

respective oversea colonies for disposal. A statement showing that these steps have been taken should be transmitted in the case of every estate so dealt with, without delay, both to this Department and the Government of the oversea colony, if any, concerned. In the case of officers the report of the Committee of Adjustment should be sent to the Master at the time the amount due is handed over. It must be understood that no action of the kind indicated above should be taken with regard to any amount which has been credited to this Department as available for issue, nor should any gratuities due in such cases be so handed over, as such cases will be dealt with by this Office. The amounts due to the estates of officers, non-commissioned officers, and men whose relatives appear to live in the United Kingdom should be credited to this Department for disposal in the usual way, exclusive of gratuities, which will be assessed by this office.

3. The instructions contained in the foregoing paragraphs do not in any way apply to the balances or gratuities due to officers of the Imperial forces attached to oversea colonial contingents or irregular corps. Such officers' estates will be dealt with in the usual manner, and not handed over to colonial Governments. It must also be distinctly understood that the amounts due to the estates of any members of the oversea colonial contingents and Imperial irregular corps whose representatives are not definitely known to be living in the colonies, are not to be included in any statement for colonial Governments or handed over to the Supreme Courts, but are to be credited for disposal by this Department in the ordinary way.

4. Any gratuity which may be due to the estates of officers, non-commissioned officers, and men of the permanent colonial forces of South Africa, including Volunteers, should be drawn and handed over for disposal to the Master of the Supreme or High Court of the colony to which the men belonged.

---

No. 13.

(No. 7.)  
MY LORD,—

Downing Street, 15th January, 1901.

In my telegrams of the 14th and 24th ultimo I informed you that it was impossible to procure the issue of letters patent under "The Colonial Boundaries Act, 1895," for the extension of the boundaries of New Zealand on the 1st instant, the date desired by your Government, since it was necessary to consult the Law Officers of the Crown, in view of the possibility that Imperial legislation might be required.

2. I have to explain that, when your telegram of the 10th ultimo was received, my attention was drawn to an opinion of the Law Officers in October, 1896, relative to a proposed annexation of Norfolk Island to New South Wales, to the effect that the general power of Her Majesty to alter the boundaries of "Colonial Boundaries Act, 1895," could not be relied on to justify the annexation, even with the consent of the colony; that the boundaries of New South Wales rested on a statutory basis, and that, even if the annexation of Norfolk Island could be deemed a question of boundary, the Law Officers did not think that, in view of the statute 18 and 19 Vict., cap. 54, it could be safely effected by Order in Council.

3. It was not clear whether that opinion merely intended to imply that the power conferred by the Colonial Boundaries Act could not override the special provision made for the government of Norfolk Island by 18 and 19 Vict., cap. 54, or, generally, that the powers conferred by the Colonial Boundaries Act to vary the boundaries of a self-governing colony, with the consent of its Legislature, could not be exercised in cases (as in that of New Zealand) where the boundaries of the colony had been fixed by Imperial statute; and, in view of this report, I did not feel justified in advising Her Majesty to issue letters patent, or an Order in Council under the Act, without first consulting the Law Officers as to the legality of such a proceeding.

4. The Law Officers, however, have now advised that the desired extension of boundaries can be effected by an Order in Council under "The Colonial Boundaries Act, 1895"; and, as I informed you in my telegram of the 10th instant, the necessary instrument will be prepared for the assent of the Queen in Council, and sent to you as soon as possible.

I have, &c.,

J. CHAMBERLAIN.

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