

Zealand cables of deviated messages, and I understand that these inquiries were made after learning the views of your Department from your officer at Wakapuaka.

As a considerable difference of opinion appears to exist, I beg to submit the company's views so far as its lines are affected, and which have been confirmed by an official interpretation of the Convention by the Berne Bureau.

The company's lines are affected by the following interruptions: (1) Norfolk Island-Doubtless Bay cable; (2) New Zealand land-lines to Doubtless Bay.

In the first case, the Pacific Cable Board could, during a period of twenty-four hours, divert by way of the company's cables and Southport all messages from New Zealand the rates for which are less by the Pacific route than any other. But where the rates are the same by several routes as for messages from New Zealand to Great Britain, the interruption of the Pacific route causes the special instructions for that route to no longer hold good, and your Department under Regulation XXI, paragraph 3, would divert such messages to the next route. Practically, therefore, the *pro rata* rates, so far as New Zealand is concerned, are limited to messages to places in North America and adjacent islands. In the case of messages to New Zealand, all messages arriving at Norfolk Island could be diverted *via* Southport and La Perouse at *pro rata* rates.

In the second case, no deviations can be made at *pro rata* rates because the tariff over the interrupted section is a terminal one of 1d., and the Convention provides in Regulation LXXVI, paragraph 6, that the tariff for *pro rata* division is the transit rates only, and in all cases where the deviated telegrams enter into international accounts the terminal taxes under the present Regulations are treated in full. Moreover, the Berne Office in a letter, copy of which was sent you with my letter of the 17th July, 1906, has given its view that a terminal Administration has no right to deviate when it is aware that the route indicated is interrupted. It is clear, therefore, in case No. 2 that, as there is nothing to divide and the terminal Administration has no rights of deviating, on all messages diverted to the company's cables owing to the interruption of the New Zealand land-lines, the company must be credited with 3d. per word, and I have instructed the Nelson Superintendent accordingly.

I have, &c.,

W. WARREN,

Manager in Australasia

The Secretary, General Post Office, Wellington.

[P.C. Diversion 07/38.]

## No. 22.

The SECRETARY, General Post Office, Wellington, to the DEPUTY POSTMASTER-GENERAL, Sydney.

SIR,—

General Post Office, Wellington, 4th June, 1907.

I have the honour to acknowledge the receipt of your letter of the 8th April last, about the allocation of charges on a number of international and Fijian cable messages for New Zealand diverted from the Pacific to the Extension route on the 2nd August, 1905.

In reply, I would point out that the statement of accounts was rendered on the basis of former diversions, and that no exception has previously been taken in the matter. I would also draw your attention to Convention Regulation LXXIX, paragraph 2, which reads as follows:—

“The verification of the accounts, as well as the notification of their acceptance and relative observations, takes place within a maximum delay of six months from the date on which they are sent. An Administration which does not receive any rectifying observation within that time is entitled to consider the account admitted. This regulation is also applicable to the observations made by one Administration on the accounts prepared by another.”

Paragraph 5 of the same regulation reads: “No question can be raised in the accounts respecting telegrams which are more than eight months' old.”

In the circumstances, and in view of the fact that this Department has on the occasions of interruptions to Australian land-lines transmitted such work free of charge, I regret that I am unable to see my way to approve of the desired adjustment of accounts being made.

I have, &c.,

D. ROBERTSON, Secretary.

The Deputy Postmaster-General, Sydney.

[P.C. Diversion 07/22A.]

## No. 23.

The SECRETARY, General Post Office, Wellington, to the GENERAL MANAGER, Pacific Cable Board, London.

SIR,—

General Post Office, Wellington, 13th June, 1907.

I have the honour to refer to the letter of the 18th March last from your Board's Superintendent at Doubtless Bay, covering copy of correspondence between yourself and the Secretary, Postmaster-General's Department, Melbourne, and officers of your Board, in respect of the allocation of charges on diverted traffic south of Norfolk Island, and to inform you that a communication, of which I attach a copy [No. 21], has been received from the Manager in Australasia of the Eastern Extension Company as to the charge to be made for the transit over the company's New Zealand cables of diverted messages.

In the event of a protracted interruption to any section of the Pacific cable, no doubt a deadlock would occur as to the route to be shown on cable messages. The Eastern Extension Company would doubtless claim the right, already put forward, that messages once placed on their lines where the charges are equal must go by that route, irrespective of the wishes of the sender.

As regards the case put by the company to the Berne Office on which they base their claims (see your letter to this office of 7th July, 1905 [No. 2, F.—8, 1906], it is at once apparent that it is