amount of that salary. But it would seem to have been overlooked that the Governor's salary is, by a permanent Act, "placed at the disposal of Her Majesty," with the particular object of securing the holder of the office in such an independent position as may enable him fearlessly and impartially to hold the balance between political parties.

8. Referring, lastly, to the concluding observation in your telegram, I request you to point out to your Ministers that in asking for the amplification in detail of objections to a particular person which had been stated only in very general terms, and after the appointment had been already announced, Her Majesty's Government have in no degree admitted that a Colonial Ministry could, consistently with the existing constitution, be enabled to approve or disapprove an appointment in contemplation.

I have in this despatch confined myself to the consideration of the reasons advanced by your Ministers against the appointment of Sir Henry Blake; and I shall on another occasion deal further with the representations which I have received from New South Wales and South Australia as well as from Queensland, which, differing from Victoria, desire to establish the principle that the Colonial Ministry should have an opportunity of expressing an opinion before any Governor is appointed; and also with the question that has been raised whether the area of selection might not properly be limited in the case of appointments to Australian Colonies.

I have, &c.,
(Signed) KNUTSFORD.

To the Officer
Administering the Government
of Queensland.

No. 29.

MR. GILLIES (PREMIER OF VICTORIA) to SIR GRAHAM BERRY (AGENT-GENERAL).
(Received from the Agent-General November 30, 1888.)

TELEGRAPHIC.

Melbourne, 28th November, 11.0 p.m.—Resolution submitted by O'Loghen, approving of position taken by other Colonies in reference to the appointment of Governors, and condemning the position taken up by the Victorian Ministry, debated in the Assembly. Views of this Government supported on a division by 59 votes against 3, after which House, standing, sang "God save the Queen" with great enthusiasm.

No. 30.

The AGENT-GENERAL FOR QUEENSLAND to COLONIAL OFFICE.

Queensland Government Office,
1, Westminster Chambers, Victoria Street,
London, S.W., December 3, 1888.

SIR,

WITH reference to my letter of the 17th October*, intimating the receipt of a telegram asking that the Ministry might be informed confidentially of the name of the proposed Governor of Queensland before the appointment was finally confirmed, I have the honour to state, for the information of the Secretary of State for the Colonies, that I have to-day received a letter from the Colony confirming that telegram, and stating that the object of the Chief Secretary in sending it was to afford the Colonial Office an opportunity of keeping in touch with the Colony by the selection of a gentleman whose appointment would meet with the approval of the Colonists generally.

The Under Secretary of State,
Colonial Office.

I have, &c.,
(Signed) THOS. ARCHER,
Agent-General.

No. 31.

SIR W. C. F. ROBINSON (SOUTH AUSTRALIA) to LORD KNUTSFORD.

(Received January 21, 1889.)

MY LORD,

Adelaide, December 8, 1888.

I HAVE the honour to forward to you herewith the enclosed Address which I have received from the Legislative Council, on the subject of the appointment of Governors, together with a debate† from the Advertiser newspaper on the same.

The Right Hon.
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.,
(Signed) WILLIAM C. F. ROBINSON.

Enclosure in No. 31.

Legislative Council, Address No. 9.

At a meeting of the council held on the 4th December it was resolved that :—

An Address be presented to his Excellency the Governor praying his Excellency to transmit to the Right Honourable the Secretary of State for the Colonies the following Resolution passed this day by the Legislative Council, viz. :—

That in the opinion of the Council the communication made to the Secretary of State for the Colonies through the Agent-General in reference to the appointment of a successor to his Excellency Sir W. C. F. Robinson should not have been made without the approval of Parliament, and should have been communicated to the Secretary of State through the representative of the Crown in this Colony.

(Signed) HENRY AYERS,
President.

No. 32.

ADMINISTRATOR SIR A. H. PALMER (QUEENSLAND) to LORD KNUTSFORD.
(Received March 8, 1889.)

MY LORD,

Government House,
Brisbane, January 23, 1889.

I HAVE the honour to inform your Lordship that I laid before my Ministers your despatch of 30th November 1888,* containing your Lordship's observations on the subject of Sir Henry Blake's appointment as Governor of Queensland, his withdrawal from the said office, and of the subsequent appointment of Sir Henry Norman, G.C.B., G.C.M.G.

My Ministers have, in reply, addressed me on the subject, and I deem it right to submit for your Lordship's consideration a copy of their letter.

The Right Hon.
The Secretary of State for the Colonies,
&c. &c. &c.

I have, &c.,
(Signed) A. H. PALMER.

Enclosure in No. 32.

QUEENSLAND.

Chief Secretary's Office,
Brisbane, January 22, 1889.

SIR,

I HAVE the honour to acknowledge the receipt from your Excellency of a copy of Lord Knutsford's despatch of the 30th of November last, containing his Lordship's reply in detail to the reasons advanced by the Government against Sir Henry Blake's appointment as Governor of Queensland.

As the object in view has been attained by the cancellation of Sir Henry Blake's appointment, and the selection in his place of a gentleman who is considered by the people of the Colony generally to be eminently qualified for the position, it is not necessary to further prolong the controversy on the subject, but your Excellency's Ministers wait with interest the receipt of the despatch which Lord Knutsford has promised dealing with the representations he has recently received from the Colonies of New South Wales and South Australia upon the general subject of the appointment of Governors to the Australian Colonies.

His Excellency Sir A. H. Palmer, K.C.M.G.,
Administrator of the Government of Queensland.

I have, &c.,
(Signed) BOYD T. MOREHEAD.

No. 33.

LORD KNUTSFORD to the GOVERNORS of the AUSTRALIAN COLONIES
and NEW ZEALAND.

MY LORD,

Downing Street, July 8, 1889.

SIR,

In the despatch which I addressed to the Officer Administering the Government of Queensland on the 30th November 1888,* I stated that on another occasion I should deal further with the communications which I had received from New South Wales

* No. 28.

and South Australia, as well as from Queensland, representing that the Colonial Ministers ought to have an opportunity of expressing an opinion before any Governor is appointed, and also with the question whether the area of selection should be limited in the case of appointments to Australian Colonies.

Of the remaining Australasian Colonies under Responsible Government, Victoria has declared strongly against any communications with the Colonial Ministers in regard to the selection of the Governor, and the Governments of New Zealand and Tasmania have made no representation on the subject to Her Majesty's Government. I may add that although there has been no official correspondence with Canada on this question, I have been informed that the Dominion Government are decidedly of opinion that the appointment of a Governor-General should be made without any reference to the responsible Ministers.

Her Majesty's Government have read with attention the debates in the Colonial Parliaments, and without referring in detail to those discussions it may suffice for me to say generally that the fuller reports of them have confirmed the opinion which Her Majesty's Government had been led to form after considering the information previously received by telegraph, namely, that the expediency of making any constitutional change in the mode of appointing the Governor of an Australian Colony has not been established. They believe, in fact, that the objections stated in the letter addressed on November 15th last* to the Agent-General for South Australia, a copy of which is annexed for convenience of reference, greatly outweigh the advantage which they might in some cases derive from a knowledge of the opinion of the gentlemen at the time serving as Colonial Ministers.

Her Majesty's Government feel that they are justified in claiming, for themselves as well as for their predecessors, that a remarkable measure of success, both as regards the capacity and character of the Governors appointed, and as regards the approval with which those appointments have been received in the Colonies, has attended the sincere endeavours which have at all times been made to secure the best possible selection in each case. They desire at the same time to point out the difficulties which might arise if the area of selection were absolutely limited, as has been suggested, to persons who have held high political office in England, or have been members of the Imperial Parliament. Such persons are frequently not prepared to retire from a promising public career at home in order to serve out of England for a term of years, and it is worthy of observation that the suggested limitation would have excluded almost all of the most successful Australasian Governors.

It appears, indeed, to be necessary on every ground that Her Majesty's Government should conduct, without assistance from the Colony, the confidential negotiations preliminary to the selection of a Governor, while they could not invite a person so selected by them to allow his name to be submitted for the approval of gentlemen at a distance, to whom (though well and favourably known here) he may be altogether unknown.

I can therefore only repeat that the true interests of the Colonies, and the preservation of friendly and constitutional relations between the Colonies and this country will, in the opinion of Her Majesty's Government, be best secured by adhering to the principles upon which the appointment of Governor has hitherto been made.

The Governors of the Australian Colonies
and New Zealand.

I have, &c.,
(Signed) KNUTSFORD.

* No. 7.

COLONIES (REPRESENTATIVE ASSEMBLIES).

S 231

SUPPLEMENTARY RETURN to an Address of the Honourable The House of Commons,
dated 9 March 1888;—for,

‘RETURN, showing the CONSTITUTION of the EXECUTIVE in each COLONY,
and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the
CONSTITUTION of those ASSEMBLIES, the Number of MEMBERS, the
Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS
and for ELECTORS.’”

Colonial Office, }
June 1890. }

H. DE WORMS.

(*Mr. Francis Stevenson.*)

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*Ordered, by The House of Commons, to be Printed,
3 June 1890.*

LONDON:
PRINTED BY HENRY HANSARD AND SON;
AND
Published by EYRE and SPOTTISWOODE, East Harding-street, London, E
and 32, Abingdon-street, Westminster, S.W.;
ADAM and CHARLES BLACK, North Bridge, Edinburgh.
and HODGES, FIGGIS, and Co. 104. Grafton-street, Dublin.

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3	Colonial Office Memorandum -	15 May 1890 - - -	Labuan - - -	

RETURN showing the CONSTITUTION of the EXECUTIVE in each COLONY, and, in the case of COLONIES having REPRESENTATIVE ASSEMBLIES, the CONSTITUTION of those ASSEMBLIES; the Number of MEMBERS, the Number of ELECTORS, and the QUALIFICATIONS requisite for MEMBERS and for ELECTORS.. (In continuation of [H. C. 70], of 12th March 1889).

— No. 1. —

Sir R. G. C. Hamilton to Lord Knutsford.—(Received 13 May 1889.)

TASMANIA.

My Lord,

Government House, Hobart,
27 March 1889.

I HAVE the honour to forward the accompanying Memorandum I have received from my Prime Minister in reference to your Circular Despatch of 26th March 1888, * requesting that a return might be supplied showing the constitution of the Executive, and giving information as to the election, qualifications, &c., of members of the Legislature.

I have, &c.
(signed) R. G. C. Hamilton.
The Right Honourable
the Secretary of State for the Colonies.

Enclosure in No. 1.

MEMORANDUM for His Excellency the Governor.

Premier's Office, Hobart, 22 March 1889.

IN returning the Secretary of State's Despatches of the 26th March and 18th December 1888, requesting that a return might be supplied, in accordance with a resolution of the House of Commons, showing the constitution of the Executive, and giving information as to the election, qualifications, &c., of members of the Legislature, the Premier has the honour to forward to your Excellency, for transmission to the Colonial Office, a return prepared in the Attorney General's Office, which contains the details required.

(signed) P. O. Fysh.

Return to an Address of the Honourable the House of Commons, communicated in Lord Knutsford's Despatch of 18th December 1888.

TASMANIA.

I.—*Constitution of the Executive.*

THE Government is administered by the Governor and his Ministers, who are responsible to him and also to the Parliament, and cease to hold office when they lose the confidence of the Governor or of Parliament. They are either members of Parliament on appointment, or are expected to find seats as soon afterwards as possible.

The Ministers holding portfolios are—

1. The Chief Secretary.
2. The Treasurer.
3. The Attorney General.
4. The Minister of Lands and Works.

Sometimes,

* No. 1 in [H. C. 70], March 1889.

RETURN RELATING TO.

ANZA
—

Sometimes, as is the case at present, a member of either House is included in the Cabinet, and shares the counsels and responsibilities of Ministers without holding any office of profit.

The Premier may hold any one of the above-mentioned offices, or he may have a seat in the Executive Council and the Cabinet without office. In the former case he receives 200*l.* a year, in addition to the salary of his office.

The Executive Council consists of gentlemen who are or have been Ministers of the Crown. According to the custom which has always prevailed in this Colony, retiring Ministers do not cease to be members of the Executive Council, but they do not attend its meetings unless specially summoned on such occasions as the swearing-in of a Governor. By the terms of their commissions they vacate their office as Executive Councillors when they cease to reside in the Colony.

II.—*Legislature.*

1. Constitution.—The Legislature, in its present form, is constituted by local Act, 18 Vict., No. 17 (known as "The Constitution Act"), as amended by subsequent Acts. It consists of two Houses—which together are called the "Parliament"—the Legislative Council, and the House of Assembly. The powers of both Houses are the same, with the single exception that "all Bills for appropriating any part of the revenue, or for imposing any tax, rate, duty, or impost," are required to originate in the House of Assembly, which is not permitted to originate or pass any vote, resolution, or Bill for the appropriation of any part of the revenue, or of any tax, rate, duty, or impost for any purpose which shall not have been first recommended by the Governor to the said House of Assembly during the Session in which such vote, resolution, or Bill shall be passed.

2. Number of Members.—The Legislative Council consists of 18 members, the House of Assembly of 36.

The number of electoral districts into which the Colony is divided is—

For the Legislative Council	-	-	-	-	-	-	-	15
For the House of Assembly	-	-	-	-	-	-	-	28

One district returns three members to the Council, another two; and eight districts return two members to the House of Assembly. All the other districts return one member each.

3. Number of Electors.—According to the latest returns available, the total number of electors was—

For the Legislative Council	-	-	-	-	-	-	5,572
For the House of Assembly	-	-	-	-	-	-	25,066

4. Qualification of Members and Electors.

(a) Of Members.—Except in regard to age, there is no difference in the qualification of members of the two Houses. They are equally required to be natural-born or naturalised subjects, or to have received letters of denisation, or a certificate of naturalisation. Members of the Council must be of the full age of 30 years; members of the House of Assembly of the full age of 21 years.

Judges of the Supreme Court, persons holding offices of profit or emolument by the appointment of the Governor or the Governor in Council, except the responsible Ministers, and Government contractors, unless as shareholders in companies consisting of more than six persons, are not eligible as members of either House.

(b) Of Electors; for both Houses in common.—They must be 21 years of age, natural-born, or naturalised subjects, or have received letters of denisation, or certificate of naturalisation.

For the Legislative Council—

(1.) Property qualification freehold or leasehold estate within the district for which the vote is to be given, of annual value of 20*l.* and 80*l.* respectively.

(2.) Professional qualification: Being graduate of any University in British Dominions, or Associate of Arts, Tasmania.

Barrister or solicitor on roll of Supreme Court, Tasmania.

Legally-qualified medical practitioner.

Officiating minister of religion.

Officer or retired officer of Her Majesty's Army or Navy not on actual service; retired officer, Tasmanian Volunteer Force

REPRESENTATIVE ASSEMBLIES IN THE COLONIES.

5

For the House of Assembly—

TASMANIA.

- (1.) Property qualification: Being owner or occupier of any property in the district for which the vote is to be given, and being described as such in assessment roll, and having resided in Tasmania for 12 months before the 1st November in any year.
- (2.) Wages qualification: Income, salary or wages, at the rate of 60*l.* per annum; house occupied, or rations received in connection with employment, to count as part of wages at following rates per annum:—

House	£.
Rations	10
House and rations	20
	30

The wages voter must be resident in the district for which he is to vote.

5. Conditions of Tenure.—Legislative Council: Three members retire every year, on first Tuesday in May. Members elected for the full time retain their seats for six years, but when elected to fill interim vacancies they hold their seats only during the residue of the term for which their predecessors would have been entitled to sit.

House of Assembly.—Members hold their seats for five years, or until the House is dissolved.

Seats in both Houses are vacated by—

Resignation.
Absence for one whole Session without leave.
Transfer of allegiance to foreign power.
Becoming public defaulter.
Bankruptcy.
Treason, felony, or any infamous crime.
Acceptance of office of profit or of pension.
Insanity.

— No. 2. —

Lord Stanley of Preston to Lord Knutsford —(Received 6 May 1890.)

CANADA

Government House, Ottawa,
24 April 1890.

My Lord,
With reference to your Lordship's Despatch Circular of 26th March 1888,* requesting to be furnished with certain information for presentation to the House of Commons respecting the Executive, &c., of the Dominion, I have the honour to transmit to your Lordship a copy of an approved report of a Committee of the Privy Council submitting a paper giving a general view of the constitution of the Dominion, including also a section devoted exclusively to the constitution and powers of the local or Provincial governments as well as to the judiciary and municipal system.

11 April 1890

Your Lordship will observe that, introductory to the paper, a few necessary historical notes have been given, touching the growth of Parliamentary institutions and Responsible Government in the several Provinces of Canada.

The Right Honourable
Lord Knutsford,
&c. &c. &c.

I have, &c.
(signed) Stanley of Preston.

* No 1 in [H. C 70], March 1889.

Enclosure in No. 2.

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 11th April 1890.

THE Committee of the Privy Council have had their attention called to a Circular Despatch of the 26th of March 1888, and to Despatch of the 18th of December 1888, from the Right Honourable the Secretary of State for the Colonies, requesting that your Excellency will at your earliest convenience give him the information therein requested, for presentation to the House of Commons, respecting the Executive, &c., of the Dominion.

The Secretary of State, to whom the Despatches were referred, has caused to be prepared a paper herewith, giving a general view of the constitution of the Dominion, including also a section devoted exclusively to the constitution and powers of the Local or Provisional Governments, as well as to the judiciary and municipal system.

The Minister observes that, introductory to the paper, a few necessary historical notes have been given touching the growth of Parliamentary institutions and Responsible Government in the several provinces of Canada.

The Committee recommend that your Excellency be pleased to forward a copy of this Minute, together with the paper submitted, to the Colonial Office, in answer to the Circular Despatch above-mentioned.

All which is respectfully submitted.

John J. McGee,
Clerk, Privy Council.

THE CONSTITUTION AND GOVERNMENT OF CANADA.

I.—History.

CANADA is said to have been discovered in 1497, by John and Sebastian Cabot, under commission from King Henry VII. of England. In 1524, the coast from Carolina to Nova Scotia, and all the region lying beyond, was claimed by Jean Verrazzini as possessions of Francis I., of France, under the name of "New France," a name which was afterwards applied to most of the territory claimed to belong to that nation in the New World. Ten years later, Jacques Cartier, of St. Malo, explored the St. Lawrence, and, in the following year, took possession of certain territory in Canada, or New France, under authority from the French King. Nova Scotia was first colonised by the French in 1598. Canada proper remained under the sovereignty of France up to 1759, when, by force of arms, it passed to English rule; it was formally ceded to Great Britain under the Treaty of Paris, 1763. As early as 1758, representative institutions were granted to Nova Scotia, which then embraced New Brunswick also. In 1785 the latter was erected into a separate colony, with a representative assembly. In 1763, Prince Edward Island was annexed to Nova Scotia, but was constituted a separate colony with a Legislature in 1770. In 1791, Canada proper (*i.e.*, the present Provinces of Ontario and Quebec) was divided into provinces, with representative institutions. These Provinces, now to be known as Upper and Lower Canada, remained with separate Legislatures until 1841, when they were united in a Legislative Union, under the name of Canada. In that year also Responsible Government was conceded to Canada (which was the first British dependency wherein this important measure of Colonial administrative reform was introduced); but the principle was not definitely established until 1847. In the following year Responsible Government was introduced in Nova Scotia, and also in New Brunswick. It was not, however, established in Prince Edward Island until 1851. The several British North American Colonies remained in this position until the 27th May 1867, when, under the British North America Act of that year (30 Vict. c. 3, Imperial Statutes), popularly known as the Act of Confederation, the Provinces of Canada (*i.e.*, Ontario and Quebec), Nova Scotia and New Brunswick, were federally united as a Dominion under the name of Canada. Since then the Provinces of Manitoba, British Columbia, and Prince Edward Island, with the unorganised territories of the North West, have been incorporated in the Union, leaving at the present time but one Colony of the British North American Group (Newfoundland) to be admitted therein to complete the great design of Canadian Confederation. The total estimated area of the Dominion is 3,610,257 square miles, the total estimated population about five millions.

II.—*Constitution.*

The system of Government established in Canada under the Act above cited (which system was unknown in Great Britain or her Colonies until so introduced and applied), is a Federal Union, having a general or central Government controlling all matters essential to the general development, the permanency, and the unity of the whole Dominion, and a number of local or Provincial Governments having the control and management of certain matters naturally and conveniently falling within their defined jurisdiction, while each Government is administered in accordance with the British system of Parliamentary Institutions. By this Act the Imperial Parliament practically gave to the Dominion Parliament the largest possible rights which can be exercised by a colonial dependency of legislating on all matters of importance to the Union generally. The position Canada consequently occupies is that of semi-independent power. The powers vested in the Parliament of Canada are set forth in the 91st Section of the Confederation Act, which provides that the Queen, with the advice and consent of the Senate and House of Commons, may "make laws for the peace, order and good Government of Canada in relation to all matters not coming within the clauses of subjects by this Act assigned exclusively to the Legislatures of the Provinces;" and for greater certainty it is declared that "the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated," that is to say:—

1. The public debt and property.
2. The regulation of trade and commerce.
3. The raising of money by any mode or system of taxation.
4. The borrowing of money on the public credit.
5. Postal service.
6. The census and statistics.
7. Militia, military and naval service and defence.
8. The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
9. Beacons, buoys, lighthouses, and Sable Island.
10. Navigation and shipping.
11. Quarantine and the establishment and maintenance of marine hospitals.
12. Sea coast and inland fisheries.
13. Ferries between a Province and any British or foreign country, or between two Provinces.
14. Currency and coinage.
15. Banking, incorporation of banks, and the issue of paper money.
16. Savings banks.
17. Weights and measures.
18. Bills of exchange and promissory notes.
19. Interest.
20. Legal tender.
21. Bankruptcy and insolvency.
22. Patents of invention and discovery.
23. Copyrights.
24. Indians and lands reserved for the Indians.
25. Naturalization and aliens.
26. Marriage and divorce.
27. Criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.
28. The establishment, maintenance, and management of penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces.

By the 92nd Section the Act defines the powers of the local Legislatures which "in each Province may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say:—

1. The amendment from time to time, notwithstanding anything in this Act, of the constitution of the Province, except as regards the office of Lieutenant Governor.
2. Direct taxation within the Province in order to the raising of a revenue for Provincial purposes.
3. The borrowing of money on the sole credit of the Province.
4. The establishment and tenure of Provincial offices and the appointment and payment of Provincial officers.
5. The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.
6. The establishment, maintenance, and management of public and reformatory prisons in and for the Province.
7. The

CANADA.

7. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the Province, other than marine hospitals.
8. Municipal institutions in the Province.
9. Shop, saloon, tavern, auctioneer, and other licenses, in order to the raising of a revenue for Provincial, local, or municipal purposes.
10. Local works and undertakings other than such as are of the following classes :—
 - (a) Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the Provinces with any other or others of the Provinces, or extending beyond the limits of the Province.
 - (b) Lines of steamships between the Province and any British or foreign country.
 - (c) Such works as, although wholly situated within the province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada, or for the advantage of two or more of the Provinces.
11. The incorporation of companies with Provincial objects.
12. The solemnization of marriage in the Province.
13. Property and civil rights in the Province.
14. The administration of justice in the Province, including constitution, maintenance, and organisation of the Provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in these courts.
15. The imposition of punishment by fine, penalty, or imprisonment, for enforcing any law of the Province made in relation to any matter coming within any of the clauses of subjects enumerated in this section.
16. Generally all matters of a merely local or private nature in the Province.

On the subject of education, the Act provides that while the Legislature of a Province may exclusively make laws on education, nothing herein shall prejudicially affect any of the denominational schools (*i.e.*, separate schools for the religious minorities in several of the Provinces) in existence before July 1867, when the Act came into force. An appeal lies to the Governor General in Council from any act of the Provincial authority affecting any legal right or privilege that the Protestants or Catholic minority enjoyed at the Union. In case the Provincial authorities refuse to act for the due protection of the rights of the minorities, in accordance with the provisions of the constitution, then the Parliament of Canada may provide a remedy for the due execution of the law. It may be stated, that Parliament has not, so far, been called upon to act on this provision. There are certain rights which the Dominion and Local Governments may exercise in common, among which are agriculture and immigration, respecting which the general Parliament may make laws for any or all of the Provinces, and each Legislature may do the same for the Province over which it has jurisdiction, provided that no Provincial Act is repugnant to any Dominion Act. Either the English or French language may be used in the debates in Parliament and in the Legislatures of Québec, Manitoba, and the North West Territories; and both these languages shall be used in the respective records and journals of those Houses, and in the publication of the laws of Québec, Manitoba and the North West Territories; and it may be added that either language may be used in pleadings or processes in the Courts of Canada, and in Québec and Manitoba.

The seat of Government of Canada is fixed at Ottawa, until the Queen otherwise directs.

A.—Executive Power.

The chief executive government and authority in Canada is vested in the Queen, in whom also is vested the chief command of the Militia and of all Naval and Military forces of, or in, Canada. Her Majesty is represented by a Governor General appointed by the Queen in Council, but paid by Canada, whose term of office usually lasts five years. The Governor General's salary is fixed at 10,000*l.* sterling, and forms the third charge on the consolidated revenue of the country. The Governor General is bound by the terms of his commission, and can only exercise such authority as is expressly entrusted to him. He governs under the advice of a Council or Ministry, known as the Privy Council for Canada, which is responsible to Parliament. The Governor General, as the acting head of the executive, summons assemblies, prorogues and dissolves Parliament, and assents to or reserves Bills in the name of her Majesty, but in the discharge of these and other executive duties, acts entirely by and with the advice of his Council; even in matters of Imperial interest affecting Canada he consults with his Council, and submits their views to the authorities in England. The royal prerogative of mercy in capital cases, formerly exercised as in the Governor General's own judgment and responsibility, is now administered as in England.

England, pursuant to the advice of the Ministry. The number of the members of the Privy Council in office varies from 13 to 15, of whom 13 are heads of departments whose functions are regulated by Statute. These are: 1. President of the Privy Council; 2. Minister of Public Works; 3. Minister of Railways and Canals; 4. Minister of Customs; 5. Minister of Militia and Defence; 6. Minister of Agriculture; 7. Minister of Inland Revenue; 8. Secretary of State; 9. Minister of Justice; 10. Minister of Finance; 11. Minister of Marine and Fisheries; 12. Postmaster General; 13. Minister of the Interior and Superintendent General of Indian Affairs. They are paid an annual salary of 7,000 dollars, with an additional 1,000 dollars to the Prime Minister. As the members of the Council occupy office only while they retain the confidence of the Lower Chamber or House of Commons, the majority necessarily sit in that body, though there is always a certain representation (two at the present time) in the Upper Branch or Senate. An administration, when defeated on an appeal to the country, usually retires at once without waiting for the assembling of Parliament. Since confederation came into effect there have been but three Dominion administrations, viz.: 1. The government of Sir John A. Macdonald, formed 1st July 1867, resigned 5th November 1873. 2. The government of the Honourable Alexander Mackenzie; formed 7th November 1873, resigned 16th October 1878. 3. The second government of Sir John A. Macdonald; formed 17th October 1878, which remains in office.

It should be added that the Governor General has authority to appoint a deputy or deputies to whom he may delegate such of his functions and powers as he may deem expedient to assign to such officer or officers.

B.—Legislative Power.

Following the British model as far as circumstances permit, the Parliament of Canada consists of the Queen, an Upper House called the Senate, and a Lower House called the House of Commons. The privileges and immunities of the two Houses are defined by the Parliament of Canada, but must not exceed those enjoyed by the Imperial House of Commons in 1867. The sittings are annual, but may be oftener. Senators are appointed by the Governor General under the Great Seal, upon the recommendation of his Council. They hold office, under certain prescribed conditions, for life, and must be of the full age of 30 years, and have real and personal property worth 4,000 dollars over and above all liabilities. The Senate is at present composed of 80 members, apportioned territorially as follows—Ontario, 24; Quebec, 24; Nova Scotia, 10; New Brunswick, 10; Manitoba, 3; British Columbia, 3; Prince Edward Island, 4; and the North West Territories, 2. The senators from Quebec must reside in their own division, or have their property qualification therein, but while it is required that in the case of other Provinces senators must reside within the Provincial limits, there is no legal necessity that they should live in a particular county or district or have their property qualifications therein. All revenue or money Bills can alone originate in the Commons, and the action of the Senate concerning such measures is confined by usage to their rejection, a rejection justified only by extraordinary circumstances. Divorce Bills originate in the Senate, but this is a matter of convenience to which the Commons agree without objection, since, under the constitution, the Upper House has no special privileges in this respect. During the Session of Parliament the Senate holds a daily sitting, commencing at three p.m., Saturdays excepted, unless otherwise ordered. The proceedings commence with prayers taken from the English Liturgy, and read by the chaplain, a paid official. The Senate is presided over by a Speaker, who must be one of their body, who is appointed by the Governor in Council, by commission under the Great Seal. Fifteen members, including the Speaker, constitute a quorum. Questions are decided by a majority of voices, the Speaker having always a vote, and when the voices are equal, the decision is deemed to be in the negative. Every senator and member of the House of Commons and of the several local Legislatures, must take the Oath of Allegiance before taking his seat. No senator can hold a seat in the House of Commons. The House of Commons, which is elected by the people for a term of five years, enjoys both legislative and executive functions, since, through a committee of its own, it governs the country. At the present time the House of Commons contains 215 members, or about one member for every 22,000 of the population of the Dominion. The representation is re-arranged, after every decennial census, by Act of Parliament, in accordance with the Confederation Act. The Province of Quebec has a fixed number of 65 members, which forms the ratio of representation, on which a decennial re-adjustment is based. Each of the other Provinces is assigned such a number of representatives as will leave the same proportion to the number of its population as the number 65 bears to the population of Quebec, when ascertained by a census.

The Province of Ontario, with nearly two millions of people, is now represented by 92 members; Nova Scotia has 21 members; New Brunswick, 16; Manitoba, 5; British Columbia, 6; Prince Edward Island, 6; and the North West Territories, 4. Previous to 1885 the franchise for the several Provincial Legislatures was the franchise for the House of Commons; but in that year an Electoral Franchise Act was passed

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for the whole Dominion. The franchise, though somewhat complicated in its details, is so broad as practically to be on the border of universal suffrage. Every intelligent industrious man, who is a British subject by birth or naturalisation, and not a convict or a lunatic, or otherwise disqualified by law, is in a position to qualify himself to vote for a member of the Commons. The qualifications of electors are more fully set forth in the accompanying statement:—

Title of Voter.	Occupation of Premises or Residence in the Electoral District.	Value.
REAL PROPERTY FRANCHISE.		
1. Owner - - - - - (a.) In his own right. (b.) In right of wife. (c.) His wife owner.	Ownership prior to or at the date of the revision of the Voters' Lists.	Cities, 300 dollars; towns, 200 dollars; other places, 150 dollars.
2. Occupant - - - - - (a.) In his own right. (b.) In right of wife. (c.) His wife occupant.		
3. Farmer's son - - - - - (a.) Father owner. (b.) Mother owner.	Both occupation and residence for one year next before — (1.) The date of his being placed upon the List of Voters; or (2.) The date of the application for the placing of his name on the List of Voters.	Farm or other real property is equally divided among the father and sons, or (if mother the owner) among the sons, sufficient, according to the above values, to give each a vote.
4. Owner's son : (a.) Father owner. (b.) Mother owner.		
5. Tenant.		
6. Tenant farmer's son - - - (a.) Father tenant. (b.) Mother tenant.		2 dollars monthly, or 6 dollars quarterly, or 12 dollars half-yearly, or 20 dollars yearly.
7. Fisherman (owner) - - -	Prior to or at the date of the revision of the Voters' Lists.	150 dollars, land, boats, fishing tackle, and 150 dollars of improvement.
Indian:		
8. Income franchise - - -	Prior to or at the date of the revision of the Voters' Lists, and on year's residence in Canada.	
9. Income - - - - -		300 dollars a year.
10. Annuitant - - - - -	Residence for one year prior to the revision of the Voters' Lists.	100 dollars a year.

Persons specially disqualified from voting by the Franchise Act, are: 1st, the judges of the various courts; 2nd, revising and returning officers, and election clerks; 3rd, counsel, agents, attorneys, and clerks employed by the candidate either before or during the election, and who have received, or expect to receive, any sum of money, fee, office, place, or employment from any candidate; 4th, Indians outside of the four original provinces of the confederation. Voting in elections, except in the North-West Territories, is by ballot. No property qualification is demanded from a member of the Commons, nor is he limited to a residence in the district for which he is elected.

The laws enacted for the preservation of the independence of Parliament, and the prevention of corrupt practices at elections, are in principle and details practically those in operation in the mother country. Members of the House, when called to the government as heads of departments, must at once resign their seats and be re-elected, though an exchange of office can take place between Ministers after their election under the conditions laid down in the law. All officers of the public service and contractors with the Government are forbidden to sit in Parliament, an exception being made, as in England, of officers in the military service.

Since 1874 the House has given up its jurisdiction over the trial of controverted elections, which previously had been considered by committees. The Courts in the several Provinces are now the tribunals for the trial of all such contested elections. The laws for the prevention of bribery and corruption are strict, and members are frequently unseated for trivial breaches of the law committed by their agents through ignorance or carelessness. The election expenses of candidates must be published by their legal agents after the election. The whole intent of the law is to make elections

elections as economical as possible, and prevent all kinds of corruption. A candidate may be disqualified from sitting in the Commons, or voting, or holding any office in the gift of the Crown for seven years, when he is proved personally guilty of bribery.

The classes of subjects respecting which the Parliament of Canada may exclusively make laws, are set forth in the preceding section of this Report, and, therefore, need not again be enumerated. The fullest discussion is allowed on all questions, and the Houses have never been compelled by obstruction, as in England, to resort to "closure" of debate. As previously stated, either the English or French language may be used in debate. The Standing Committees of the Commons are few in number, and include, 1st. The Committee of Public Accounts. 2nd. The Committee of Agriculture and Colonisation. 3rd. The Committee of Privileges and Elections, and four Committees to which all Private Bills respecting Banking and Commerce, Navigation and Shipping, Railways and Canals, Telephone and Telegraph lines, Bridges, Insurance, and the Incorporation of Companies for other purposes are referred. There are also two Committees on which members from the two Houses sit to consider the printing of documents, and the management of the Library, which are matters of common interest and care. The publication of the Debates of the House of Commons is under the control of a Special Committee of the House. The membership of these bodies varies in number from 26 to over 160 members. The most numerous is the Railway Committee which has 164 members, Agriculture and Colonization, 106; Banking and Commerce, 104, Miscellaneous Private Bills, 75. The Committees are appointed by a Committee of Selection, on which the Government of the day has a majority, and both sides of the House are fully represented.

The House holds daily sittings during the Session of Parliament, commencing at 3 p.m. (Saturdays excepted, unless otherwise ordered), and, as in the Senate, the proceedings commence with prayer, read, alternately in English and French, by the Speaker. The order of business, laid daily on the desk of each member, is divided into Government Orders, Public Bills and Orders, and Private Bills, besides questions put to the Government, and notices of motions, all of which are taken upon particular days, in accordance with the rules of the House. Certain days are set apart for the Government business, and others for private members, but near the close of the Session the Government control every day of the week. The Private Bills, which always outnumber the Public and Government measures, are presented and passed in conformity with special rules, which do not apply to the other classes. The Crown, with the advice of the Privy Council, recommend, all appropriations of public money. All measures of taxation can only be introduced by Ministers of the Crown, and must be shown necessary for the public service. The Speaker of the Commons, who, like the Speaker of the Senate, receives a salary of 4,000 dollars per annum, is elected by the majority at the opening of a new Parliament, and holds office until Parliament is dissolved or he resigns. He presides at all sittings of the House, and in his absence at any time, is replaced by a Deputy Speaker, or Chairman of Committees, who is elected from the members of the House, in like manner to the Speaker, at the commencement of a new Parliament. The latter is also paid an annual salary amounting in his case to 2,000 dollars. The Speaker and four members of the Privy Council sitting in the Commons, compose a Commission, annually appointed, for regulating the internal economy of the House, the Speaker being Chairman of the Board. The direction and control of the Library of Parliament and of its officers, are vested in the two Speakers, assisted during the Session by a Joint Committee appointed by the two Houses. Members of the Commons and the Senate receive a sessional indemnity at the rate of 10 00 dollars per diem if the Session is less than 30 days, and 1,000 dollars a Session if it extends beyond that time, together with an allowance of 10 cents per mile for travelling expenses. Twenty members, including the Speaker, constitute a quorum. Questions arising in the Commons are decided by a majority of voices other than that of the Speaker, and when the voices are equal, but not otherwise, the Speaker shall have a vote.

At the last general election for the House of Commons, held in February 1887, the total number of electors on the voters' lists (excluding the North-West Territories where there were no lists) amounted to 983,599.

C.—Local Legislatures.

The Constitution of the Four Provinces, viz.:—Ontario, Quebec, Nova Scotia, and New Brunswick, which composed the Dominion in 1867, when the Confederation Act was passed, are the same in principle and details, except in the case of Ontario, where there is only one Chamber, a Legislative Assembly. The same may be said of the other Provinces that have been admitted into the Union since the date mentioned. All the provisions of the Confederation Act that applied to the original Provinces, were, as far as possible, made applicable to them, just as if they had formed part of the Union in 1867. Manitoba was given a constitution similar to the other Provinces, and it was expressly provided in terms of the Union with British Columbia, B 2.

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Columbia, that the Government of Canada would consent to the introduction of Responsible Government into that Province, and that the constitution of the Legislature should be amended by making a majority of its members elective.

Immediately after the union with Canada these reforms were carried out, and the Province was replaced on the same footing as all the other Provinces. All the local or Provincial constitutions are now, therefore, practically on an equality so far as the Executive, Legislature, and all essential powers of self-government are concerned; and all of them have the authority, under the fundamental law, to amend their constitutions, except as regards the office of Lieutenant Governor. British Columbia and Manitoba have accordingly availed themselves of their constitutional privileges, and there is now only one House, elected by the people, in those Provinces. In all the Provinces at the present time there is a very complete system of local self-government, administered under the authority of the Confederation Act, and by means of the following machinery:—

1st. A Lieutenant Governor, appointed by the Governor in Council, who holds office during pleasure, and shall not be removable within five years from his appointment, except for cause assigned, which, under the constitution, must be communicated to Parliament. He is, therefore, an officer of the Dominion, as well as the head of the local Executive, and possesses, within his constitutional sphere, all the authority of a Lieutenant Governor before confederation. He acts in accordance with the rules and conventions governing the relations between the Governor-General and his Ministry. He appoints his Executive Council, and is guided by their advice, so long as they retain the confidence of the Legislature. The salaries of Lieutenant Governors, which are paid by the Dominion Treasury, vary from 7,000 dollars, given in the smaller Provinces, to 10,000 dollars, paid in larger and more important Provinces, like Ontario and Quebec. These officers are also appointed by commission under the Great Seal, and on appointment must take the Oath of Allegiance.

2nd. An Executive or advisory Council, responsible to the Legislature, which Council comprises from eight members in the larger Provinces to three in the smaller ones. Their official titles also vary in some cases, but generally there is in every Executive Council an Attorney General, a Provincial Secretary, and a Commissioner of Crown Lands. In the Ontario Government there is a Minister of Education, constituted in view of that branch of the local public service being of exceptional importance in that Province. All the members of the Executive Council who hold departmental and salaried offices must vacate their seats in the Legislature and be re-elected, as in the Dominion Ministry. The principle of ministerial responsibility to the Lieutenant Governor and to the Legislature is observed in the fullest sense.

3rd. A Legislature consisting of an elective House in all cases, with the addition of an Upper Chamber appointed by the Crown in three Provinces, viz., Quebec, Nova Scotia, and New Brunswick, and elected by the people in one, viz., Prince Edward Island. The Legislatures have a duration of four years (in Quebec five), unless sooner dissolved by the Lieutenant Governor. They are governed by the constitutional principles which obtain in the general Government at Ottawa. The Lieutenant Governor opens and prorogues the Assembly, as in Ontario, Manitoba, and British Columbia, or the Assembly and Legislative Council in the other Provinces, with the usual formality of a speech. A Speaker is elected by the majority in each Assembly, or is appointed by the Crown in the Upper Chamber. The rules and usages which govern their proceedings do not differ in any material respect from the procedure in the Dominion Parliament. The rules respecting Private Bill legislation are also equally restrictive. The same provisions of law apply to the Speakership of the Assemblies as obtain respecting the Speakership of the House of Commons. The Legislatures of Ontario and Quebec, like the Dominion Parliament, must sit once every 12 months, but, apart from the existing usage, that supply has to be voted every 12 months, the Act demands an annual session. The number of members varies from 91 in the Legislature of Ontario to 27 in British Columbia. Members of the Legislative Council, where they exist, have property qualifications, except in Prince Edward Island; but the members of the Assemblies need only be citizens of Canada, and of the age of 21 years. They are elected in Ontario on a franchise which is manhood suffrage, qualified only by residence and citizenship, and the conditions of the suffrage are hardly less liberal in nearly all the Provinces, and vary little from each other, the Province of Quebec imposing, in a few particulars, the most restrictions, and showing an indisposition to adopt universal suffrage. Members are paid an indemnity, which varies from 800 dollars in Quebec to 172 dollars in Prince Edward Island, with a small mileage rate in most cases, to pay travelling expenses. The laws providing for the independence of the Legislatures, and for the prevention of bribery and corruption, are fully as strict as those which are in force for Dominion elections. In all cases the courts are the tribunals for the trial of controverted elections. Dual representation is illegal, except in the case of the Quebec Legislative Council, where a member may also hold a seat

in the Senate. Touching the question of disallowance, it may be briefly stated that the Confederation Act gives the Lieutenant-Governor, as well as the Governor General, the power to "reserve," and also to "veto," a Bill when it comes before him. The classes of subjects respecting which local Legislatures may make laws are set forth in another part of this report. As regards the revenues of the Provinces, they are largely derived from certain annual subsidies receivable from the general Government. The Dominion at the Union assumed the debts of the several Provinces, agreeing at the same time to pay them an annual subsidy, equal to 80 cents per head of the population of the first four Provinces, as ascertained by the census of 1861, except in the case of New Brunswick and Nova Scotia, where it was arranged that the subsidy should increase each decennial census until the population in each case reached 400,000. Besides this subsidy, there is given to each Province an annual allowance for Government, and also an annual allowance of interest on the amount of the debt allowed, where the Province has not reached the limit of the authorised debt.

Under this arrangement there is now paid annually to the Provinces in subsidies a total sum of 4,169,341 dollars. The Provinces also retain possession of the lands belonging to them before entering the Union. Manitoba, having no public lands at the time of its creation as a Province, has since received a gift of swamp lands from the general Government. The great North West Territories, owing to their anomalous condition, occupy a position by themselves under this division. Previous to 1888, the Territories were governed by a Lieutenant Governor and Council, partly nominated by the Governor General in Council, and partly elected by the people. In that year legislation was had granting the Territories a Legislative Assembly of 22 members, but without Responsible Government. The Lieutenant Governor, who is appointed by the Dominion authority for four years, has, however, the right of choosing from the Assembly four members to act as an advisory Council in matters of finance. Three of the Judges of the Territories sit in the Assembly as legal experts to give their opinion on legal and constitutional questions as they arise, but while they may take part in the debates they cannot vote. The Assembly has a duration of three years, and is called together at such time as the Lieutenant Governor appoints. It elects its own Speaker, and is governed by rules and usages similar to those that prevail in the Assemblies of the Provinces. Each member receives 500 dollars, the legal experts 250 dollars a Session, besides an allowance for travelling expenses. The Dominion Treasury provides nearly all the funds necessary for carrying on the government and for other necessary expenses. The elections are by open voting; the electors must be *bonâ fide* male residents and householders of adult age, who are not aliens or unenfranchised Indians, and who have resided within the district where they live for 12 months before the election. The civil and criminal laws of England are in force in the Territories, so far as they can be made applicable, and the Lieutenant Governor and Assembly have such powers to make Ordinances for the government of the North West as the Governor General in Council confers upon them, but their powers cannot at any time exceed those conferred by the Confederation Act upon the Provincial Legislatures. There is a Supreme Court of the North West Territories, composed of five judges appointed, like all other members of the judiciary, by the Dominion Government, and removable upon the address of Parliament. As previously indicated, the Territories are represented in the Senate by two Senators, and in the Commons by four members, who vote and have all the other privileges of the representatives of the Provinces. It may be added that there are in Manitoba and the Territories some 45,000 Indians who are the wards of the Canadian Government. As regards the total number of electors on the several Provincial Voters' Lists, it is to be regretted that but three of these Provinces have furnished the information on this head desired by the Imperial House of Commons, viz., Ontario, which gives an estimated number of half-a-million, and Quebec and British Columbia, whose numbers are 249,519 and 8,163, respectively. In the other Provinces, and in the Territories, only the total number of votes polled at the last general election can be given: Nova Scotia, 112,773; New Brunswick, 118,152; Manitoba, 24,527; Prince Edward Island, 23,746; the Territories, 10,384.

4th. A Provincial Judiciary, which is treated of separately elsewhere, in the section devoted exclusively to the Judiciary.

5th. A Civil Service, with officers appointed by the Provincial Government, holding office, as a rule, during pleasure, and not removable for political reasons.

6th. A municipal system, whose organization comprises in Ontario, where the system is to be found in its most complete and symmetrical form—(1) Townships, or rural districts of 8 or 10 square miles, with a population of 3 to 6,000, administered by a Reeve and 4 Councillors; (2) Villages with a population of 750, governed like the township; (3) Towns with a population of over 2,000, governed by a Mayor and 3 Councillors for each ward if there are less than 5 wards, and 2 Councillors if more than 5. The Reeves, Deputy Reeves, Mayors, and Councillors are all elected annually by the ratepayers. Above these stands the County Municipality, consisting of

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the Reeves and Deputy Reeves of the townships, villages, and towns within the county; one of these, who presides, being called the "Warden" of the County. Alongside the county stands the city, with a population of over 15,000, governed by a municipal body of Mayor and three Aldermen for every ward, with powers and functions akin to those of counties and towns combined. The Councils have power to levy rates, create debts, promote agriculture, trade or manufactures, or railways, and powers relating to drainage, roads, paupers, cemeteries, public schools, free libraries, markets, fire companies, preservation of the peace, and for all other objects falling within the legitimate scope of local municipal requirements. The exemptions from taxation comprises all Government and public property, places of worship, and lands connected therewith, and a great number of buildings occupied by scientific, educational, and charitable institutions. The official incomes of the Judiciary and of all Dominion officials in Ontario are also exempt from taxation.

D.—Judiciary.

By Act of Confederation it is provided that the Governor General shall appoint the judges of the superior, district, and county courts, except those of the courts of probate in Nova Scotia and New Brunswick, and that their salaries, allowances, and pensions, shall be fixed and provided by the Dominion Parliament. It is also provided that the judges of the courts of Quebec shall be selected from the bar of that Province; and there is a similar provision for the selection of the judges in Ontario, Nova Scotia, and New Brunswick, until the laws relative to property and civil rights and the procedure of the courts in those Provinces are made uniform. The administration of justice in each Province, including the constitution, maintenance, and organisation of Provincial courts, both of civil and criminal jurisdiction, and also including procedure in civil matters in those courts, is left to the Local Government. The highest court in the country is known as the Supreme Court of Canada. It was constituted in 1875, in accordance with the 101st section of the Confederation Act, which provides "for the constitution, maintenance, and organisation of a general Court of Appeal for Canada." This court has an appellate, civil, and criminal jurisdiction in and throughout Canada. It has also an appellate jurisdiction in cases of controverted elections, and may examine and report upon any private Bill or petition for the same.

"The Governor in Council may refer any matter to the Supreme Court for an opinion which he deems advisable in the public interest. It has also jurisdiction in cases of controversies between the Dominion and the Provinces, and between the Provinces themselves, on condition that the legislature of a Province shall pass an Act agreeing to such jurisdiction. Either House of Parliament may also refer to the court any private Bill for its report thereon. The court is presided over by a Chief Justice, and five puisne judges, two of whom at least must be appointed from the bench or bar of the Province of Quebec, and all of whom must reside at or within five miles of the City of Ottawa, where the court holds its sittings three times a year, viz., in February, May, and October. From the decisions of the Supreme Court an appeal always lies, except in criminal cases, to the Judicial Committee of the Privy Council. There is also an Exchequer Court for Canada, presided over by a judge, taken from any of the Provinces, who must reside at Ottawa, or within five miles thereof. The court has exclusive original jurisdiction in all cases in which demand is made, or relief sought, in any matter which might in England be the subject of a suit or action against the Crown, and in all cases in which the land, goods, or money of the subject are in the possession of the Crown, or in which the claim arises out of a contract entered into by or on behalf of the Crown. It also possesses exclusive original jurisdiction in the matter of various other claims against the Crown. It has concurrent original jurisdiction in Canada, in all cases relating to the revenue in which it is sought to enforce any law of Canada, including actions, suits, and proceedings to enforce penalties, and proceedings in all cases in which it is sought, at the instance of the Attorney General of Canada, to impeach or annul any patent of invention, or any patent, lease, or other instrument respecting lands, in all cases in which demand is made, or relief sought, against any officer of the Crown, for anything done, or omitted to be done, in the performance of his duty as such officer; in all other actions and suits of a civil nature at common law or equity in which the Crown is plaintiff or petitioner. The court may sit at any time or at any place in Canada. As regards the Provincial courts, it may be said that, so far as circumstances have permitted, the changes in the organisation and procedure of the English courts have been followed in the English-speaking Provinces, and this is especially true of Ontario, where the Judicature Act is modelled upon that of England, and provides for a Supreme Court of Judicature, consisting of two permanent divisions, called respectively, the High Court of Justice for Ontario, and the Court of Appeal for Ontario. The first division is again divided into three parts, Queen's Bench, Chancery, and Common Pleas. In Ontario, as in the other English Provinces, the recent practice of England has been followed, and though the title of Chancellor, or Judge in Equity, still exists in some courts, there is a fusion of law and equity. The law

law provides every legitimate facility for appeals from any inferior court in a Province, and causes may be taken immediately to the Privy Council in England, or as generally happens, to the Supreme Court of Canada, at Ottawa, previously to going before the court of the last resort for the Empire at large. The Criminal Law of England prevails in all the Provinces. The Roman or French Civil Law exists in Quebec, but in the other Provinces the Common Law of England forms the basis of their jurisprudence in the latter department.

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— No. 3. —

MEMORANDUM.

The present constitution of Labuan is defined by Her Majesty's Letters Patent and Royal Instructions of 6th November 1889.

LABUAN.

There is no Executive or Legislative Council, but the Governor by himself exercises all the functions of government and legislation. Power is reserved to legislate by Imperial Act, or by Order of Her Majesty in Council.

Colonial Office, 15 May 1890.

COLONIES
(REPRESENTATIVE ASSEMBLIES).

RETURN showing the CONSTITUTION of the
EXECUTIVE in each COLONY, and in the case of
COLONIES having REPRESENTATIVE ASSEMBLIES
the CONSTITUTION of those ASSEMBLIES, the Num-
ber of MEMBERS, the Number of ELECTORS, and
the QUALIFICATIONS requisite for MEMBERS and
for ELECTORS.

(Mr. Francis Stevenson.)

Ordered, by The House of Commons, to be Printed,
3 June 1890.

[Price 2 d.]

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Under 2 oz.

COLONIES (REPRESENTATIVE INSTITUTIONS).

RETURN to an Address of the Honourable The House of Commons,
dated 7 March 1905 ;—for,

“ RETURN showing the methods in each case by which Representative Institutions
have been conferred upon British Colonies since the Accession of the late
Queen Victoria ” :—

Name of Colony.	Date and Method of Incorporation into British Empire.	Date and Method of Conferment of Representative Institutions.	Population, Revenue, and Area at time of Conferment of Representative Institutions.

Colonial Office, }
2 May 1905. }

M. F. OMMANNEY.

(*Dr. Macnamara.*)

Ordered, by The House of Commons, to be Printed,
2 May 1905.

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COLONIES (REPRESENTATIVE INSTITUTIONS).

Return showing the methods in each case by which Representative Institutions have been conferred upon British Colonies since the Accession of the late Queen Victoria:—

Name of Colony.	Date and Method of Incorporation into British Empire.	Date and Method of Conferment of Representative Institutions.	Population, Revenue, and Area at time of Conferment of Representative Institutions.		
			Population.	Revenue.	Area.
				£	Square Miles.
Canada -	Conquest 1759. Cession by Treaty of Paris, 1763.	1867 Act to re-unite the Provinces of Upper and Lower Canada, 3 & 4 Vict. c. 35, 1840; and British North America Act, 30 & 31 Vict. c. 3, 1867.*	3,879,812 (1868 estimate)	2,851,652 Year ended 30 June 1868.	350,188
Manitoba -	Included in the Dominion of Canada. Created a separate Province by Canada Act, 33 Vict. c. 3, 1870.	1870. Representative Institutions conferred by Canadian Act, 33 Vict. c. 3, confirmed by Imperial Act, 34 & 35 Vict. c. 28.	12,228 (1871)	—	13,969
British Columbia	Included in the Dominion of Canada. Admitted into the Dominion of Canada by Order in Council, 16 May 1871, issued under the British North America Act, 1867.	1870. Partially Elective Legislative Council (nine elective and six non-elective members) by Order in Council of 9 August 1870, issued under Imperial Act, 33 & 34 Vict. c. 66. 1871 Wholly Elective Legislative Assembly. The British Columbia Constitution Act, 1871, 34 Vict. No. 3.	33,586 (Estimate, excluding Indians)	102,990	372,830
Vancouver Island	Included in the Dominion of Canada. Confirmed as a British Possession by the Oregon Boundary Treaty of 15 June 1846.	1849. Governor empowered to summon an Elective Assembly, by Letters Patent, 16 July 1849. United to British Columbia 1866, by Imperial Act, 29 & 30 Vict. c. 67.	23,000 (1861)	14,678 (1859)	13,000
North West Territories.	Included in the Dominion of Canada. Charter granted to Hudson's Bay Company in 1670. Admitted into the Dominion of Canada by Order in Council, 23 June 1870.	1875. Partially Elective Council established by Canadian Act, 38 Vict. c. 49. 1888. Elective Legislative Assembly without Responsible Government. Canadian Act, 51 Vict. c. 19	60,500 (Estimate 1871) 98,967 (1891)	— £16,530	2,650,000 2,647,730
Newfoundland -	Possession taken 1583. Exclusive sovereignty ceded to Great Britain by 13th Article of Treaty of Utrecht, 1713; confirmed by Treaty of Paris, 1763, and Treaty of Versailles, 1763.	1855. Responsible Government Newfoundland Act, 18 Vict. c. 3, assented to by Order in Council, 2 March 1855. Separate Executive Council established by Letters Patent, 4 May 1855.†	122,638 (1857)	126,449	42,734
Commonwealth of Australia.	—	1900. Imperial Act, 63 & 64 Vict. c. 12, provided for the union of the Australian Colonies into a Federal Commonwealth, and the establishment of a Commonwealth Parliament. Order in Council, 17 September 1900, fixing 1 January 1901 as date of commencement of Commonwealth.	3,775,021	11,296,985 (1901-2)	2,972,906

* Upper and Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island first received Representative Institutions before the commencement of the late Queen's reign.

† Representative Institutions first granted in 1832. See Commission and Instructions to Governor Sir T. J. Cochrane, dated 27 July 1832.

COLONIES (REPRESENTATIVE INSTITUTIONS).

Name of Colony.	Date and Method of Incorporation into British Empire.	Date and Method of Conferment of Representative Institutions.	Population, Revenue, and Area at time of Conferment of Representative Institutions.		
			Population.	Revenue.	Area.
				£	Sq. Miles.
New South Wales	Settlement, 1788 - -	1843. Partially Elective Legislative Council (twelve nominated and twenty-four elected members). Imperial Act, 5 & 6 Vict. c. 76. Act proclaimed and took effect, 5 January 1843.	165,541	350,891	—
		1855. Responsible Government. Imperial Act, 18 & 19 Vict. c. 54.	277,579	800,989	321,579
Victoria - -	Separated from New South Wales, 1851, and erected into a separate colony under 13 & 14 Vict. c. 59.	1851. Partially Elective Legislative Council. Imperial Act, 13 & 14 Vict. c. 59.	148,627 (Estimate, 1852) Excluding aborigines.	379,975	86,831
		1855. Responsible Government. Imperial Act, 18 & 19 Vict. c. 55.	319,379	4,962,333	87,884
Queensland -	Separated from New South Wales, and erected into a separate colony, 1859.	1859. Responsible Government. Letters Patent and Order in Council, both dated 6 June 1859, under the provisions of Imperial Act, 18 & 19 Vict. c. 54.	28,887	178,589 (1860)	668,497
South Australia -	Settlement, 1836. Erected into a British Province under the provisions of 4 & 5 Will IV c 95 (1834) by Letters Patent of 19 February 1836	1851. Partially Elective Legislative Council (8 nominated and 16 elected members). Local Act 1 of 1851 under provisions of Imperial Act, 13 & 14 Vict. c. 59.	66,538	234,248	312,469 (Estimate)
		1856. Responsible Government. Local Act, No 2, 1855-6, under provisions of Imperial Act, 13 & 14 Vict. c 59. Act proclaimed 25 October 1856.	104,708	748,291	ditto.
Tasmania - -	Settlement, 1803. Declared independent of New South Wales, 3 December 1825.	1851. Partially Elective Legislative Council (eight nominated and sixteen elected members). Tasmanian Act, 15 Vict., No. 1, under the provisions of Imperial Act, 13 & 14 Vict. c. 59.	68,609	140,282 Excluding Land Revenue.	26,215
		1856. Responsible Government. Tasmanian Act, 18 Vict., No 17, under the provisions of Imperial Act, 13 & 14 Vict. c. 59., assented to by Order in Council 1 May 1855. Act published, 24 October 1855.	31,492 (1857)	415,913 Including Land Revenue.	ditto
Western Australia	Settlement, 1829 - -	1870. Partially Elective Legislative Council (six nominated and twelve elected members). Western Australia Act, 33 Vict., No. 13, under authority of Imperial Act, 13 & 14 Vict. c. 59.	24,785 Excluding aborigines.	98,132	975,920
		1890. Responsible Government. Imperial Act, 53 & 54 Vict. c. 26.	46,290 (Estimate)	414,314	ditto
New Zealand -	Settlement and Cession under Treaty of Waitangi, 6 February 1840.	1852. Responsible Government. Imperial Act, 15 & 16 Vict. c. 72. Act proclaimed 17 January 1853.*†	26,656 (White 1851)	81,539 (1851)	104,471
Fiji - -	Cession, 1st October 1874	1904. Partially Elective Legislative Council (ten official, six elected and two native members). Letters Patent, 21 March 1904.	121,074 (Estimate 1903)	£ 138,167 (1903)	7,435

* During the first session of the General Assembly, the Members of the Executive were not responsible to Parliament. The first Ministers under a system of Responsible Government were appointed in 1856.

† By 9 & 10 Vict. c. 103, power was given to Her Majesty by Letters Patent to establish Legislative Assemblies in both Provinces, and also a General Assembly, but this arrangement was suspended for five years by 11 Vict. c. 5., and was never carried out.

Name of Colony.	Date and Method of Incorporation into British Empire.	Date and Method of Conferment of Representative Institutions	Population, Revenue, and Area at time of Conferment of Representative Institutions		
			Population.	Revenue.	Area.
Cape of Good Hope.	Conquest, 1806. Cession by Convention of London, 13 August 1814.	1850. Representative Government, authorised by Letters Patent, 23 May 1850. Cape Act, No. 2 of 1852, assented to by Order in Council, 11 March 1853, and took effect 1 May 1853.	80,359 (White 1852)	£ 245,785	Sq Miles. 118,256 (Estimated 1852)
		1872. Responsible Government Cape Act 1 of 1872; assented to by Order in Council, 9 August 1872.	236,783 (White)	1,047,748	200,610
Natal	Annexation to Cape, by Letters Patent, 31 May 1844. Separate government established by Letters Patent of 30 April 1845. Erected into a separate Colony by Charter of 15 July 1856.	1856 Partially Elective Legislative Council (twelve elective and four non-elective members). Charter, 15 July 1856.	8,112 (White 1857)	36,097	14,397 (1862)
		1893. Responsible Government Natal Act 14, 1893; assented to by Order in Council, 26 June 1893	46,788 (Europeans) 1891	1,069,678	18,750
Malta	Conquest, 1800. Ceded to Great Britain by Treaty of Paris, 1814.	1849. Partially Elective Council of Government (nine nominated, eight elected members). Letters Patent, 11 May 1849.	139,733	126,298	122 (including Gozo)
Mauritius	Conquest, 1810. Ceded to Great Britain by Treaty of Paris, 1814.	1885. Partially Elective Council of Government (eight ex-officio, nine nominated, and ten elected members). Letters Patent, 16 September 1885.	370,404	730,923	705
Jamaica	Conquest, 1655. Possession confirmed to Great Britain by Treaty of Madrid, 1670.	1661. Representative Council established 1661. Representative Institutions surrendered, 1866.	18,068 (1673)	—	4,207
		1884. Partially Elective Legislative Council (three ex-officio, five nominated, and nine elected members) established by Order in Council, 19 May 1884.	592,000	561,287	ditto

COLONIES
(REPRESENTATIVE INSTITUTIONS).

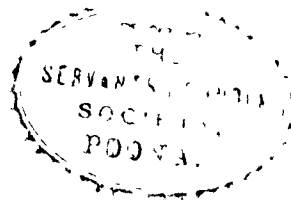
RETURN showing the METHODS in each case by
which REPRESENTATIVE INSTITUTIONS have
been conferred upon BRITISH COLONIES since the
ACCESSION of the late QUEEN VICTORIA.

(*Dr. Macnamara.*)

Ordered, by The House of Commons. to be Printed,
2 May 1905.

[*Price 1d.*]

CEYLON.



\$ 2314

RETURN

To an Address of the House of Lords, dated 30th July 1906.

FOR

CORRESPONDENCE BETWEEN THE COLONIAL OFFICE AND THE
GOVERNOR OF CEYLON ON THE SUBJECT OF IRRIGATION WORKS
IN THAT ISLAND.

Colonial Office, }
October 1906. }

M. F. OMMANNEY.

(The Lord Stanmore.)

Ordered to be printed 23rd October 1906.

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D6

CEYLON.

Correspondence between the Colonial Office and the Governor of Ceylon on the subject of Irrigation Works in that Island.

No. 1.

THE SECRETARY OF STATE to the GOVERNOR.

(EXTRACT.)

Downing Street.

December 30, 1904.

6. In your address to the Council you deal with the question of the Irrigation Policy of the Government. You state that the Government, "before according its continued approval of the policy hitherto pursued, must be satisfied that the Colony will secure a remunerative return to the large amount of capital invested, or at least that the works should when completed succeed in conferring the benefits for which they were designed. From cases that have come before me during the past twelve months I have had grave reason to doubt whether either of these ends are being attained." I should be obliged if you would favour me with a further report upon this question, as a large expenditure upon irrigation from loan sources is proposed for the next three years; and, like my predecessor, I attach the greatest importance to effectively carrying out a continuous policy of restoring the tanks and canals of Ceylon.

No. 2.

THE GOVERNOR to the SECRETARY OF STATE.

(Received March 11, 1905.)

The King's Pavilion,

Kandy, Ceylon,

February 16, 1905.

SIR,

I HAVE had occasion to remark since my assumption of the duty of Governor of this Colony on the fact that the expenditure on irrigation has not been in all cases well directed, and to observe that that expenditure does not appear to me to have produced results commensurate with its amount and with the zeal and energy with which it has been directed.

2. You have requested me in a recent despatch to prepare a general report on the subject, and this is being done. The collection of the facts and figures will necessarily take some time.

3. I am, however, in the meantime, most anxious that the policy of extending the benefits of irrigation, where this can economically and skilfully be done, should not be hampered or set back, but I feel myself impeded in this task by the existence of administrative machinery which is unsuited to the task of aiding me in this duty.

4. Sir Arthur Gordon, whose devotion to the interests of irrigation is well known, desired when he was Governor of the Colony to create a Department of Irrigation, but being prevented by lack of funds from taking this course, planned and brought into operation a scheme of administration and development under the direction of a Central Board and Provincial Boards.

Sir West Ridgeway found and reported that this scheme had worked badly, and having the means at his disposal, created, with the sanction of the Secretary of State, a Department of Irrigation, abolishing the Provincial

Boards, but retaining, for reasons which he has not left on record, the Central Board.

5. When I came to Ceylon, I found that papers dealing with the question of irrigation, some of them touching upon matters of great local importance, and many involving orders as to the expenditure of large sums of money, came to me direct, and that the Colonial Secretary was not a member of the Board and knew nothing whatever about its proceedings. The form which these papers ordinarily took was that of a report and recommendation in respect of a proposed or existing irrigation work by the Director of Irrigation, accompanied by a sheet of paper on which there was a column of the initials of the members of the Board. I enclose, for your perusal, a specimen of such a sheet,* on which the President of the Board had directed the expenditure of Rs.450,000.

6. I do not wish to be understood as taking exception to the particular order, or as animadverting upon the action of the President who made it. He had been some time in the Colony, and had a right to rely on his personal experience of an officer with whom he was well acquainted. But I felt that, in dealing with a subject of moment, and with orders for the expenditure of public money, I was entitled to the assistance of my regular official advisers, and I therefore took the step of appointing the Colonial Secretary to be a member of the Board.

7. Mr. Ashmore has had under his notice various projects now in hand, and some recently completed, and still awaiting development, and has submitted to me the enclosed minute* on the management by the Central Board of its duty of administration, and has recommended that the Board be abolished, and that the work of dealing with irrigation be left to the ordinary course of Government business. I placed this recommendation before the Executive Council, who have expressed their unanimous concurrence, and I have the honour to request that I may have your authority to carry it into effect.

8. My own opinion may be briefly summarised thus: I think the Central Board, with its satellites, the Provincial Boards, was initiated by Sir Arthur Gordon in default of the better scheme of a regular department, for which he expressed his preference; that it failed as an adequate substitute; that Sir West Ridgeway acted wisely in creating the Irrigation Department and sweeping away the Provincial Boards, although his action in preserving the Central Board is unexplained and to me incomprehensible; that the Central Board is useless as an advisory body, and injurious as tending to minimise the responsibility to Government of the Director of Irrigation; and that the best chance of maintaining and extending the usefulness of the Department is to place it in the same position as other Government Departments, under the direct control of the Governor acting through the Colonial Secretary.

I have, &c.

HENRY A. BLAKE,
Governor, &c.

No. 3.

THE SECRETARY OF STATE to the GOVERNOR.

Downing Street,
March 24, 1905.

SIR,

I HAVE the honour to acknowledge the receipt of your despatch of the 16th of February,† reporting on the present system under which the construction of irrigation works is carried out.

2. In view of the facts which you have laid before me I entirely approve your proposal to abolish the Central Board and to provide for the work of irrigation in the manner stated in the seventh paragraph of your despatch.

I have, &c.

ALFRED LYTTTELTON.

* Not printed.

† No. 2.

No. 4.

THE GOVERNOR to the SECRETARY OF STATE.
(Received September 25, 1905.)

The Queen's House,
Colombo, Ceylon,
September 7, 1905.

Sir,

WITH reference to paragraph 6 of your despatch of the 30th December, 1904,* I have the honour to forward, for your information, a Report† on Irrigation in Ceylon, prepared, at my request, by my private secretary, Sir John Keane, Bart., who has dealt with the whole question with a thoroughness that deserves my warmest acknowledgment.

2. I considered the close examination necessary in consequence of the apparently unsatisfactory financial results of the irrigation policy with its various changes during the past sixty years. These changes, with the results, are fully set forth in the Report and the various appendices, which have been prepared with great care, and after reference to every available source of information.

3. It will be seen from the Returns in Appendix B that the total expenditure on irrigation since 1870 has been Rs.12,535,804, and the total recoveries from all sources Rs.993,954. The loss under the head of Maintenance of the large works specified in the Report amounts to Rs.740,385, the loss in 1903 being Rs.30,714. No account has been taken of a further sum of Rs.3,600,000, that has been expended on uncompleted, or just recently completed, works from which no return could yet be expected.

4. In considering the financial aspect of this large expenditure, it must be remembered that there are vast areas of irrigable land still unsold that may fairly be counted as an asset against the total amount expended.

5. There are also indirect benefits, the value of which to the community is immense. I find at page 15 a statement showing the decrease in the scourge of *parangi*, a disease that in some forms resembles leprosy, and which is generally assumed to be produced or intensified by bad food and water. From 1881 to 1890, the average number of deaths per annum was 662; while from 1891 to 1900 the number fell to 187. Again, the average annual expenditure on relief works from 1870 to 1894 was Rs.12,156, while from 1894 to 1904 the average expenditure was Rs. 132·09 cts. Many other facts shown in the report bear witness to the inestimable advantages that have accrued from irrigation; but an examination of all the circumstances creates a strong presumption that with a better system these advantages might have been secured at much less cost and with greatly increased efficiency in the restoration and maintenance of irrigation works.

6. The history of the administrative machinery from the beginning is shown at page 26 and following pages. On my assumption of the Government, I found that the Central Board of Irrigation was not in the habit of meeting, and minute papers came up to me as President with apparently a minimum of discussion. The Colonial Secretary was not a member of the Board, and knew nothing of its proceedings. I appointed the Colonial Secretary as a member of the Board, and directed that all irrigation papers should come to me through him, so that he should become acquainted with the working of the irrigation system. After a time, I became satisfied that the system was cumbrous, inefficient for purposes of control, and inexpedient as relieving the Director of Irrigation from a responsibility that should rest upon him. The system I propose to modify by an Ordinance now under consideration.

7. The question of surveys, dealt with at page 32, is of cardinal importance. It is not possible that reliable data on which to base a forecast of probable results, or a specification necessary for the assessment of water and maintenance rates, can be obtained without a proper survey, for which purpose it may be necessary to give additional strength to the Survey Branch of the Irrigation Department.

* No. 1.

† COLONIAL OFFICE NOTE.—The Report is not reprinted. A copy has been placed in the Library of the House of Lords.

8. It will not, I fear, be possible to prepare reliable specifications until surveys have been made of all irrigable areas. As, however, a considerable period must elapse before such surveys can be completed, I shall, in the meantime, consider how best to improve the methods by which these specifications are at present prepared, and steps will be taken to make the audit control over irrigation recoveries as effective as possible.

9. The remarks on control and distribution of water indicate the direction in which improvement in the present system may be effected. An irrigation scheme once decided upon, the carrying out of its details and the control of the water ought to form part of the duties of the Irrigation Department, for the due performance of which the Director of Irrigation should be held responsible. In irrigation, as in other matters, divided control has been, and is, the most serious bar to efficiency. The difficulty of obtaining qualified irrigation inspectors will, I hope, be surmounted by the work of the Technical College.

10. I also propose to place all minor works under the exclusive control of the Director of Irrigation. To effect this, it will be necessary to considerably strengthen the Irrigation Department, and I shall shortly make definite proposals to you in this connection.

11. On the whole, while there have been misconceptions, mistakes, and, in some cases, extravagance, I consider that the irrigation expenditure has been justified by the general amelioration of the condition of the people, and by the decrease in the expenditure on relief works in the districts affected by irrigation works, though the financial result is unsatisfactory. I propose that no further work of magnitude shall be undertaken until the works under construction are completed, including the necessary connection between tanks at present treated as isolated, but which form part of a general system, the interdependence of each portion of which has not been fully appreciated, and that works on village tanks shall be pushed forward to completion as rapidly as possible.

12. As shown by Sir John Keane's report, there are large areas of irrigable land now available under the large works in the North-Central Province. I do not expect that villagers will migrate to these areas to any extent, but it is not improbable that they may be taken up by capitalists for cultivation of rubber, cotton, or cocoanuts, should it be found that the soil is suitable for such cultivation. It is my intention to have the necessary analyses made of the soils of these areas.

I have, &c.

HENRY A. BLAKE,
Governor, &c.

No. 5.

THE SECRETARY OF STATE to the ACTING GOVERNOR.

SIR,

Downing Street,
November 16, 1905.

I HAVE the honour to acknowledge the receipt of Sir H. A. Blake's despatch of the 7th of September² forwarding a report on irrigation in Ceylon prepared by Sir J. Keane.

2. I am obliged to Sir Henry Blake for furnishing me with this full and careful report, which I have read with much interest, and I have expressed my thanks to Sir J. Keane for his services in the matter. I agree generally in the views which are expressed in the despatch as to the future conduct of irrigation work, and I will await the Governor's further proposals.

I have, &c.

ALFRED LYTTTELTON.

No. 6.

THE GOVERNOR to the SECRETARY OF STATE.
(Received April 30, 1906.)

The King's Pavilion,
Kandy, Ceylon,

April 5, 1906.

MY LORD,

I HAVE the honour to transmit to you, for the signification of His Majesty's pleasure,* an authenticated transcript, in duplicate, of an Ordinance passed by the Legislative Council, and assented to by me, No. 16 of 1906, intituled "An Ordinance to consolidate and amend the Law relating to Irrigation Works and to the cultivation of Irrigable Lands in this Island."

2. I enclose a statement† by the Attorney-General to the effect that the Royal Assent may properly be given to the Ordinance.

3. The object and provisions of the Ordinance are explained in the enclosed copy of a report by the Attorney-General.

I have, &c.

HENRY A. BLAKE,
Governor, &c.

Enclosure 1 in No. 6.

ORDINANCE enacted by the GOVERNOR of CEYLON, with the advice and consent of the LEGISLATIVE COUNCIL.

No. 16 of 1906.

An Ordinance to consolidate and amend the Law relating to Irrigation Works and to the Cultivation of Irrigable Lands in this Island.

HENRY A. BLAKE.

WHEREAS it is expedient to consolidate and amend the Ordinances relating to Irrigation Works and to the Cultivation of Paddy Lands and of other Irrigable Lands in this Island: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows: Preamble.

1. This Ordinance may be cited as "The Irrigation Ordinance, 1906," and shall come into operation at such date as the Governor shall by Proclamation in the *Government Gazette* appoint. Short title.

2. There shall be repealed, as from the commencement of this Ordinance, the Ordinances specified in schedule I. to this Ordinance to the extent in the third column of that schedule mentioned. Repeal.

Provided that—

- (a) Any district already constituted an irrigation district or declared an irrigated district under "The Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, and any district for which rules have already been framed by the Government Agent under section 10 of "The Paddy Cultivation Ordinance, 1867," shall be deemed to have been duly constituted irrigation districts under this Ordinance; and
- (b) Any rule now in force made under the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall continue in force until otherwise provided; and
- (c) Any headman or other officer, village council or committee elected, appointed, or established under the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall continue and be deemed to have been duly elected, appointed, and established under this Ordinance; and
- (d) All rates, subscriptions, contributions, charges, and assessments established, leviable, or made under the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall not be in any wise prejudicially affected by reason of the passing of this Ordinance, but may be enforced, levied, or given effect to as fully and effectually as if they had been established, authorized, or made under this Ordinance; and

* The Ordinance was sanctioned by despatch from the Secretary of State of the 18th July, 1906.

† Not printed.

(e) Any specification, plan, estimate, or report prepared or made in pursuance of any of the provisions of the said "Irrigation and Paddy Cultivation Ordinance, 1889," or under any Ordinance by the said Ordinance repealed, shall be deemed to have been duly prepared or made under, and for the purposes of, this Ordinance; and

(f) Any enactment referring to any Ordinance or enactment hereby repealed shall be construed to refer to this Ordinance or to the corresponding enactment in this Ordinance.

Interpretation clause.

3. In this Ordinance, unless the context otherwise requires—

"Proprietor" means the owner of lands irrigable by any irrigation work, and includes the cultivator or person in actual possession of any such land and any person or persons nominated by a government agent to represent the Crown when Crown lands are irrigable by such irrigation work.

"Occupant."

"Occupant" includes a person having the charge, management, or control of any land or premises

"District."

"District" means any korale, pattu, or village, or any other subdivision of a province which may from time to time be defined by the Governor by Proclamation in the *Government Gazette*.

"Water-course," "channel," "ela," or "tank"

"Water-course," "channel," "ela," or "tank" include the banks and bunds of the "water-course," "channel," "ela," or "tank," as the case may be.

"Majority of proprietors"

"Majority of proprietors" means a majority consisting of two-thirds at least of the proprietors present. Provided that such majority shall represent at least one-third of the irrigable acreage; and if they do not represent one-third, then the votes of the proprietors representing two-thirds of the irrigable acreage shall constitute the majority.

"Contributions."

"Contributions" includes all rates, subscriptions, charges and assessments made under this Ordinance or under any Ordinance thereby repealed.

CHAPTER II.

IRRIGATION FUNDS.

Abolition of Central Board of Irrigation

4.—(1) The board created by "The Irrigation and Paddy Cultivation Ordinance, 1889," and known as "The Central Irrigation Board of Ceylon," shall cease to exist as from the commencement of this Ordinance.

(2) But nothing in this section shall extend to invalidate any sanction or direction given or any act or thing done by the Central Board of Irrigation in exercise of the powers conferred on the board by the said "Irrigation and Paddy Cultivation Ordinance, 1889."

Close of the irrigation fund.

5. The irrigation fund which was by the above-mentioned Ordinance vested in the said Central Irrigation Board shall be closed as from the thirty-first day of December 1904, and any sums then standing to the credit of the fund shall pass to and form part of the balances of the Colony, and the debts and liabilities of the board at such date shall become the debts and liabilities of the Colony.

CHAPTER III.

IRRIGATION DISTRICTS.

Governor in Council may proclaim irrigation districts.

6.—(1) It shall be lawful for the Governor in Council, by proclamation for that purpose to be published in the *Government Gazette*, to declare any district an irrigation district for the management of matters connected with irrigation in the district.

Government agent to call public meeting of proprietors. Proviso.

(2) The government agent shall, as soon as may be after the publication of such proclamation as aforesaid, call a public meeting of proprietors within such district for the purpose of determining by a majority of votes, as hereinafter provided, whether this Ordinance shall be carried into operation with the aid of headmen or of village councils, or of both. Provided that, in case the extent of the district should render more meetings than one necessary, the government agent may form several divisions of each district and hold a meeting in each division.

Provided further that whenever Crown lands are capable of being irrigated by any irrigation work, the government agent may by writing under his hand nominate any fit person or persons to represent the Crown at any such meetings.

7. The government agent shall, one month at least before the day of holding any such meeting, cause notices to be published throughout such district, in such manner as shall appear to him best adapted for giving the greatest publicity thereto, of the day and place appointed for holding such meeting, and of the object for which the same is to be held; and shall in such notices call upon all proprietors within any such district or division to attend at such meeting.

Public notice
of such meet-
ing

8.—(1) Every meeting so convened shall be held at the time and place appointed, in the presence of the government agent, and at every such meeting every proprietor within the district or division for which the meeting has been called, who shall be present thereat, shall be entitled to vote

Proceedings
at such meet-
ings.
Appointment
of committee
to draw up
rules.

(2) It shall be the duty of the government agent to explain to the proprietors the results that would, according to this Ordinance, follow from the adoption of the different modes of carrying the Ordinance into operation, and the provisions generally of the Ordinance

(3) The proprietors at such meeting shall determine by a majority of votes whether this Ordinance shall be carried into operation with the aid of headmen or of village councils, or of both, and shall then appoint a committee of not more than twelve nor less than three persons to be associated with the government agent or with any person duly authorized by the government agent for the purpose of drawing up rules for the encouragement and extension of paddy cultivation and the enforcement of ancient customs relating thereto, and for consulting with and advising him in matters connected with irrigation in the district

Provided that where more meetings than one are held for any district it shall be the duty of the government agent to see that each division is allowed to appoint its proportion of the committee to make up the number for the entire district. Provided also that if any members of such committee shall die or leave the district, or shall have been convicted of any infamous crime, or shall neglect or refuse to act, it shall be lawful for the government agent to appoint others in their stead who shall hold office for the remaining part of the period for which such members have been elected.

(4) The government agent shall enter or cause to be entered in the minutes of such meeting the questions or resolutions proposed thereat, and the number of votes given for and against the same, and shall, at the close of such meeting, sign the said minutes, and publicly declare the result of the votes given thereat, and shall cause the said minutes to be deposited in the provincial or district kachcheri.

(5) Committeemen elected under this section shall hold office for a period of five years, and at the expiration of such period a like number of committeemen shall be elected in their place in manner aforesaid. The committeemen who at the commencement of this Ordinance are in office shall hold office until the 31st December, 1906, when they shall be succeeded by committeemen elected as aforesaid. At any election outgoing committeemen shall be eligible for re-election.

9. If at any such meeting any question shall be raised as to the right of any person to vote, it shall be lawful for the government agent then and there to make such inquiry as he may deem requisite, and to declare whether such person has the right of voting or not; and the decision so made shall be final. And an entry shall be made in the minutes of such meeting of any such question and of the decision thereon.

Objections to
votes how de-
cided.

10. All questions or resolutions proposed at any meeting held under the provisions of section 8 shall be determined by a majority of the proprietors.

Majority to
decide.

11. If owing to the sparseness of the population or the circumstances of the inhabitants of any district, or from any other cause, no public meeting of the proprietors within such district can be convened or held in manner hereinbefore provided, it shall be lawful for the government agent, after making due inquiry, to draw up such rules as are referred to in section 8 and generally for carrying out the purposes of this Ordinance. And this Ordinance shall in such districts be carried out with the aid of irrigation headmen appointed by the government agent, and such headmen shall have the powers and protections, and be subject to the duties and responsibilities, which headmen appointed provisionally or permanently under chapter IV have or are subject to.

Government
agent may
make rules in
districts
where pro-
prietors can-
not publicly
meet.

12. Whenever an act shall be committed contrary to the said customs or rules, or a complaint be made or question arise having relation to the matters provided for by this Ordinance, such act, complaint, or question shall be investigated and dealt with in manner provided in chapter IV or chapter VI, according to the nature of each case.

Mode of
enforcing
customs and
rules

CHAPTER IV.

IRRIGATION HEADMEN.

Headmen to
be elected.
Their duties.

13. If the result of the meeting referred to in section 8 should render it necessary, there shall be elected in the manner hereinafter provided one or more headmen for the district or division for which the meeting has been called, whose duty it shall be, subject to the direction and control of the government agent, to attend to all matters connected with the irrigation and cultivation of the paddy lands therein, and the maintenance of rights and works connected therewith, and to prevent, so far as in his power lies, any act, or omission, contrary to any rules made under this Ordinance or the ancient customs in reference thereto, or whereby damage may accrue to any of the proprietors.

Elections how
conducted,
&c.
Appointment
by govern-
ment agent
failing elec-
tion.

14.—(1) The headmen shall be elected by a majority of the proprietors.

(2) It shall be lawful for the government agent at any time to dismiss any headman elected or appointed under this Ordinance or under any Ordinance hereby repealed, who shall be guilty of any misconduct in the execution of his office; and in every such case, or in the case of any vacancy by death or resignation, the government agent shall, by proper and reasonable notices, summon a meeting of the proprietors of the district or division in respect of which a new headman is required; and at such meeting another headman shall and may be elected by such majority as aforesaid. In case no person shall be elected at any such meeting for the office of headman, the government agent shall himself appoint a person to such office, and it shall be further lawful for the government agent to appoint a headman provisionally until one can be elected.

(3) No person who has been convicted of any infamous crime shall be eligible to be elected or appointed a headman

Duties of
headmen.

15. Whenever any act shall be committed contrary to ancient customs or rules, or whereby damage may accrue to any of the proprietors within any such district or division as aforesaid, the headman thereof shall forthwith repair to the spot, and, if the act complained of be of a nature to call for prompt action to prevent injury, shall take such steps as shall be necessary to remedy the evil likely to result; and shall forthwith report the matter to the government agent. Provided that whenever the headman can safely defer taking any steps until he shall have been able to communicate with the government agent, it shall be his duty to desist from action until he shall have received the instructions of the government agent. And provided further, that in cases where the headman shall have taken prompt action to prevent injury, such prompt action shall not be held to prevent the act complained of being investigated by the village council in districts where both systems exist.

Proviso

Mode of
recovering
expenditure
incurred by
headmen.

16 Whenever a headman shall incur any expenditure in the execution of his duty as aforesaid, and the person in consequence of whose act such expenditure was incurred shall deny his liability to pay the same, or fail to satisfy it, the government agent shall, on his being satisfied that such expenditure was properly incurred, and that it is reasonable, sign a certificate thereof setting out the name of the person in consequence of whose act such expenditure was incurred, the amount thereof, the nature of the act complained against, and the name of the headman by whom the expenditure was incurred, and transmit the same to such person. And if such person shall fail to pay the same within ten days from the service of the certificate, the government agent shall proceed to recover the same as provided in chapter IX. of this Ordinance.

Liability of
headmen.

17. If any headman shall fail or neglect to perform the duties devolving upon him, or shall act in excess of the authority hereby conferred upon him, or in bad faith, or without probable cause, or wantonly and maliciously, he shall, besides being answerable in damages to the person injured by his act or omission, be guilty of an offence, and be liable to a fine not exceeding thirty rupees.

Resistance to
headmen.

18. Any person unlawfully resisting, molesting, or obstructing any headman in the execution of any duty imposed upon him by this Ordinance shall be guilty of an offence, and be liable to a fine not exceeding thirty rupees.

Payment to
Irrigation
headmen.

19. It shall be at the discretion of the committee appointed under section 8, or for the government agent if no committee shall have been appointed, to award remuneration to irrigation headmen for their services as such, either in kind from the produce of the district or division for which each such headman shall be appointed, or in money, and the proprietors of the irrigable lands within such district or division shall be liable to make such remuneration, and in case of default the same shall be recovered from them as is provided in chapter IX. of this Ordinance.

CHAPTER V.

RULES FOR ENFORCING CUSTOMS.

20. All rules framed under the provisions of section 8 or 11 shall be transmitted by the government agent to the Governor, for approval or disallowance thereof by the Governor in Council; and in case such rules shall be approved, notice of such approval shall be given by Proclamation; and the said rules shall be published in English and in the vernacular language or languages of the district in the *Government Gazette*, and in the district in such manner as to the government agent shall seem expedient, and shall thereupon become binding upon all proprietors within the said district, and shall be as legal, valid, and effectual as if the same had been inserted herein.

Rules how to be made valid and binding.

21. The government agent may, if to him it shall seem advisable, and shall upon the requisition of a reasonable number of the proprietors of the district where any rules for the enforcement of ancient customs are in force, call a public meeting of the proprietors for the purpose of adding to, amending, or repealing such rules, or any of them, or he may in any case in which he shall have drawn up rules under the provisions of section 11 himself, add to, amend, or repeal any such rules, or draw up new rules in lieu thereof. Provided that any alteration of any rules so in force, whether by way of addition, amendment, or repeal, made by proprietors under the provisions of this section, shall be determined on at a public meeting duly convened in manner provided by chapter III., and by a majority as required by section 10, and under and subject to the provisions with regard to original rules contained in the said chapter, and that all such alterations and all alterations by way of addition, amendment, or repeal, and all new rules made by the government agent under the provisions of this section, shall be transmitted for approval or disallowance by the Governor in Council, and shall, if approved, be published as in section 20 provided.

Rules may be added to, amended, or repealed.

CHAPTER VI.

VILLAGE COUNCILS.

22. Whenever it shall seem to him necessary to convene a village council in any district in which the proprietors have under section 8 determined to adopt the aid of such councils, the government agent shall cause notice to be given in the village where the party complained against resides, or where the act or omission is alleged to have taken place, in such manner as shall appear to him best calculated for making the same generally known to the parties concerned, of the time and place appointed by him for the investigation of such complaint, and at the appointed time and place the complaint shall be publicly inquired into by the government agent, or some person deputed in writing by him for the purpose as president, assisted by a village council chosen in manner hereinafter provided. Every such inquiry shall take place in the presence of the party complained against, who shall have full liberty to make his defence before such council. And if such village council shall, at the close of the inquiry, be of opinion that the party complained against has committed a breach of the rules, or ancient customs, and such opinion shall be concurred in by such government agent or person deputed as aforesaid, the village council shall forthwith award and adjudge that the person so offending do pay a penalty not exceeding thirty rupees.

How village councils are to be convened, and their mode of procedure.

Provided that village councils may be convened by any person deputed by the government agent in any irrigation district, and such deputation, as well as the deputation to be given by the government agent under this section to any person to act as president in inquiring into any complaint of the nature herein referred to, need not be special in each case: a general deputation to any person in the district to convene village councils when necessary, or to act as president thereof, will be sufficient.

Deputation to convene village councils, and to act as presidents thereof, need not be special.

23.—(1) The village council shall consist of not less than three nor more than seven men, selected by the president of such council from among the proprietors of irrigable lands situated in the district. The government agent, or the person deputed by him for the purpose, shall be the president of such council, and shall conduct and keep a record of the proceedings thereof.

Village council how constituted.

(2) In case of any difference of opinion between the president and the councillors or any of them, the opinion of the president shall prevail and shall be taken to be the decision in the case, but in every such case a record shall be made of such difference of opinion.

Government agent or person authorized by him to try breaches of rules.

Proceedings to be filed of record in the kachcheri.

And to be summary and free from any formalities.

24. It shall be lawful for the government agent, or any person by him authorized thereto under his hand, to inquire into breaches or alleged breaches of any rules made under section 11, and to hear, try, and determine all questions concerning the same, and to adjudge and award that parties complained against do pay the penalty fixed by section 22 or any penalty prescribed by such rules.

25. It shall be the duty of the government agent or the person authorized by him as aforesaid to record in writing the proceedings at such inquiry, and to transmit such record to the kachcheri to be there filed of record.

26.—(1) The proceedings before the village council, government agent, or person authorized by him as aforesaid shall be summary, and not subject to the formalities of judicial proceedings, and it shall be the duty of such council, government agent, or authorized person to do substantial justice on all questions coming before them or him, and no advocate, proctor, or agent shall be permitted to appear on behalf of any person concerned in or affected by such proceedings.

(2) In any such proceedings the president or the government agent or the person authorized by the government agent may by summons require the attendance of any person complained against. If such person fails to attend as so required the president or the government agent or authorized person may thereupon issue a warrant to secure his attendance.

(3) The Governor in Executive Council may from time to time make rules regarding the form and manner of proceeding to be observed in such proceedings, the process to be issued therein and the mode of enforcing the same.

(4) The provisions of section 50A of "The Village Communities' Ordinance, 1889," shall be applicable to summonses and warrants issued under this Ordinance by any president, government agent, or person authorized by a government agent.

No appeal or injunction allowed, but party aggrieved may petition the Governor after applying for relief in the first instance to the government agent

27. No appeal shall lie to any court against the decision or award of any such council, government agent, or person authorized as aforesaid by a government agent, on any plea or pretext whatsoever, nor shall any injunction be issued by any court in respect of any matter of which they or he may take cognizance by virtue of this Ordinance; but it shall be competent to the government agent to take action in any case in which any person feeling aggrieved by any such decision may apply to him for relief, and to make, or direct to be made, further inquiry into the matter in question, or to order a new inquiry, or to modify or reverse the decision.

Proviso

Provided always that it shall be the right of any person feeling aggrieved as aforesaid to apply to the Governor by petition if he should fail to obtain the desired relief in the first instance from the government agent; and it shall be lawful for the Governor in Council to direct further inquiry, or to confirm, modify, or reverse such decision.

Proviso.

Provided also that the powers conferred by this section on the government agent to take action in any case in which an aggrieved person may apply to him for relief, shall not be exercised unless application for that purpose shall be made to him in person or by a written petition within fourteen days, exclusive of Sundays and public holidays, from the date on which the decision complained of shall have been given; and no petition to the Governor under this section shall be entertained unless the same is received within fourteen days, exclusive of Sundays and public holidays, from the date on which the decision of the government agent shall have been communicated to the petitioner.

Penalty for breach of rules, how enforced.

28. Whenever any person shall be adjudged by such council, government agent, or person authorized as aforesaid, to pay any penalty as aforesaid, the president of such council, the government agent, or authorized person may, unless the same be paid forthwith or within such time as the government agent or person authorized may allow, order the amount of the penalty to be recovered in manner provided by Chapter IX. of this Ordinance, or he may sentence the defaulter to simple or rigorous imprisonment for any period not exceeding one month; provided that no sentence of imprisonment shall be carried into execution unless confirmed by the government agent. And every fiscal or deputy fiscal shall, within the province or district for which he is respectively empowered to act, execute such sentence, and the provisions of sections 5, 8, and 81 of "The Prisons Ordinance, 1877," shall extend and apply to warrants of commitment issued by such president, government agent, or authorized person in pursuance of such sentence.

Appropriation of penalties.

29. In awarding any penalty, it shall be competent for such council, government agent, or authorized person to direct such portion thereof as they or he shall deem fit to be paid when recovered to the person injured or aggrieved by the act or omission in respect of which such penalty has been imposed (on condition that such person, if he shall accept the same, shall not have or maintain any suit for the recovery of damages for the loss or injury sustained by him by reason of such act or omission), and such other portion thereof when recovered, as they or he shall

deem fit, to the persons employed to do the work which ought to have been done, or to repair the mischief done, by the defendant. The balance, if any, shall be appropriated in aid of such minor irrigation works, or in remuneration of irrigation headmen, as the government agent shall determine

CHAPTER VII.

CONSTRUCTION, REPAIR, AND IMPROVEMENT OF IRRIGATION WORKS.

30. In case it is proposed to—

(a) construct a new irrigation work ; or

(b) to repair, improve, or extend an existing irrigation work—

Meeting of
proprietor.

it shall be lawful for the government agent to call a meeting of the proprietors of lands likely to be found irrigable to determine whether it is expedient that such action should be taken, and if so whether or not Government aid is necessary

For the purposes of this Ordinance, an ancient irrigation work if totally abandoned shall be considered a new work.

31.—(1) If the majority of proprietors shall determine that such action should be taken, but that Government aid is not necessary, they shall further proceed to determine the rate of contribution towards the work in money or in labour payable by each proprietor in respect of each unit of measurement of his land, and their decision shall be recorded and be binding on all the proprietors of lands capable of being irrigated by the work—

Proc. duce
where
Government
aid is not
necessary.

(2) The government agent shall proceed in such manner as to him may appear expedient to prepare a specification, showing the several lands capable of being irrigated, with the names of the proprietors and the contribution in money or in labour payable by each in respect of his land, and such specification shall be conclusive proof that the contribution set against each land shall be due and payable by the proprietor thereof.

(3) In case it is found that the first estimate of the probable cost of the work is inadequate, and that the total contributions shown in the government agent's specification are insufficient to meet the total cost, it shall be lawful for the government agent to call a further meeting to determine the rate of further contributions and to amend his specification and to increase the several contributions to meet the deficiency, and the amended specification shall be binding on the several contributories in place of the former specification ; and in like manner, if the estimate of cost is found to be too great, the government agent may *pro ratâ* diminish the charge on the several contributory proprietors.

The government agent may from time to time amend any specification under this and the preceding sub-section which may be found to be incorrect or defective.

32.—(1) If the majority of proprietors shall determine that—

(a) a new irrigation work should be constructed ; or that

(b) an existing irrigation work should be repaired, or improved, or extended—

Construction
and repair of
irrigation
works with
the assistance
of Govern-
ment.

and that Government aid is necessary, the government agent shall record such determination, and shall further record the rate of contribution which the majority of proprietors may by resolution determine that they are willing to offer in return for such aid ; and he shall likewise prepare a report setting out the area of the land which it is expected will be capable of irrigation by the proposed work, the names of the several proprietors, and the probable aggregate returns, provided the contributions determined to be offered by the proprietors are accepted by the Governor ; and shall submit the application of the proprietors with his report and recommendation for the order of the Governor.

(2) Upon such application, and after such inquiry as may be deemed expedient, the Governor may—

(a) Direct that no further action be taken in the matter, or

(b) Cause a plan and estimate of the cost of the work to be prepared ; and

(c) If he sees fit, cause a survey of the land capable of being irrigated by the proposed work to be made, or a computation of the irrigable area to be made in such other way as he may deem expedient.

and, if he considers the contributions determined to be offered by the proprietors insufficient, may refer back the proposal to the government agent, who shall proceed to deal with it in the manner applicable to the first proposal, and report again

(3) If the Governor considers that the contributions determined by the proprietors at the first or any subsequent meeting are sufficient, he may order the work to be proceeded with, and may direct a specification to be drawn up showing all lands found to be capable of irrigation, the names of the proprietors, and the contributions payable by each.

(4) The contributions payable by a proprietor may take one of the following forms :

- (i) A rate per acre per annum in perpetuity, to provide for the cost of construction and of maintenance ; or
- (ii) A lump sum per acre, payable in a fixed number of annual instalments, and the cost of maintenance, payable by means of an annual rate ; or
- (iii) A share of the whole cost of the work, proportionate to the area of the proprietors' land found capable of irrigation, payable in ten equal annual instalments, and the cost of maintenance, payable by means of an annual rate.

(5) In case the proprietors determine that their several contributions shall be shares of the cost of the work, payable in ten annual instalments, then, in case the first estimate of the cost shall be found to be less or more than the actual cost, the Governor may at any time order that the contributions shall be revised *pro ratâ* and be made to agree with the true cost, and the specification amended accordingly.

Liability of
lands for
contributions

33 —(1) Whenever any irrigation work is undertaken under the provisions of this chapter the proprietors of the several lands appearing in the specification shall become and be severally bound to pay the contributions assigned to them.

(2) Such specification shall be conclusive on the point that the several lands therein mentioned are liable for the payment of the said contributions, which shall be a first charge upon the said several lands, and shall take precedence over all mortgages, hypothecations, and encumbrances whatsoever.

(3) The Governor shall have power to cause the specification from time to time to be altered and to be enlarged as additional lands may be found irrigable

Publication
of specifica-
tion.

34. Every specification prepared under this chapter and all alterations, amendments, and enlargements of the same shall from time to time be published in the *Government Gazette*

Acquisition
of land for
irrigation
purposes.

35. Land required for the purposes of this Ordinance shall be deemed to be land required for a public purpose within the meaning of "The Land Acquisition Ordinance, 1876."

CHAPTER VIII.

COST OF IRRIGATION WORKS, AND OF THEIR MAINTENANCE.

Sale of Crown
lands subject
to charge in
perpetuity.

36. Whenever Crown lands are capable of being irrigated by any irrigation work it shall be lawful for the Crown to sell the whole or any portion or portions of such Crown lands, and to impose such rate per acre per annum in perpetuity on the lands so sold as the Governor may from time to time fix, notwithstanding that a contribution at a different rate per acre has been fixed and agreed to by a majority of the proprietors of the lands capable of being irrigated by such work. Notice that such Crown lands will be sold subject to such rate shall be given to intending purchasers by publication in at least three consecutive issues of the *Government Gazette* prior to any such sale.

Conversion of
contributions
into perpetual
annual rates.

37. Whenever any irrigation work shall have been constructed or commenced with Government aid under any Ordinance hereby repealed, the majority of the proprietors may at a meeting held in accordance with chapter VII. of this Ordinance, and subject to the approval of the Governor in Council, convert their contributions into a rate per acre per annum in perpetuity.

Payment of
contributions
in kind.

38. It shall be lawful for the government agent to receive in kind instead of in money any contributions under this Ordinance: Such payment in kind shall be made at such rate of commutation and shall be collected in such manner as the government agent shall from time to time direct and appoint. If default be made in such payment in kind at the time and place appointed by the government agent the amount of the contribution for which such payment in kind shall have been substituted shall be recovered in the manner provided in chapter IX. of this Ordinance.

39.—(1) Whenever any irrigation work has been or shall hereafter be constructed, and it has not been or shall not be determined that the lands capable of irrigation by such work shall be liable to a rate per acre per annum in perpetuity, such lands and the proprietors thereof shall forthwith become and be severally bound and liable to an annual rate for the maintenance of such irrigation work. The said rate shall be assessed in the manner hereinafter prescribed, and shall be a first charge upon the several lands capable of irrigation as aforesaid, and shall take precedence over all mortgages, hypothecations, and encumbrances whatsoever.

Annual rate
for main-
tenance.

(2) The rate for maintenance shall be assessed by the government agent, who shall divide the same *pro rata* among the lands set out in the specification. In making his assessment the government agent shall be guided in the case of a new work by the estimate of the probable cost of annual maintenance for such work, which shall be prepared by the Director of Irrigation, and in the case of any work which has been maintained for a period of more than five years by the actual cost of maintenance of such work for the preceding five years.

(3) Such rate shall be re-assessed by the government agent at the end of every period of five years.

(4) Rates may be assessed separately for each irrigation work, or a general rate may be assessed in respect of all the irrigation works within an irrigation district.

40. Whenever it appears to the Governor in Executive Council with respect to any irrigation work undertaken or completed under the provision, of this Ordinance or of any Ordinance thereby repealed—

Procedure in
case of de-
fault in
making speci-
fication

(1) That the specification, which according to such Ordinance ought to have been made, has not in fact been made; or

(2) That any such specification which has been made is invalid or of doubtful validity by reason of non-compliance with the requirements of such Ordinance—

it shall be lawful for the Governor in Council to direct a specification to be prepared showing the allotments of land which have been or are likely to be irrigable by the work, and every specification so made shall have for all purposes the like force and validity as if it had been duly made under the provisions of the Ordinance under which the work was undertaken.

41. Where a specification has been made under the foregoing section, the proprietors of the lands shown in the specification shall be entitled to determine, subject to the approval of the Governor in Council, in which of the forms specified in section 32 (4) their contributions shall be made.

Effect of
specification
made under
foregoing
section.

CHAPTER IX.

RECOVERY OF MONEY DUE UNDER THIS ORDINANCE

42. All contributions under this Ordinance or under any Ordinance thereby repealed shall be due and payable on the thirtieth day of June in each year. The recovery of such contributions shall be made under and shall be subject to the following provisions contained in this chapter.

Seizure and
sale of pro-
perty of
defaulters

43.—(1) If default be made in the payment of any contribution due under this Ordinance it shall be lawful for the government agent or any person authorised by writing under his hand to seize the land herein declared specially bound and liable for such payment and any crop or produce thereof, and any movables thereon, to whomsoever such land, crop, or movables may belong; and if the amount of such contribution, together with any costs payable under section 45, shall not be sooner paid or tendered, to sell the property so seized by public auction at any time not less than twenty-one days from the date of such seizure.

Recovery of
contributions.

(2) If default be made in the payment of any sum payable under this Ordinance, or of any fines imposed for breach of rules made thereunder, it shall also be lawful for the government agent or any person authorized by writing under his hand to proceed to seize any property whatsoever belonging to the defaulter, wheresoever the same may be found, and to sell the same by public auction at any time not less than twenty-one days from the date of seizure, if such sum, together with any costs payable under section 45, shall not be sooner paid or tendered.

Provided that no seizure of any land shall be made under this section if the defaulter surrenders sufficient free and unclaimed movable property to satisfy the total amount due by him.

Proviso.

Proviso.	Provided also that no land seized under sub-section (1) shall be sold until and unless the crop or produce thereof, and the movables thereon, if any, shall have been first sold, and shall have failed to realised sufficient to cover the total amount due. (3) In all cases, the sale of immovable property shall be conducted on the spot, unless the government agent shall otherwise direct.
Keeping a person in charge of property seized.	44. It shall be lawful for the person making the seizure to place and keep a person in possession of the property so seized as aforesaid pending such sale if authorized thereto by general or special instructions issued by the government agent.
Costs of seizure and sale.	45. It shall be lawful for the government agent, or any person authorized by him as aforesaid, to demand, take, and receive from such defaulter, or from the owner or any joint owner of any property lawfully seized, the several sums of money mentioned as follows : (a) For cost of proceeding to seize property,—a charge not exceeding fifty cents for every ten rupees due. (b) For keeping a person in possession,—a charge not exceeding fifty cents per day. (c) For the expenses of sale,—a charge not exceeding twenty-five cents for every ten rupees of the nett proceeds of the sale
Return of overplus to owner or person making default	46. In the event of a sale of property seized, the government agent at whose instance such seizure was made shall, after deducting the amount due as aforesaid, and also the costs payable under section 45 (which said costs such agent is hereby authorized to retain), restore the overplus, if any, arising from such sale to the owner or joint owners of the property sold
Certificate of sale.	47.—(1) If land be sold, a certificate substantially in the form given in Schedule II. hereto, signed by the government agent, shall be sufficient to vest the land sold in the purchaser, and in the case of land sold under sections 43, 49, or 53, the same shall so vest free from all incumbrances whatsoever, any law or custom to the contrary notwithstanding. Such certificate shall be liable to the stamp duty fixed on conveyances of immovable property, and to any registration or other charges authorized by law, such duty and charges being payable by the purchaser. (2) If the land so sold be purchased on behalf of the Crown by the government agent, who is hereby authorized to bid for and purchase the same, or by any person authorized by the government agent in writing, the certificate, which shall not be liable to any stamp duty, shall be substantially in the form given in Schedule III. hereto.

CHAPTER X.

MISCELLANEOUS.

Plan or survey of channels, water-courses, tanks, and ponds to be conclusive.	48. If by any plan or survey, purporting to have been made under the authority of the Surveyor-General or of the Director of Irrigation, it shall appear that any channel, water-course, or tank has been encroached upon, such plan or survey shall be deemed and taken to be conclusive proof of the facts exhibited therein, unless satisfactory proof to the contrary shall be established
Removal of obstruction or encroachment	49. It shall be lawful for the government agent to give order by notice in writing, to any person obstructing or encroaching upon any channel, water-course, or tank situate within his province, forthwith to remove such obstruction or encroachment or abate the same. And if any such person shall refuse or neglect to comply with the same within a reasonable time, or if there be any doubt as to who is the proper person to whom such order should be given, it shall be lawful for the government agent to cause such obstruction or encroachment to be forthwith removed or abated ; and for that purpose it shall be lawful for the government agent, or any person thereto authorized in writing by the government agent, where necessary, to enter into any garden, enclosure, or other premises, and to cause to enter therein such persons with such instruments and things as may be necessary, and to proceed to do therein, or cause to be done all such things as may be necessary for such removal or abatement, and for the removal of the earth or substances put into or obstruction made of such channel, water-course, or tank. And the government agent shall proceed to recover the costs which have been incurred in effecting such removal or abatement from the party on account of whose non-compliance with any such order such costs were incurred, in manner provided in chapter IX. of this Ordinance.

50.—(1) If any person by clearing or draining any land or premises, or by doing any act whatsoever in or upon the same shall cause any channel, water-course, or *ela* used for irrigation purposes to be blocked up or in any way obstructed by silt, earth, or any other substance, it shall be lawful for the government agent of the province within which such land or premises may be situate, to order the owner or occupant thereof, by written notice, within a reasonable time to be specified in such notice to—

Notice by government agent to remove obstruction of water-course or *ela* used for irrigation purposes, and to provide proper drainage works

- (a) Remove forthwith any such silt, earth, or other substance ;
- (b) Make, lay down, and carry out to the satisfaction of the government agent all such drains, pipes, and other works as may be necessary to carry the water from such land or premises either over or under the channel, water-course, or *ela*, so as not to injure the same

(2) The government agent may cause any further drains or other works to be constructed which are necessary in his judgment in order to preserve the fields below the channel, water-course, or *ela* from being injured by water carried as aforesaid thereunder or thereover. The cost of constructing such further drains or works shall be defrayed from the public revenue, and any land which may be required therefor may be acquired under the provisions of section 35 of this Ordinance.

(3) A copy of the notice referred to in sub-section (1) shall be affixed in some conspicuous place on such land or premises, and another copy shall be sent by registered letter through the post, addressed to such owner or occupant, and if so sent shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post.

Service of notice.

(4) In proving such service it shall be sufficient to prove that the letter was properly addressed and registered at the post office.

Provided, however, that nothing in this section contained shall apply to any channel, water-course, or *ela* which has been or may hereafter be cut, opened, or constructed for irrigation purposes through, and without payment of compensation to the owner of, any land or premises not cleared and drained for cultivation.

Proviso.

51.—(1) The owner or occupant against whom any order is made under the last preceding section shall—

- (a) Perform within the time specified in the order the act directed thereby ; or
- (b) Apply within ten days from the date of the service of the said notice, by petition to the district judge of the district in which such land or premises may be situate, for an injunction to restrain the government agent from enforcing such order, on the ground that the same is contrary to law. And every such petition shall be accompanied by an affidavit containing a statement of the facts on which the application is based.

Person noticed may apply to district court for injunction.

(2) Upon receiving such application the district judge shall forthwith cause copies of the said petition and affidavit to be served on the government agent, and shall fix an early day for inquiry into the matter and give notice thereof, both to the applicant and the government agent. If the district judge, after taking such evidence as the parties may adduce, or he himself may require, is satisfied that the order is contrary to law, he shall issue such injunction as aforesaid, but if he is not so satisfied he shall make absolute the order of the government agent, and in either case he shall award such costs as he shall deem meet.

52. If such owner or occupant to whom such order shall have been given shall refuse or neglect to comply with the same, the said government agent shall, if no injunction as aforesaid shall have been served upon him within thirty days from the expiration of the time specified in the notice issued under section 50, cause any such silt, earth, or other substance to be forthwith removed, and shall provide such drains, pipes, and other works as may be necessary ; and for that purpose the government agent shall have power, and he is hereby authorized, to enter into any land or premises, and to cause to enter therein such persons with such instruments and things as may be required.

In default of person noticed, government agent may cause to be removed obstruction by silt, earth, or other substance, and prevent a recurrence of the same.

53.—(1) The costs which have been incurred by the government agent under the last preceding section shall be certified under his hand, and shall be a first charge on the land and premises mentioned in sub-section 1 of section 50 and on any crop or produce thereof, and on any movable thereon.

Costs to be a first charge, and recoverable under chapter IX.

(2) The government agent shall proceed to recover such costs by seizing and selling such land, premises, crop, produce, or movables, in manner provided in section 43, and the provisions of chapter IX. of this Ordinance shall, *mutatis mutandis*, apply to every such seizure and sale.

Powers given to government agent may be executed by any assistant agent

Encouragement of paddy cultivation.

54 All the powers, duties, and obligations entrusted to, or imposed on, the government agent by this Ordinance, shall and may be executed and performed by any assistant government agent within the limits of his district.

55.—(1) Whenever it appears that the inhabitants of any village or group of villages forming a subdivision for the purposes of part IV. of "The Village Communities' Ordinance, 1889," are unable, by reason of poverty, sparseness of population, or other cause, to bring into cultivation any Crown lands served by any irrigation work constructed or repaired under the provisions of this Ordinance or any Ordinance thereby repealed, the Governor in Council may, by order to be published in the *Government Gazette*, set apart such allotment of Crown land as he shall think fit for the purpose of being brought into cultivation under this section, and may empower one or more village committees of the subdivision to proceed to bring the same into cultivation in manner hereinafter appearing.

(2) Subject to the approval of the government agent, any village committees which have been authorized as aforesaid may make advances from the funds applicable to village purposes to persons desirous of cultivating the Crown land so set apart as aforesaid for the purpose of enabling them to purchase seed paddy and other requisites for cultivation.

(3) The government agent shall not sanction the making of such advances until he is satisfied that adequate provision has been made, by village rule, for the recovery of such advances.

(4) When the village committees of any subdivision have been empowered as aforesaid, it shall be lawful for the inhabitants in the manner provided by part III. of "The Village Communities' Ordinance, 1889," and subject to the conditions therein contained, to make rules for all or any of the following purposes :—

(a) For prescribing the conditions under which advances may be made from the village fund and for securing the repayment of the same with or without interest.

(b) For the clearing and cultivation of the Crown land allotted as aforesaid by means of labour contributed by the inhabitants in pursuance of rule passed under section 6 (17a) of the above-named Ordinance.

(c) Generally for the cultivation and regulation of the land so allotted.

(5) Breaches of rules made under this section shall be punishable as if such rules were made under section 6 of "The Village Communities' Ordinance, 1889."

(6) The Governor may in his discretion issue Crown grants in respect of any land which has been brought into cultivation under this section in such manner and to such persons as may appear equitable.

(7) The particulars of all Crown grants issued under this section shall be published in the *Government Gazette*.

Power of Governor to entrust control and management of irrigation works to director of irrigation.

56. The Governor in Council may, by Proclamation, declare that any irrigation work which has been or may be constructed by the Government or with Government aid, shall be placed under the control and management of the Director of Irrigation. Upon such Proclamation the following consequences shall ensue, namely :

(1) The powers and duties which by chapter IV. of this Ordinance are assigned to irrigation headmen shall be exercised and performed by irrigation officers appointed by the Director of Irrigation.

(2) The provisions of sections 16, 17, and 18 of this Ordinance shall apply to such irrigation officers as well as to irrigation headmen.

(3) The Director of Irrigation may, after consulting the government agent of a province, subject to the approval of the Governor in Council, make rules either generally with regard to irrigation works placed under his control and management or with regard to any one or more of such works—

(a) For the appointment, remuneration, and dismissal of irrigation officers ;

(b) For defining the duties of such officers ;

(c) For regulating the distribution of water ;

(d) Generally for the maintenance, conservation, and protection of irrigation works.

(4) The provisions of this Ordinance with regard to the enforcement of rules framed under chapter III. and for the punishment of contraventions thereof shall be applicable to rules made by the Director of Irrigation.

Offences.

57.—(1) Any person who shall wilfully or maliciously block up or obstruct or cause to be in any way blocked up or obstructed, or who shall encroach on any tank, channel, or water-course, or who shall breach or cut through the banks or sides of any irrigation work, shall be guilty of an offence punishable with rigorous imprisonment which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

(2) Any person who shall wilfully cause waste of water conserved by any irrigation work, or who not being entitled to the use of such water shall wrongfully draw off or convert to his own use any such water, shall be guilty of an offence punishable with rigorous imprisonment which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

(3) If the proprietor of any land irrigated by any irrigation work shall suffer or permit water obtained from such work or from any water-course or channel connected therewith to run to waste on his land, or shall obtain water for such land from such work, water-course, or channel in a manner not authorized thereto, such proprietor shall in addition to any other punishment, penalty, or liability which he may incur or be liable to under this Ordinance, be liable to pay double the contribution to which he is liable in respect of such land for every year or portion of any year in which he has so suffered or permitted such water to run to waste or has obtained it in an unauthorized manner, and such double contribution shall be recovered in manner provided by chapter IX.

(4) The provisions of this section shall apply only to offences committed to or with regard to irrigation works which the Governor has, under the provision of the last preceding section, placed under the control of the Director of Irrigation.

58 It shall be lawful for the government agent by an order signed by him to certify that he is content that any offence under the preceding section shall be tried by a village council convened in the same manner as a village council convened to try breaches of rules under this Ordinance, or if he so desires by a village tribunal, should such tribunal have been established under the authority of "The Village Communities' Ordinance, 1889," for the subdivision in which such offence shall have been committed.

Jurisdiction
when given
to village
councils and
village
tribunals.

SCHEDULE I.

No. and Year.	Title.	Extent of Repeal.
No. 23 of 1889 . .	An Ordinance relating to Irrigation and Cultivation of Paddy Lands .	The whole Ordinance
No. 6. of 1892 ...	An Ordinance to amend "The Irrigation and Paddy Cultivation Ordinance, 1889"	do.
No. 10 of 1901 ...	An Ordinance to amend "The Irrigation and Paddy Cultivation Ordinances, 1889 and 1892" ...	do.

SCHEDULE II.

(Section 47 (1))

Whereas the sum of _____ rupees was due to our Sovereign Lord the King for _____ in respect of the land _____, hereinafter more fully mentioned and described, and a further sum of _____ rupees was likewise due for costs, which said sums have not been paid by the owner or proprietor thereof; and whereas the said land was seized in conformity with the Ordinance No. ____ of _____ and sold also in conformity therewith, on the _____ day of _____ and the same was purchased by _____, of _____, for the sum of _____ rupees, which has been duly paid by the said _____:

Now know Ye that I, _____ (Government Agent), by virtue and in exercise of the power in me vested in this behalf by the said Ordinance, do hereby certify that the following property, to wit (*here describe the property with special accuracy by metes and bounds*) has been sold to _____ and purchased by the said _____, for the sum of _____ rupees, which he has duly paid, and that the said premises are and shall henceforward be vested in the said _____, his heirs, executors, and administrators, and assigns. (*Add free from all incumbrances, in the case of land sold under subsection 1 of section 43 or under section 49.*)

Given under my hand this _____ day of _____, 190__.

Signed _____,
Government Agent.

SCHEDULE III.

(Section 47 (2).)

Whereas the sum of _____ rupees was due to our Sovereign Lord the King for _____ in respect of the land _____ hereinafter more fully mentioned and described, and a further sum of _____ rupees was likewise due for costs, which said sums have not been paid by the owner or proprietor thereof; and whereas the said land was seized in conformity with the Ordinance No. ____ of _____, and sold also in conformity therewith, on the _____ day of _____, and the same was purchased for and on behalf of our Sovereign Lord the King by (the Government Agent) for the sum of _____ rupees, which has been duly credited to our said Lord the King in part satisfaction (*or full, as the case may be*) of the sum due as aforesaid and _____ rupees for *cōstis*:

Now know Ye that I, the said (Government Agent), by virtue and in exercise of the power in me vested in this behalf by the said Ordinance, do hereby certify that the following property, to wit (*here describe the property with special accuracy by metes and bounds*) has been sold and purchased by the said _____ for and on behalf of our said Lord the King for the sum of _____ rupees, and that the said premises are and shall henceforward be absolutely vested in our said Lord the King, his heirs, and successors. (*Add free from all incumbrances, in the case of land sold under subsection 1 of section 43 or under section 49.*)

Given under my hand this _____ day _____, 190__.

Signed _____,

Government Agent.

Passed in Council the Sixteenth day of March, One thousand Nine hundred and Six.

A. G. CLAYTON,

Clerk to the Council.

Assented to by His Excellency the Governor the Twenty-third day of March, One thousand Nine hundred and Six.

A. M. ASHMORE,

Colonial Secretary.

Enclosure 2 in No. 6.

REPORT of the ATTORNEY-GENERAL on ORDINANCE No. 16 of 1906, intituled, "An Ordinance to consolidate and amend the Law relating to Irrigation Works and to the cultivation of Irrigable Lands in this Island."

This Ordinance consolidates the law in force relating to irrigation and repeals the Ordinance No. 23 of 1889, No. 6 of 1892, and No. 10 of 1901.

2. Chapter I. contains the repeal and interpretation clauses.

3. Chapter II.—Irrigation Funds.—The most important changes in the law effected by this Ordinance are (by section 4) the abolition of the Central Irrigation Board, which was established for the first time in the Island by the Ordinance No. 23 of 1889, and was found to work either very spasmodically or not at all; and (by section 5) the abolition of the Irrigation Fund, also created for the first time by Ordinance No. 23 of 1889, which, owing to the inertia of the Central Irrigation Board, was rarely if ever applied in the manner contemplated by Ordinance No. 23 of 1889.

4. Under the new Ordinance, irrigation works will be carried out on the same footing as other public works.

5. Chapter III., Irrigation Districts; IV., Irrigation Headmen; and V., Rules for enforcing Customs.—Substantially re-enact chapters III., IV., and V. of the old Ordinance. There are three or four slight amendments in these chapters, but none of any importance.

6. Chapter VI.—Village Councils—Sections 22 to 25 substantially re-enact sections 27 to 30 of the old Ordinance save that the last paragraph of section 27 of the old Ordinance is omitted in the new.

In section 26 of the new Ordinance further provisions as to procedure are enacted.

Sections 27, 28, and 29 substantially re-enact sections 32, 33, and 34 of the old, the proviso at the end of old section 34 being omitted.

7. Chapter VII.—Construction, Repair, and Improvement of Irrigation Works.—Section 30 is new. It contemplates a meeting of proprietors, in case it is proposed to construct a new work, and includes an “abandoned ancient work” under the term new work, and the remainder of this chapter has been re-cast owing to the abolition of the Central Irrigation Board, the most important alteration being contained in section 32, which provides (1) for an application for a new work, (2) and (3) for certain preliminary steps being undertaken, (4) and (5) for the form in which the proprietors may contribute their share of the work.

8. Chapter VIII.—Cost of Irrigation Works and of their Maintenance.—Has also been re-cast. All the sections 36 to 41 are new.

Section 36 provides for Crown lands being sold subject to charge in perpetuity.

Section 37, for the conversion of contributions into perpetual annual rates.

Section 38, for the payment of contributions in kind.

Section 39 provides for an annual rate in perpetuity for maintenance of works.

Section 40 empowers the Governor in Executive Council to direct a specification to be prepared.

Section 41 gives the proprietors an option as to how they will pay their contributions.

9. Chapter IX.—Recovery of Money due under this Ordinance.—Section 42 is new. It fixes 30th June as date when all contributions shall be due. The rest of the chapter, sections 43 to 47, substantially re-enact sections 47 to 53 of the old Ordinance.

10 Chapter X—Miscellaneous—Sections 48 to 54 substantially re-enact sections 59 to 65 of the old Ordinance.

Section 55 is new. It provides for the cultivation of Crown lands with paddy and the eventual sale of such lands to the cultivators.

Section 56 is new. It authorizes the Governor in Executive Council to entrust irrigation works to Director of Irrigation.

Section 57 re-enacts section 16 of Ordinance No. 10 of 1901.

Section 58 authorizes village tribunals to try offences.

Attorney-General's Chambers,
Colombo.
March 24, 1906

J. H. TEMPLER,
Acting Attorney-General.

NAVY (SHIPS AVAILABLE 1ST APRIL 1891).

RETURN to an Order of the Honourable The House of Commons,
dated 17 March 1891;—for,

RETURN “of the VESSELS in the CHANNEL and HOME WATERS (exclusive of the Channel Squadron) available at very short Notice, on the 1st day of April 1891, under the several Heads and Conditions set forth in the Statement of the First Lord of the Admiralty, dated the 4th day of March 1890, viz. :—

- ‘ (1.) Four Armour-clads in Commission as Flagships at Home Ports, fully Commissioned, having all their Stores on Board, ready at a Few Hours’ Notice ;
- ‘ (2.) Nine Armour-clads, in Commission, connected with Coastguard, ready for Sea in 48 Hours ;
- ‘ (3.) Vessels in First Class Steam Reserve in Home Ports, comprising, as from the 1st day of July 1890, six Ironclads, two Belted Cruisers, and 16 Cruisers, besides Coast Defence Vessels and Gun and Torpedo Boats, these Vessels to be ready in Five Days or less ;’

stating the Names of each of such VESSELS, its Displacement Tonnage, Thickness of Armour, Armament, and Speed, and showing whether they were all at the above Date provided with Guns, and with Stores, Ammunition, and Crews at hand, so as to be in all respects fit to go to Sea within the prescribed Periods :”

“And, of the same Particulars in respect of the CHANNEL SQUADRON at the same Date.”

Admiralty,
27 April 1891. }

EVAN MACGREGOR,
Secretary.

(*Sir William Harcourt.*)

Ordered, by The House of Commons, to be Printed,
28 April 1891

LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY THE HANSARD PUBLISHING UNION, LIMITED.

And to be purchased, either directly or through any Bookseller, from
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RETURN of the VESSELS in the CHANNEL and HOME WATERS (exclusive of the Channel Squadron) available at very short Notice, on the 1st day of April 1891, under the several Heads and Conditions set forth in the Statement of the First Lord of the Admiralty, dated the 4th day of March 1890, viz. —(1.) Four Armour-clads in Commission as Flagships at Home Ports, fully Commissioned, having all their Stores on Board, ready at a few Hours' Notice; (2) Nine Armour-clads, in Commission, connected with Coastguard, ready for Sea in 48 Hours, (3) Vessels in First Class Steam Reserve in Home Ports, comprising, as from the 1st day of July 1890, six Ironclads, two Belted Cruisers, and 16 Cruisers, besides Coast Defence Vessels and Gun and Torpedo Boats, these Vessels to be ready in Five Days or less; stating the Names of each of such VESSELS, its Displacement Tonnage, Thickness of Armour, Armament, and Speed, and showing whether they were all at the above Date provided with Guns, and with Stores, Ammunition, and Crews at hand, so as to be in all respects fit to go to Sea within the prescribed Periods, and, of the same Particulars in respect of the CHANNEL SQUADRON at the same Date.

FOUR ARMOUR-CLADS in COMMISSION as FLAGSHIPS at HOME PORTS.

SHIP.	Status.	Displacement Tonnage.	Thickness of Armour (Maximum)	Armament	Speed	Whether Complete with			
						Stores.	Guns.	Ammu- nition.	Crews at Hand
Northampton	In commission, Sheerness.	Tons 7,630	Inches 9	Four 10-in. 18-ton R.M.L., eight 9-in. 12-ton R.M.L., four 4 7-in. and 14 smaller quick-firing guns.	Knots. 13.2	Yes	Yes	Yes	Yes
Black Prince	In commission, Devonport.	9,210	4½	Four 8-in. 9-ton R.M.L., 22 7-in. 6½-ton R.M.L., two 6-in. B.L., six 20-pr. R.B.L., and four small quick-firing guns.	13.6	Yes	Yes	Yes	Yes
Triumph	In commission, Queenstown.	6,640	8	Ten 9-in. 12-ton R.M.L., four 5-in. B.L., and 16 small quick-firing guns	13.5	Yes	Yes	Yes	Yes.

N.B.—The Fourth Armour-clad for Portsmouth is not yet ready

NINE ARMOUR-CLADS in COMMISSION connected with COASTGUARD.

Alexandra	Flag	9,490	12	Eight 10-in. 18-ton R.M.L., four 9.2-in B.L., six 4-in B.L., and 10 small quick- firing guns.	14.75	Yes	Yes	Yes	Yes
Invincible	In commission	6,010	8	Ten 9-in. 12-ton R.M.L., six 4-in B.L., and four small quick-firing guns	(d) 13.8	Yes	Yes	Yes	Yes
Shannon	ditto	5,390	9	Two 10-in 18-ton R.M.L., seven 9-in 12-ton R.M.L., and six 20-pr. R.B.L.	12.3	Yes	Yes	Yes	Yes.
Hotspur	ditto	4,010	11	Two 12-in 25-ton R.M.L., two 6-in. B.L., and four small quick-firing guns.	12.6	Yes	Yes	Yes	Yes.
Neptune	ditto	9,310	13	Four 12½-in. 38-ton R.M.L., two 9-in. 12-ton R.M.L., and 14 small quick-firing guns.	14.2	Yes	Yes	Yes	Yes.
Ajax	ditto	8,660	18	Four 12½-in 38-ton R.M.L., two 6-in B.L., and six small quick-firing guns	(d) 13.0	Yes	Yes	Yes	Yes.
Bellerisle	ditto	4,870	12	Four 12-in. 25-ton R.M.L., and six small quick-firing guns	12.2	Yes	Yes	Yes	Yes.
Audacious	ditto	6,010	8	Ten 9-in. 12-ton R.M.L., eight 4-in. B.L., and 10 small quick-firing guns.	(d) 13.2	Yes	Yes	Yes	Yes.
Iron Duke	ditto	6,010	8	Ten 9-in. 12-ton R.M.L., four 5-in. B.L., four 20-pr R.B.L., and four small quick-firing guns.	(d) 12.5	Yes	Yes	Yes	Yes.

* Replaced by "Superb," 14th April.

(d) Deduced

LIST of SHIPS in STEAM RESERVE at the HOME PORTS on 1st April 1891,

CLASS OF VESSEL.	NAME.	Port at which Lying.	Tons Displacement.	Thickness of Armour (Maximum).	ARMAMENT.
Battle Ship, 1st Class, Armoured.	Thunderer -	Portsmouth	9,330	14-inch	Four 10-inch B.L., and fourteen small quick-firing guns.
Ditto - ditto	Superb -	Chatham	9,170	12-inch	Sixteen 10-inch, 18-ton, R.M.L., six 4-inch B.L., and sixteen small quick-firing guns.
Ditto - 3rd Class	Minotaur -	Portsmouth	10,690	5½-inch	Seventeen 9-inch, 12-ton, R.M.L., four 4-7-inch, and eight smaller quick-firing guns.
Ditto - 2nd Class	Swiftsure -	Devonport	6,910	8-inch	Ten 9-inch, 12-ton, R.M.L., eight 4-inch B.L., and eight small quick-firing guns.
Ditto - ditto	Hero -	Portsmouth	6,200	14-inch	Two 12-inch B.L., four 6-inch B.L., and twelve small quick-firing guns.
Ditto - ditto	Conqueror -	Devonport	6,200	14-inch	Two 12-inch B.L., four 6-inch B.L., and six small quick-firing guns.
Ditto - 3rd Class	Achilles -	Devonport	9,820	4½-inch	Fourteen 9-inch, 12-ton, R.M.L., two 6-inch B.L., and eight small quick-firing guns.
Coast Defence Ship, Armoured.	Glatton -	Portsmouth	4,910	14-inch	Two 12-inch, 25-ton, R.M.L., and three small quick-firing guns.
Ditto - ditto	Hecate -	Devonport	3,560	10-inch	Four 10-inch, 18-ton, R.M.L., and four small quick-firing guns.
Ditto - ditto	Cyclops -	Chatham	3,560	10-inch	Four 10-inch, 18-ton, R.M.L., and four small quick-firing guns.
Ditto - ditto	Hydra -	Chatham	3,560	10-inch	Four 10-inch, 18-ton, R.M.L., and four small quick-firing guns.
Ditto - ditto	Gorgon -	Devonport	3,560	10-inch	Four 10-inch, 18-ton, R.M.L., and four small quick-firing guns.
Armoured Cruiser -	Narcissus -	Chatham	5,600	16-inch	Two 9-2-inch B.L., ten 6-inch B.L., and sixteen small quick-firing guns.
Cruiser, 2nd Class (protected).	Mersey -	Chatham	4,050	Not armoured	Two 8-inch B.L., ten 6-inch B.L., and five small quick-firing guns.
Ditto - ditto	Thames -	Devonport	4,050	- ditto	Two 8-inch B.L., ten 6-inch B.L., and five small quick-firing guns.
Ditto - ditto	Forth -	Devonport	4,050	- ditto	Two 8-inch B.L., ten 6-inch B.L., and five small quick-firing guns.
Ditto - ditto	Latona -	Portsmouth	3,400	- ditto	Two 6-inch B.L., six 4-7-inch, and nine smaller quick-firing guns.
Cruiser, 2nd Class (unprotected).	Inconstant -	Devonport	5,780	- ditto	Six 6½-ton, 7-inch R.M.L., six 20-pr. R.B.L., and two small quick-firing guns.
Ditto - ditto	Iris -	Portsmouth	3,730	- ditto	Thirteen 5-inch B.L., and four small quick-firing guns.
Cruiser, 3rd Class (Protected).	Medea -	Chatham	2,800	Not armoured	Six 6-inch B.L., and ten small quick-firing guns.
Ditto - ditto	Medusa -	Chatham	2,800	- ditto	Six 6-inch B.L., and ten small quick-firing guns.

* It is not considered necessary to try this ship with the maximum of forced draught.

which were in all respects ready to go to Sea in FIVE Days or less.

Speed (Measured Mile).	Whether Complete with				REMARKS.
	Guns.	Stores.	Ammunition.	Crew at hand.	
<i>Knots.</i>					
* (a) 14.0	Yes - -	Yes - -	Yes - -	Yes - -	Commissioned, 17th March 1891 for the Mediterranean.
* (a) 14.0	Yes - -	Yes - -	Yes - -	No.	
(a) 13.25	Yes - -	(See Remarks)	Yes - -	Yes - -	Engineers' Stores complete Can be completed with warrant officers' stores by 15th April.
13.7	Yes - -	Yes - -	Yes - -	No.	
(b) 15.5	Yes - -	Yes - -	Yes - -	Yes - -	In commission as tender to "Excellent."
(b) 15.5	Yes - -	Yes - -	Yes - -	Yes - -	In commission as tender to "Cambridge."
13.75	Yes - -	Yes - -	Yes - -	Yes.	
12.1	Yes - -	(See Remarks)	Yes - -	No - -	Can be completed with warrant officers' stores by 10th April.
(b) 10.6	Yes - -	Yes - -	Yes - -	Yes - -	In commission as tender to "Cambridge."
(b) 10.7	Yes - -	Yes - -	Yes - -	Yes.	
(b) 10.9	Yes - -	Yes - -	Yes - -	Yes.	
(b) 11.0	Yes - -	Yes - -	Yes - -	No	
(b) 17.5	Yes - -	Yes - -	Yes - -	Yes	
(b) 17.0	Yes - -	Yes - -	Yes - -	No.	
(b) 17.0	Yes - -	Yes - -	Yes - -	Yes.	
(b) 17.0	Yes - -	Yes - -	Yes - -	Yes.	
20.1	Yes - -	Engineers' stores complete by 4th April; warrant officers' by 10th April.	Yes - -	No.	
(b) 16.2	Yes - -	Yes - -	Yes - -	No.	
18.0	Yes - -	(See Remarks)	Yes - -	Yes - -	Can be completed in a week.
(a) 20.0	Yes - -	Yes - -	Yes - -	No - -	Slight alterations of boilers in hand Will be completed, 30th June 1891. Otherwise complete, with coals and stores on board.
(a) 20.0	Yes - -	Yes - -	Yes - -	No.	

(a) Estimated.

(b) Deduced

LIST of Ships in Steam Reserve at the Home Ports on 1st April 1891,

CLASS OF VESSEL.	NAME.	Port at which Lying	Tons Displacement.	Thickness of Armour (Maximum).	A R M A M E N T.
Cruiser, 3rd Class (Protected).	Barham - -	Portsmouth	1,830	Not armoured	Six 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Barracouta - -	Sheerness -	1,580	- ditto -	Six 4·7-inch, and four smaller quick-firing guns
Ditto - ditto -	Barrosa - -	Portsmouth	1,580	- ditto -	Six 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Blonde - -	Devonport	1,580	- ditto -	Six 4·7-inch, and four smaller quick-firing guns.
Cruiser, 3rd Class (Unprotected).	Tartar - -	Sheerness -	1,770	- ditto -	Six 6-inch, B.L., and eight small quick-firing guns.
Ditto - ditto -	Raccoon - -	Devonport	1,770	- ditto -	Six 6-inch, B.L., and eight small quick-firing guns.
Torpedo Gun Boat (1st Class)	Sharpshooter	Devonport	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Seagull - -	Portsmouth	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Salamander -	Chatham -	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns
Ditto - ditto -	Sheldrake -	Chatham -	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Skipjack - -	Chatham -	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Spanker - -	Devonport	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns.
Ditto - ditto -	Gossamer -	Sheerness -	735	- ditto -	Two 4·7-inch, and four smaller quick-firing guns.
Gun Boat, 3rd Class (Coast Defence).	Slaney - -	Chatham -	363	- ditto -	Three 64-pr., R.M.L. guns - - -
Ditto - ditto -	Tay - -	Devonport	363	- ditto -	Three 64-pr., R.M.L. guns - - -
Ditto - ditto -	Spey - -	Portsmouth	363	- ditto -	Three 64-pr., R.M.L. guns - - -
Ditto - ditto -	Tees - -	Portsmouth	363	- ditto -	Three 64-pr., R.M.L. guns - - -
Ditto - ditto -	Medina - -	Portsmouth	363	- ditto -	Three 64-pr., R.M.L. guns - - -
Ditto - ditto -	Medway - -	Portsmouth	363	- ditto -	Three 64-pr., R.M.L. guns - - -
Ditto - ditto -	Bouncer - -	Portsmouth	265	- ditto -	One 10-inch, 18 ton, R.M.L., and two small quick-firing guns.
Ditto - ditto -	Arrow - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Fidget - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Hyæna - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Pickle - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Weazel - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Comet - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Badger - -	Portsmouth	254	- ditto -	One 10-inch, 18-ton, R.M.L. gun -
Ditto - ditto -	Staunch - -	Portsmouth	180	- ditto -	One 9-inch, 12-ton, R.M.L. gun -
Special Service Vessel	Traveller -	Portsmouth	700	- ditto -	Four small quick-firing guns - -

* It is not considered necessary to try this ship with the maximum of forced draught.

NAVY (SHIPS AVAILABLE 1ST APRIL 1891).

7

which were in all respects ready to go to Sea in Five Days or less—continued.

Speed (Measured Mile).	Whether Complete with				REMARKS.
	Guns.	Stores.	Ammunition.	Crew at Hand.	
<i>Knots.</i>					
* (a) 19.5	Yes -	Engineers' complete by 10th April; warrant officers' by end of April.	Yes -	No.	
* (a) 16.5	Yes -	Yes -	Yes -	Yes -	An evaporator will be made for "Barra-couta," but the ship is serviceable without this fitting.
16.9	Yes -	Engineers', yes. Warrant officers' complete by 10th of April.	Yes -	No.	
(a) 16.5	Yes -	Yes -	Yes -	No.	
(b) 16.75	Yes -	Yes -	Yes -	No.	
(a) 17.5	Yes -	Yes -	Yes -	Yes	
* (a) 21.0	Yes -	Yes -	Yes -	No.	
* (a) 21.0	Yes -	Yes -	Yes -	Yes -	In commission as tender to "Vernon."
* (a) 21.0	Yes -	No -	Yes -	No.	
* (a) 21.0	Yes -	Yes -	Yes -	No.	
* (a) 21.0	Yes -	Yes -	Yes -	No.	
* (a) 21.0	Yes -	Yes -	Yes -	No.	
* (a) 21.0	Yes -	Yes -	Yes -	No.	
9.5	Yes -	Yes -	Yes -	No.	
10.0	Yes -	Yes -	Yes -	No.	
10.0	Yes -	Yes -	Yes -	No.	
9.5	Yes -	Yes -	Yes -	No.	
9.5	Yes -	Yes -	Yes -	No.	
9.5	Yes -	Yes -	Yes -	No.	
8.3	Yes -	Yes -	Yes -	No.	
8.7	Yes -	Yes -	Yes -	No.	
8.3	Yes -	Yes -	Yes -	No.	
8.1	Yes -	Yes -	Yes -	No.	
8.7	Yes -	Yes -	Yes -	No.	
8.3	Yes -	Yes -	Yes -	No.	
8.7	Yes -	Yes -	Yes -	No.	
8.0	Yes -	Yes -	Yes -	No.	
7.6	Yes -	Yes -	Yes -	No.	
12.1	Yes -	Yes -	Yes -	Yes.	

(a) Estimated.

(b) Deduced.

CHANNEL SQUADRON.

SHIP.	Status.	Displace- ment Tonnage.	Thickness of Armour (Maximum).	Armament	Speed.	Whether Complete with			
						Stores.	Guns.	Ammu- nition.	Crews at hand.
		<i>Tons.</i>	<i>Inches.</i>		<i>Knots.</i>				
Camperdown, Battle-ship, 1st Class.	Flagship	10,600	18	Four 13·5-in. 67-ton B.L., six 6-in. B.L., and 19 small quick-firing guns.	(d) 16·75	Yes	Yes	Yes	Yes.
Anson, Battle-ship, 1st Class.	- ditto	10,600	18	Four 13·5-in. 67-ton B.L., six 6-in. B.L., and 19 small quick-firing guns.	(d) 16·75	Yes	Yes	Yes	Yes.
Rodney, Battle-ship, 1st Class.	In commission	10,300	18	Four 13·5-in. 67-ton B.L., six 6-in. B.L., and 14 small quick-firing guns.	(d) 16·75	Yes	Yes	Yes	Yes.
Howe, Battle-ship, 1st Class.	- ditto	10,300	18	Four 13·5-in. 67-ton B.L., six 6-in. B.L., and 19 small quick-firing guns.	(d) 16·75	Yes	Yes	Yes	Yes.
Aurora, Belted Cruiser, 1st Class.	- ditto	(a) 5,600	16	Two 9·2-in. B.L., ten 6-in. B.L., and 16 small quick-firing guns	(d) 17·5	Yes	Yes	Yes	Yes.
Immortalite, Belted Cruiser, 1st Class.	- ditto	(a) 5,600	16	Two 9·2-in. B.L., ten 6-in. B.L., and 16 small quick-firing guns	(d) 17·5	Yes	Yes	Yes	Yes.
Curlew, Gun-vessel, 1st Class.	- ditto	950	Nil	One 6-in. B.L. and three 5-in B.L.	(d) 14·5	Yes	Yes	Yes	Yes.
Speedwell, Torpedo Gunboat, 1st Class	- ditto	735	Nil	Two 4·7-in. and four small quick-firing guns.	*(e) 21·0	Yes	Yes	Yes	Yes.

(a) Includes 750 tons of coal.

(d) Deduced.

(e) Estimated.

* It is not considered necessary to try this ship with the maximum of forced draught.

NAVY (SHIPS AVAILABLE 1st APRIL 1891).

RETURN of the VESSELS in the CHANNEL and HOME WATERS (exclusive of the Channel Squadron) available at very short Notice, on 1 April 1891, under the several Heads and Conditions set forth in the Statement of the First Lord of the Admiralty, dated 4 March 1890 ; &c.

(*Sir William Harcourt.*)

*Ordered, by The House of Commons, to be Printed,
28 April 1891.*

[*Price 1½ d.*]

203.

Under 2 oz.

H.—5 6. 91.

RUSSIA. No. 1 (1907)

S 2314

CONVENTION

V3:19.5803V

SIGNED ON AUGUST 31, 1907,

D7

BETWEEN

GREAT BRITAIN AND RUSSIA,

CONTAINING

ARRANGEMENTS

ON THE SUBJECT

PERSIA, AFGHANISTAN, AN
THIBET

*Presented to both Houses of Parliament by Command of His Majesty.
September 1907.*

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY HARRISON AND SONS, ST. MARTIN'S LANE,
PRINTERS IN ORDINARY TO HIS MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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E. PONSONBY, 116, GRAFTON STREET, DUBLIN.

III.

La Russie s'engage pour sa part à ne pas s'opposer, sans s'être préalablement entendue avec l'Angleterre, à ce que des Concessions quelconques soient données à des sujets Britanniques dans les régions de la Perse situées entre les lignes mentionnées dans les Articles I et II.

La Grande-Bretagne prend un engagement identique en ce qui concerne des Concessions à donner à des sujets Russes dans les mêmes régions de la Perse.

Toutes les Concessions existant actuellement dans les régions désignées dans les Articles I et II sont maintenues.

IV.

Il est entendu que les revenus de toutes les douanes Persanes, à l'exception de celles du Farsistan et du Golfe Persique, revenus garantissant l'amortissement et les intérêts des emprunts conclus par le Gouvernement du Schah à la Banque d'Escompte et de Prêts de Perse jusqu'à la date de la signature du présent Arrangement, seront affectés au même but que par le passé.

Il est également entendu que les revenus des douanes Persanes du Farsistan et du Golfe Persique, aussi bien que ceux des pêcheries sur le littoral Persan de la Mer Caspienne et ceux des postes et télégraphes seront affectés comme par le passé au service des emprunts conclus par le Gouvernement du Schah à la Banque Impériale de Perse jusqu'à la date de la signature du présent Arrangement.

V.

En cas d'irrégularités dans l'amortissement ou le paiement des intérêts des emprunts Persans conclus à la Banque d'Escompte et de Prêts de Perse et à la Banque Impériale de Perse jusqu'à la date de la signature du présent Arrangement, et si la nécessité se présente pour la Russie d'instituer un contrôle sur des sources de revenus garantissant le service régulier des emprunts conclus à la première des dites banques et situées dans la région mentionnée dans l'Article II du présent Arrangement, ou pour la Grande-Bretagne d'instituer un contrôle sur des sources de revenus garantissant le service régulier des emprunts conclus à la seconde des dites banques et situées dans la région mentionnée dans l'Article I du présent Arrangement, les Gouvernements Anglais et Russe s'engagent à entrer préalablement dans un échange d'idées amical en vue de déterminer d'un commun accord les mesures de contrôle en question et d'éviter toute ingérence qui ne serait pas conforme aux principes servant de base au présent Arrangement.

Convention concernant l'Afghanistan.

Les Hautes Parties Contractantes, en vue d'assurer la parfaite sécurité sur les frontières respectives en Asie Centrale et le maintien dans ces régions d'une paix solide et durable, ont conclu la Convention suivante :—

ARTICLE I.

Le Gouvernement de Sa Majesté Britannique déclare qu'il n'a pas l'intention de changer l'état politique de l'Afghanistan.

Le Gouvernement de Sa Majesté Britannique s'engage, en outre, à exercer son influence en Afghanistan seulement dans un sens pacifique, et il ne prendra pas lui-même en Afghanistan et n'encouragera pas l'Afghanistan à prendre des mesures menaçant la Russie.

De son côté, le Gouvernement Impérial de Russie déclare qu'il reconnaît l'Afghanistan comme se trouvant en dehors de la sphère de l'influence Russe, et il s'engage à se servir pour toutes ses relations politiques avec l'Afghanistan de l'intermédiaire du Gouvernement de Sa Majesté Britannique, il s'engage aussi à n'envoyer aucuns Agents en Afghanistan.

ARTICLE II.

Le Gouvernement de Sa Majesté Britannique ayant déclaré dans le *Traité* signé à Kaboul le 21 Mars, 1905, qu'il reconnaît l'Arrangement et les engagements conclus avec le défunt Emir Abdur Rahman et qu'il n'a aucune intention de s'ingérer dans l'administration intérieure du territoire Afghan, la Grande-Bretagne s'engage à ne pas annexer ou occuper, contrairement au dit *Traité*, une partie quelconque de l'Afghanistan, ni à s'ingérer dans l'administration intérieure de ce pays, sous réserve que l'Emir remplira les engagements déjà contractés par lui à l'égard du Gouvernement de Sa Majesté Britannique en vertu du *Traité* susmentionné.

ARTICLE III.

Les autorités Russes et Afghanes, spécialement désignées à cet effet, sur la frontière ou dans les provinces frontières, pourront établir des relations directes réciproques pour régler les questions locales d'un caractère non politique.

ARTICLE IV.

Les Gouvernements de la Grande-Bretagne et de Russie déclarent reconnaître, par rapport à l'Afghanistan, le principe de l'égalité de traitement pour ce qui concerne le commerce, et conviennent que toutes les facilités qui ont été ou seront acquises à l'avenir au commerce et aux commerçants Anglais et Anglo-Indiens seront également appliquées au commerce et aux commerçants Russes. Si le développement du commerce vient à démontrer la nécessité d'agents commerciaux, les deux Gouvernements s'entendront sur les mesures à prendre, eu égard bien entendu aux droits souverains de l'Emir.

ARTICLE V.

Les présents Arrangements n'entreont en vigueur qu'à partir du moment où le Gouvernement Britannique aura notifié au Gouvernement de Russie le consentement de l'Emir aux termes ci-dessus stipulés.

Arrangement concernant le Thibet.

Les Gouvernements de la Grande-Bretagne et de Russie, reconnaissant les droits suzerains de la Chine sur le Thibet et considérant que par suite de sa situation géographique la Grande-Bretagne a un intérêt spécial à voir le régime actuel des relations extérieures du Thibet intégralement maintenu, sont convenus de l'Arrangement suivant : —

ARTICLE I.

Les deux Hautes Parties Contractantes s'engagent à respecter l'intégrité territoriale du Thibet et à s'abstenir de toute ingérence dans son administration intérieure.

ARTICLE II.

Se conformant au principe admis de la suzeraineté de la Chine sur le Thibet, la Grande-Bretagne et la Russie s'engagent à ne traiter avec le Thibet que par l'entremise du Gouvernement Chinois. Cet engagement n'exclut pas toutefois les rapports directs des agents commerciaux Anglais avec les autorités Thibétaines prévus par l'Article V de la Convention du 7 Septembre, 1904, entre la Grande-Bretagne et le Thibet, et confirmés par la Convention du 27 Avril, 1906, entre la Grande-Bretagne et la Chine ; il ne modifie pas non plus les engagements assumés par la Grande-Bretagne et la Chine en vertu de l'Article I de la dite Convention de 1906.

Il est bien entendu que les Bouddhistes tant sujets Britanniques que Russes peuvent entrer en relations directes sur le terrain strictement religieux avec le Dalaï-Lama et les autres représentants du Bouddhisme au Thibet ; les Gouvernements de la

III.

La Russie s'engage pour sa part à ne pas s'opposer, sans s'être préalablement entendue avec l'Angleterre, à ce que des Concessions quelconques soient données à des sujets Britanniques dans les régions de la Perse situées entre les lignes mentionnées dans les Articles I et II.

La Grande-Bretagne prend un engagement identique en ce qui concerne des Concessions à donner à des sujets Russes dans les mêmes régions de la Perse.

Toutes les Concessions existant actuellement dans les régions désignées dans les Articles I et II sont maintenues.

IV.

Il est entendu que les revenus de toutes les douanes Persanes, à l'exception de celles du Farsistan et du Golfe Persique, revenus garantissant l'amortissement et les intérêts des emprunts conclus par le Gouvernement du Schah à la Banque d'Escompte et de Prêts de Perse jusqu'à la date de la signature du présent Arrangement, seront affectés au même but que par le passé.

Il est également entendu que les revenus des douanes Persanes du Farsistan et du Golfe Persique, aussi bien que ceux des pêcheries sur le littoral Persan de la Mer Caspienne et ceux des postes et télégraphes seront affectés comme par le passé au service des emprunts conclus par le Gouvernement du Schah à la Banque Impériale de Perse jusqu'à la date de la signature du présent Arrangement.

V.

En cas d'irrégularités dans l'amortissement ou le paiement des intérêts des emprunts Persans conclus à la Banque d'Escompte et de Prêts de Perse et à la Banque Impériale de Perse jusqu'à la date de la signature du présent Arrangement, et si la nécessité se présente pour la Russie d'instituer un contrôle sur des sources de revenus garantissant le service régulier des emprunts conclus à la première des dites banques et situées dans la région mentionnée dans l'Article II du présent Arrangement, ou pour la Grande-Bretagne d'instituer un contrôle sur des sources de revenus garantissant le service régulier des emprunts conclus à la seconde des dites banques et situées dans la région mentionnée dans l'Article I du présent Arrangement, les Gouvernements Anglais et Russe s'engagent à entrer préalablement dans un échange d'idées amical en vue de déterminer d'un commun accord les mesures de contrôle en question et d'éviter toute ingérence qui ne serait pas conforme aux principes servant de base au présent Arrangement.

Convention concernant l'Afghanistan.

Les Hautes Parties Contractantes, en vue d'assurer la parfaite sécurité sur les frontières respectives en Asie Centrale et le maintien dans ces régions d'une paix solide et durable, ont conclu la Convention suivante :—

ARTICLE I.

Le Gouvernement de Sa Majesté Britannique déclare qu'il n'a pas l'intention de changer l'état politique de l'Afghanistan.

Le Gouvernement de Sa Majesté Britannique s'engage, en outre, à exercer son influence en Afghanistan seulement dans un sens pacifique, et il ne prendra pas lui-même en Afghanistan et n'encouragera pas l'Afghanistan à prendre des mesures menaçant la Russie.

De son côté, le Gouvernement Impérial de Russie déclare qu'il reconnaît l'Afghanistan comme se trouvant en dehors de la sphère de l'influence Russe, et il s'engage à se servir pour toutes ses relations politiques avec l'Afghanistan de l'intermédiaire du Gouvernement de Sa Majesté Britannique ; il s'engage aussi à n'envoyer aucuns Agents en Afghanistan.

ARTICLE II.

Le Gouvernement de Sa Majesté Britannique ayant déclaré dans le Traité signé à Kaboul le 21 Mars, 1905, qu'il reconnaît l'Arrangement et les engagements conclus avec le défunt Emir Abdur Rahman et qu'il n'a aucune intention de s'ingérer dans l'administration intérieure du territoire Afghan, la Grande-Bretagne s'engage à ne pas annexer ou occuper, contrairement au dit Traité, une partie quelconque de l'Afghanistan, ni à s'ingérer dans l'administration intérieure de ce pays, sous réserve que l'Emir remplira les engagements déjà contractés par lui à l'égard du Gouvernement de Sa Majesté Britannique en vertu du Traité susmentionné.

ARTICLE III.

Les autorités Russes et Afghanes, spécialement désignées à cet effet, sur la frontière ou dans les provinces frontalières, pourront établir des relations directes réciproques pour régler les questions locales d'un caractère non politique.

ARTICLE IV.

Les Gouvernements de la Grande-Bretagne et de Russie déclarent reconnaître, par rapport à l'Afghanistan, le principe de l'égalité de traitement pour ce qui concerne le commerce, et conviennent que toutes les facilités qui ont été ou seront acquises à venir au commerce et aux commerçants Anglais et Anglo-Indiens seront également appliquées au commerce et aux commerçants Russes. Si le développement du commerce vient à démontrer la nécessité d'agents commerciaux, les deux Gouvernements entendront sur les mesures à prendre, eu égard bien entendu aux droits souverains de l'Emir.

ARTICLE V.

Les présents Arrangements n'entreront en vigueur qu'à partir du moment où le Gouvernement Britannique aura notifié au Gouvernement de Russie le consentement de l'Emir aux termes ci-dessus stipulés.

Arrangement concernant le Thibet.

Les Gouvernements de la Grande-Bretagne et de Russie, reconnaissant les droits suzerains de la Chine sur le Thibet et considérant que par suite de sa situation géographique la Grande-Bretagne a un intérêt spécial à voir le régime actuel des relations extérieures du Thibet intégralement maintenu, sont convenus de l'Arrangement suivant :—

ARTICLE I.

Les deux Hautes Parties Contractantes s'engagent à respecter l'intégrité territoriale du Thibet et à s'abstenir de toute ingérence dans son administration intérieure.

ARTICLE II.

Se conformant au principe admis de la suzeraineté de la Chine sur le Thibet, la Grande-Bretagne et la Russie s'engagent à ne traiter avec le Thibet que par l'entremise du Gouvernement Chinois. Cet engagement n'exclut pas toutefois les rapports directs des agents commerciaux Anglais avec les autorités Thibétaines prévus par l'Article V de la Convention du 7 Septembre, 1904, entre la Grande-Bretagne et le Thibet, et confirmés par la Convention du 27 Avril, 1906, entre la Grande-Bretagne et la Chine ; il ne modifie pas non plus les engagements assumés par la Grande-Bretagne et la Chine en vertu de l'Article I de la dite Convention de 1906.

Il est bien entendu que les Bouddhistes tant sujets Britanniques que Russes peuvent entrer en relations directes sur le terrain strictement religieux avec le Dalai-Lama et les autres représentants du Bouddhisme au Thibet ; les Gouvernements de la

Grande-Bretagne et de Russie s'engagent, pour autant qu'il dépendra d'eux, à ne pas admettre que ces relations puissent porter atteinte aux stipulations du présent Arrangement.

ARTICLE III.

Les Gouvernements Britannique et Russe s'engagent, chacun pour sa part, à ne pas envoyer de Représentants à Lhassa.

ARTICLE IV.

Les deux Hautes Parties s'engagent à ne rechercher ou obtenir, ni pour leur propre compte, ni en faveur de leurs sujets, aucunes Concessions de chemins de fer, routes, télégraphes et mines, ou autres droits au Thibet.

ARTICLE V.

Les deux Gouvernements sont d'accord qu'aucune partie des revenus du Thibet, soit en nature, soit en espèces, ne peut être engagée ou assignée tant à la Grande-Bretagne et à la Russie qu'à leurs sujets.

Annexe à l'Arrangement entre la Grande-Bretagne et la Russie concernant le Thibet.

La Grande-Bretagne réaffirme la déclaration signée par son Excellence le Vice-Roi et Gouverneur-Général des Indes et annexée à la ratification de la Convention du 7 Septembre, 1904, stipulant que l'occupation de la Vallée de Chumbi par les forces Britanniques prendra fin après le paiement de trois annuités de l'indemnité de 25,00,000 roupies, à condition que les places de marché mentionnées dans l'Article II de la dite Convention aient été effectivement ouvertes depuis trois ans, et que les autorités Thibétaines durant cette période se soient conformées strictement sous tous les rapports aux termes de la dite Convention de 1904. Il est bien entendu que si l'occupation de la Vallée du Chumbi par les forces Britanniques n'aura pas pris fin, pour quelque raison que ce soit, à l'époque prévue par la Déclaration précitée, les Gouvernements Britannique et Russe entreront dans un échange de vues amical à ce sujet.

La présente Convention sera ratifiée et les ratifications en seront échangées à Saint-Petersbourg aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

Fait à Saint-Petersbourg, en double expédition, le 18 (31) Août, 1907.

(L.S.) A. NICOLSON.

(L.S.) ISWOLSKY.

(Translation.)

Convention.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of All the Russias, animated by the sincere desire to settle by mutual agreement different questions concerning the interests of their States on the Continent of Asia, have determined to conclude Agreements destined to prevent all cause of misunderstanding between Great Britain and Russia in regard to the questions referred to, and have nominated for this purpose their respective Plenipotentiaries, to wit :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right Honourable

Sir Arthur Nicolson, His Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of All the Russias;

His Majesty the Emperor of All the Russias, the Master of his Court Alexander Iswolsky, Minister for Foreign Affairs;

Who, having communicated to each other their full powers, found in good and due form, have agreed on the following :—

Arrangement concerning Persia.

The Governments of Great Britain and Russia having mutually engaged to respect the integrity and independence of Persia, and sincerely desiring the preservation of order throughout that country and its peaceful development, as well as the permanent establishment of equal advantages for the trade and industry of all other nations;

Considering that each of them has, for geographical and economic reasons, a special interest in the maintenance of peace and order in certain provinces of Persia adjoining, or in the neighbourhood of, the Russian frontier on the one hand, and the frontiers of Afghanistan and Baluchistan on the other hand; and being desirous of avoiding all cause of conflict between their respective interests in the above-mentioned Provinces of Persia;

Have agreed on the following terms :—

I.

Great Britain engages not to seek for herself, and not to support in favour of British subjects, or in favour of the subjects of third Powers, any Concessions of a political or commercial nature—such as Concessions for railways, banks, telegraphs, roads, transport, insurance, &c.—beyond a line starting from Kasr-i-Shirin, passing through Isfahan, Yezd, Kakhk, and ending at a point on the Persian frontier at the intersection of the Russian and Afghan frontiers, and not to oppose, directly or indirectly, demands for similar Concessions in this region which are supported by the Russian Government. It is understood that the above-mentioned places are included in the region in which Great Britain engages not to seek the Concessions referred to.

II.

Russia, on her part, engages not to seek for herself and not to support, in favour of Russian subjects, or in favour of the subjects of third Powers, any Concessions of a political or commercial nature—such as Concessions for railways, banks, telegraphs, roads, transport, insurance, &c.—beyond a line going from the Afghan frontier by way of Gazik, Birjand, Kerman, and ending at Bunder Abbas, and not to oppose, directly or indirectly, demands for similar Concessions in this region which are supported by the British Government. It is understood that the above-mentioned places are included in the region in which Russia engages not to seek the Concessions referred to.

III.

Russia, on her part, engages not to oppose, without previous arrangement with Great Britain, the grant of any Concessions whatever to British subjects in the regions of Persia situated between the lines mentioned in Articles I and II.

Great Britain undertakes a similar engagement as regards the grant of Concessions to Russian subjects in the same regions of Persia.

All Concessions existing at present in the regions indicated in Articles I and II are maintained.

IV.

It is understood that the revenues of all the Persian customs, with the exception of those of Farsistan and of the Persian Gulf, revenues guaranteeing the amortization and the interest of the loans concluded by the Government of the Shah with the "Banque d'Escompte et des Prêts de Perse" up to the date of the signature of the present Arrangement, shall be devoted to the same purpose as in the past.

It is equally understood that the revenues of the Persian customs of Farsistan and of the Persian Gulf, as well as those of the fisheries on the Persian shore of the

Caspian Sea and those of the Posts and Telegraphs, shall be devoted, as in the past, to the service of the loans concluded by the Government of the Shah with the Imperial Bank of Persia up to the date of the signature of the present Arrangement.

V.

In the event of irregularities occurring in the amortization or the payment of the interest of the Persian loans concluded with the "Banque d'Escompte et des Prêts de Perse" and with the Imperial Bank of Persia up to the date of the signature of the present Arrangement, and in the event of the necessity arising for Russia to establish control over the sources of revenue guaranteeing the regular service of the loans concluded with the first-named bank, and situated in the region mentioned in Article II of the present Arrangement, or for Great Britain to establish control over the sources of revenue guaranteeing the regular service of the loans concluded with the second-named bank, and situated in the region mentioned in Article I of the present Arrangement, the British and Russian Governments undertake to enter beforehand into a friendly exchange of ideas with a view to determine, in agreement with each other, the measures of control in question and to avoid all interference which would not be in conformity with the principles governing the present Arrangement.

Convention concerning Afghanistan.

The High Contracting Parties, in order to ensure perfect security on their respective frontiers in Central Asia and to maintain in these regions a solid and lasting peace, have concluded the following Convention :—

ARTICLE I.

His Britannic Majesty's Government declare that they have no intention of changing the political status of Afghanistan.

His Britannic Majesty's Government further engage to exercise their influence in Afghanistan only in a pacific sense, and they will not themselves take, nor encourage Afghanistan to take, any measures threatening Russia.

The Russian Government, on their part, declare that they recognize Afghanistan as outside the sphere of Russian influence, and they engage that all their political relations with Afghanistan shall be conducted through the intermediary of His Britannic Majesty's Government; they further engage not to send any Agents into Afghanistan.

ARTICLE II.

The Government of His Britannic Majesty having declared in the Treaty signed at Kabul on the 21st March, 1905, that they recognize the Agreement and the engagements concluded with the late Ameer Abdur Rahman, and that they have no intention of interfering in the internal government of Afghan territory, Great Britain engages neither to annex nor to occupy in contravention of that Treaty any portion of Afghanistan or to interfere in the internal administration of the country, provided that the Ameer fulfils the engagements already contracted by him towards His Britannic Majesty's Government under the above-mentioned Treaty.

ARTICLE III.

The Russian and Afghan authorities, specially designated for the purpose on the frontier or in the frontier provinces, may establish direct relations with each other for the settlement of local questions of a non-political character.

ARTICLE IV.

His Britannic Majesty's Government and the Russian Government affirm their adherence to the principle of equality of commercial opportunity in Afghanistan, and

they agree that any facilities which may have been, or shall be hereafter obtained for British and British-Indian trade and traders, shall be equally enjoyed by Russian commercial Agents, the two Governments will agree as to what measures shall be taken, due regard, of course, being had to the Ameer's sovereign rights.

ARTICLE V.

The present Arrangements will only come into force when His Britannic Majesty's Government shall have notified to the Russian Government the consent of the Ameer to the terms stipulated above.

Arrangement concerning Thibet.

The Governments of Great Britain and Russia recognizing the suzerain rights of China in Thibet, and considering the fact that Great Britain, by reason of her geographical position, has a special interest in the maintenance of the *status quo* in the external relations of Thibet, have made the following Arrangement :—

ARTICLE I.

The two High Contracting Parties engage to respect the territorial integrity of Thibet and to abstain from all interference in its internal administration.

ARTICLE II.

In conformity with the admitted principle of the suzerainty of China over Thibet, Great Britain and Russia engage not to enter into negotiations with Thibet except through the intermediary of the Chinese Government. This engagement does not exclude the direct relations between British Commercial Agents and the Thibetan authorities provided for in Article V of the Convention between Great Britain and Thibet of the 7th September, 1904, and confirmed by the Convention between Great Britain and China of the 27th April, 1906; nor does it modify the engagements entered into by Great Britain and China in Article I of the said Convention of 1906.

It is clearly understood that Buddhists, subjects of Great Britain or of Russia, may enter into direct relations on strictly religious matters with the Dalai Lama and the other representatives of Buddhism in Thibet; the Governments of Great Britain and Russia engage, as far as they are concerned, not to allow those relations to infringe the stipulations of the present Arrangement.

ARTICLE III.

The British and Russian Governments respectively engage not to send Representatives to Lhasa.

ARTICLE IV.

The two High Contracting Parties engage neither to seek nor to obtain, whether for themselves or their subjects, any Concessions for railways, roads, telegraphs, and mines, or other rights in Thibet.

ARTICLE V.

The two Governments agree that no part of the revenues of Thibet, whether in kind or in cash, shall be pledged or assigned to Great Britain or Russia or to any of their subjects.

Annex to the Arrangement between Great Britain and Russia concerning Thibet.

Great Britain reaffirms the Declaration, signed by his Excellency the Viceroy and Governor-General of India and appended to the ratification of the Convention of the 7th September, 1904, to the effect that the occupation of the Chumbi Valley by British forces shall cease after the payment of three annual instalments of the indemnity of 25,00,000 rupees, provided that the trade marts mentioned in Article II of that Convention have been effectively opened for three years, and that in the meantime the Thibetan authorities have faithfully complied in all respects with the terms of the said Convention of 1904. It is clearly understood that if the occupation of the Chumbi Valley by the British forces has, for any reason, not been terminated at the time anticipated in the above Declaration, the British and Russian Governments will enter upon a friendly exchange of views on this subject.

The present Convention shall be ratified, and the ratifications exchanged at St. Petersburg as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention and affixed thereto their seals.

Done in duplicate at St. Petersburg, the 18th (31st) August, 1907.

(L.S.) A. NICOLSON.

(L.S.) ISWOLSKY.

Inclosure 2 in No. 2.

Sir A. Nicolson to M. Iswolsky.

M. le Ministre,

Saint-Petersbourg, le 18 (31) Août, 1907.

ME référant à l'Arrangement au sujet du Thibet signé aujourd'hui, j'ai l'honneur de faire à votre Excellence la déclaration suivante :—

“Le Gouvernement Britannique juge utile, pour autant qu'il dépendra de lui, de ne pas admettre, sauf accord préalable avec le Gouvernement Russe, pour une durée de trois ans à partir de la date de la présente communication, l'entrée au Thibet d'une mission scientifique quelconque, à condition toutefois qu'une assurance pareille soit donnée de la part du Gouvernement Impérial de Russie.

“Le Gouvernement Britannique se propose, en outre, de s'adresser au Gouvernement Chinois afin de faire agréer à ce dernier une obligation analogue pour une période correspondante; il va de soi que la même démarche sera faite par le Gouvernement Russe.

“A l'expiration du terme de trois ans précité, le Gouvernement Britannique avisera d'un commun accord avec le Gouvernement Russe à l'opportunité, s'il y a lieu, de mesures ultérieures à prendre concernant les expéditions scientifiques au Thibet.”

Je saisis, &c.

(Signé) A. NICOLSON.

(Translation.)

M. le Ministre,

St. Petersburg, August 18 (31), 1907.

WITH reference to the Arrangement regarding Thibet, signed to-day, I have the honour to make the following Declaration to your Excellency :—

“His Britannic Majesty's Government think it desirable, so far as they are concerned, not to allow, unless by a previous agreement with the Russian Government, for a period of three years from the date of the present communication, the entry into Thibet of any scientific mission whatever, on condition that a like assurance is given on the part of the Imperial Russian Government.

“His Britannic Majesty's Government propose, moreover, to approach the Chinese Government with a view to induce them to accept a similar obligation for a corresponding period; the Russian Government will, as a matter of course, take similar action.

"At the expiration of the term of three years above mentioned His Britannic Majesty's Government will, if necessary, consult with the Russian Government as to the desirability of any ulterior measures with regard to scientific expeditions to Thibet."

I avail, &c.
(Signed) A. NICOLSON.

Inclosure 3 in No. 2.

M. Iswolsky to Sir A. Nicolson.

M. l'Ambassadeur,

Saint-Petersbourg, le 18 (31) Août, 1907.

EN réponse à la note de votre Excellence en date de ce jour, j'ai l'honneur de déclarer à mon tour que le Gouvernement Impérial de Russie juge utile, pour autant qu'il dépendra de lui, de ne pas admettre—sauf accord préalable avec le Gouvernement Britannique—pour une durée de trois ans, à partir de la date de la présente communication, l'entrée au Thibet d'une mission scientifique quelconque.

De même que le Gouvernement Britannique, le Gouvernement Impérial se propose de s'adresser au Gouvernement Chinois afin de faire agréer à ce dernier une obligation analogue pour une période correspondante.

Il reste entendu qu'à l'expiration du terme de trois ans les deux Gouvernements aviseront d'un commun accord à l'opportunité, s'il y a lieu, de mesures ultérieures à prendre concernant les expéditions scientifiques au Thibet.

Veuillez agréer, &c.
(Signé) ISWOLSKY.

(Translation.)

M. l'Ambassadeur,

St. Petersburg, August 18 (31), 1907.

IN reply to your Excellency's note of even date, I have the honour to declare that the Imperial Russian Government think it desirable, so far as they are concerned, not to allow, unless by a previous agreement with the British Government, for a period of three years from the date of the present communication, the entry into Thibet of any scientific mission whatever.

Like the British Government, the Imperial Government propose to approach the Chinese Government with a view to induce them to accept a similar obligation for a corresponding period.

It is understood that at the expiration of the term of three years the two Governments will, if necessary, consult with each other as to the desirability of any ulterior measures with regard to scientific expeditions to Thibet.

I have, &c.
(Signed) ISWOLSKY.

CONVENTION signed on August 31, 1907, between
Great Britain and Russia, containing Arrangements
on the subject of Persia, Afghanistan
and Thibet.

*presented to both Houses of Parliament by Command
of His Majesty. September 1907.*

LONDON:
PRINTED BY HARRISON AND SONS.