

The principal of these are Nos. 3 and 4. As to No. 3, I think it is a matter of doubt whether the New Zealand law is not preferable. A vessel may be stranded by the gross negligence and carelessness of her navigators, as was the case of the s.s. "Ruapehu," a large and well appointed steamship carrying a large number of passengers. This vessel was stranded in broad daylight on Farewell Spit, a well known part of the coast; and yet, because after a few days, during which, fortunately there was fine weather, she was floated off without serious damage the master's certificate could not have been dealt with under the Imperial law.

The other point, No. 4, is the Imperial provision for rehearing a case under certain circumstances. This is no doubt a matter requiring consideration, but as a matter of experience the necessity for it has not been pressed on the department by any case which has yet occurred.

These differences, and those referred to in Nos. 1 and 2 of the *précis*, do not appear to urgently require that the Government should bring forward a Bill to amend the law; but, in the event of the consolidation of the New Zealand Shipping Acts, the view urged by the Board of Trade that the Imperial and colonial law should, so far as possible, be assimilated is one which will be carefully considered when such consolidation is undertaken.

I recommend that His Excellency the Governor be advised to inform the Secretary of State for the Colonies accordingly.

WM. HALL-JONES,
Minister of Marine.

PRÉCIS OF PRINCIPAL DIFFERENCES BETWEEN THE IMPERIAL AND NEW ZEALAND LAW RELATING TO INQUIRIES INTO SHIPPING CASUALTIES.

- | <i>Imperial "Merchant Shipping Act, 1894."</i> | <i>New Zealand "Shipping and Seamen's Act, 1877."</i> |
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| 1. Section 466, subsection (3), requires two Assessors. | 1. Section 241 requires one or more. As a matter of fact, in all important cases two are appointed. |
| 2. Section 466, subsection (12), forbids inquiries to be held in a Police Court. | 2. No provision of this kind. Inquiries are often held in the Police Court, but so are many other Magisterial inquiries with which the police are not concerned. There is no reflection involved on the parties concerned. |
| 3. Section 470: Inquiry can be held, but certificate cannot be dealt with unless there has been loss, abandonment of, or serious damage to a ship, but the officer or officers can be ordered to pay costs. | 3. There is nothing to hinder a certificate being dealt with, although a vessel may have been stranded without sustaining serious damage. The s.s. "Ruapehu" was a case in point. At the time the inquiry was held the "Ruapehu" had floated off without damage so far as was then known, and if the Imperial law had been in force in the colony the master's certificate could not have been dealt with, notwithstanding the gross and culpable negligence which the Court found him guilty of. |
| 4. Section 475: This section gives power for rehearing, if new and important evidence has been discovered, or if ground for suspecting miscarriage of justice. The Board of Trade decides whether or not there is to be a rehearing, but if its decision is adverse to the person affected he can appeal to the High Court. | 4. There is no such provision in New Zealand. |

No. 10.

(No. 40.)

SIR,—

Government House, Wellington, 7th July, 1898.

I have the honour to inform you that I opened the third session of the thirteenth Parliament of New Zealand on the 24th June, 1898, and to enclose copies of the Speech that I read on that occasion.

2. I have further the honour to forward herewith copies of the (a) Address in Reply presented to me by the Hon. the Speaker of the Legislative Council; (b) Address in Reply presented to me by the Speaker and members of the House of Representatives.

I have, &c.,

RANFURLY.

The Right Hon. J. Chamberlain,
Secretary of State for the Colonies.