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COLONIES.

(COLONIAL ACTS.—ROYAL ASSENT.)

RETURN

To an Address of the HOUSE OF LORDS, dated 28th February 1893

FOR

RETURN of the Names of Bills passed by both Houses of the Legislature, in Colonies possessing Responsible Government, to which Her Majesty has not given Her Assent, showing, in each case, whether the principle contained in such Measure is or is not at the present date Law in the Colony.

(The Earl of Onslow)

Ordered to be printed 2nd August 1894

[*Price 1½d.*]

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Under 2 oz.

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Colonial Office,
2nd August 1894. }

RIPON.

(*The Earl of Onslow.*)

Ordered to be printed 2nd August 1894.

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DOMINION OF CANADA.

LIST of Acts reserved for Her Majesty's pleasure since Confederation, 1867, which have not received Her Majesty's Assent.

TITLE	Action taken	Whether the Principle is now Law
1868 A Bill to fix the salary of the Governor General (reserved)	Assent withheld -	No change since.
1872 An Act to amend the Act respecting Copyright	Not assented to -	Partly embodied in subsequent Act of 1875: assented to by Order in Council, under Imperial Act, 38 & 39 Vict c 53
1873 An Act to provide for the examination of witnesses on oath by Committees of the Senate and House of Commons in certain cases	Disallowed -	Re-enacted and allowed, 1876
1874 An Act to regulate the construction and maintenance of Marine Electric Telegraphs.	Not assented to -	Left in abeyance See Desp 220, 29 October 1874 c 1171, p 7
1874 An Act to amend "The Extradition Act, 1873"	- - ditto -	Yes. See Consolidated Statutes of Canada 1886, c 142.
1878 An Act to repeal Section 23 of the Merchant Shipping Act, 1876, as to Ships in Canadian Waters	- - ditto -	Re-enacted as cap 24 of 1879, to meet Board of Trade objections to original Act
1889—Cap 29 An Act to amend "The Copyright Act," c 62 of the Revised Statutes	- - ditto -	Still under consideration.
1891—Cap 40 An Act to provide for the Marking of Deck and Load Lines	- - ditto -	See cap 22 of 1893
1893—Cap 22 An Act to amend the Merchant Shipping Act with regard to Load Lines	- - ditto -	Still under consideration

TITLES and Dates of Acts and of Reserved Bills and of Acts with Suspending Clauses passed by the Legislatures of *Upper Canada, Lower Canada, Canada, Nova Scotia, and New Brunswick*, from 1836 to the Confederation of the Provinces 1867, and by the Legislature of *Prince Edward's Island* from 1837 to the entrance of that Province into the Canadian Union 1873, and by the Legislatures of Newfoundland and of the several Australian Colonies, New Zealand, Tasmania, and the Cape of Good Hope, which have not received Her Majesty's Assent or have been disallowed.

UPPER CANADA.

TITLE	Action taken	Whether the Principle is now Law
1839 An Act to dispose of the lands commonly called "Clergy Reserves," and for other purposes therein mentioned	Not assented to -	Not now law.
1839 An Act to appropriate the casual and territorial revenue, and for other purposes therein mentioned	- - ditto -	- ditto.
1839 An Act to regulate the value at which gold and silver coin shall pass current within their Province	- - ditto -	Currency is now regulated by the Dominion Parliament
1839 An Act to ascertain and provide for the payment of all just claims arising from the late rebellion and invasion of the Province	- - ditto -	Not now law

* Note—It should be stated that some of the Acts in this Return were unobjectionable, except as to one or more clauses, and in such cases the third column should be read as relating to those clauses only

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*UPPER CANADA—*continued.*

TITLE	Action taken.	Whether the Principle is now Law.
1839 An Act to authorise the issue of bills of credit	Not assented to	Not now law
1839 An Act to enable Her Majesty to make a grant of land to James Fitzgibbon, esq	- - ditto	Now a matter for the Dominion Parliament.
1840 An Act to enable Her Majesty to make a grant of land to James Fitzgibbon, esq	- - ditto	- - ditto
1840 An Act for altering and amending the charter of the president, directors, and company of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said company	- - ditto	- - ditto
1840 An Act to increase the capital stock of the Gore Bank, and the number of shares to be held therein	- - ditto	- - ditto
1840 An Act for altering and amending the charter of the president directors, and company of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the capital stock of the company	- - ditto	- - ditto
1840 An Act to incorporate sundry persons under the style and title of "The President, Directors, and Company of the Prince Edward District Bank"	- - ditto	- - ditto
1840 An Act to incorporate the Farmers' Joint Stock Banking Company, under the style and title of 'The President, Directors and Company of the Farmers' Bank'	- - ditto	- - ditto

LOWER CANADA.

1839 An Ordinance to regulate the currency of this Province	Not assented to	Currency is now regulated by the Dominion Parliament
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CANADA.

1843 An Act for the discouragement of secret societies	Not assented to	Not now law.
1843 An Act for the better securing the independence of the Legislative Council of this Province	- - ditto	- - ditto
1845 An Act to dissolve the marriage of Henry William Harris, esq, with Eliza Walker otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned	- - ditto	- - ditto.
1847 An Act to define the limits of the town of Bytown, to establish a town council therein, and for other purposes	Disallowed	- - ditto.
1859 An Act to impose a duty on vessels admitted to registry and the coasting trade in this Province and belonging to countries not admitting the vessels of this Province to registry and privileges of general and coasting trade in such countries	- ditto	Principle is now law. See 32 & 33 Vict c. 11
1861 An Act to give jurisdiction to Canadian magistrates in respect of certain offences committed in New Brunswick by persons afterwards escaping to Canada	- ditto	Not now law

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*

NOVA SCOTIA.

TITLE.	Action taken	Whether the Principle is now Law
1836 : An Act for deepening the East River at Pictou	- Not assented to -	The objection was one of form rather than principle.
1839 : An Act additional to, and in farther amendment of, the Act concerning cemeteries or burial grounds.	- - ditto - -	The principle is now law.
1839 : An Act to provide for the selection and appointment of trustees of lands, granted, reserved, or otherwise allotted as school lands, or for schools in the Province.	- - ditto - -	Now a matter for Dominion Parliament
1839 : An Act to provide for the settlement of equitable claims upon real estate in certain cases.	- - ditto - -	Not now law
1841 : An Act for facilitating the recovery of seamen's wages.	- - ditto - -	The principle is now law by virtue of the Merchant Shipping Act, 1854
1847 : An Act relating to the Crown Land Department of this Province.	- - ditto - -	Now a matter for Dominion Parliament
1847 : An Act in addition to, and alteration of, the Acts for establishing regulations for the disposal of Crown lands within this Province.	- - ditto - -	- - ditto - - ditto

NEW BRUNSWICK.

1838 : An Act to incorporate sundry persons by the name of "The President, Directors, and Company of the Miramichi Bank."	Not assented to -	Yes, if amended
1838 : An Act to increase the capital stock of the Chartered County Bank and to amend the Act incorporating the same.	- - ditto - -	- - ditto
1843 : An Act relating to the collection of duty on timber and other lumber	- - ditto - -	Not now law.
1843 : An Act to establish regulations for the future disposal of timber and other lumber cut on Crown lands.	- - ditto - -	- ditto.
1843 : An Act to repeal the several Acts now in force for establishing a legal tender in all payments to be made in this Province, and to make other provisions in lieu thereof.	- - ditto - -	Yes, after amendment.
1845 : An Act to authorise the sale of certain lands in the county of York, commonly called "The Hermitage," lately belonging to the Honourable William Odell, deceased, and to regulate the disposal of the proceeds thereof	- - ditto - -	Not now law.
1852 : An Act to exclude certain persons from serving as members of the Legislative Council in this Province.	- - ditto - -	Not now law Constitution is now settled by later enactment

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*NEW BRUNSWICK—*continued*

TITLE	Action taken	Whether the Principle is now Law
1856 An Act relating to certain exemptions from duty	Not assented to	Not now law
1858 An Act relating to the action of ejectment	Disallowed	ditto
1860 An Act to authorise the appointment of Commissioners in the United Kingdom and other parts of Her Majesty's dominions, and in the United States of America, to take affidavits and acknowledgments of deeds and other instruments relating to matters in this Province.	—	Amended in April 1862 at the suggestion of the Secretary of State, by No 2886, c 31 of 1862, but not to his satisfaction. Both Acts disallowed by the Queen in Council, 30th August 1862. The Order of disallowance not having been passed until the expiration of two years from the passing of the first Act, it is still in force. The second Act passed in amendment is not in force

PRINCE EDWARD ISLAND.

1839 An Act for the relief of certain of the American loyalists and disbanded provincial troops and their representatives	Not assented to	Not now law
1842 An Act to authorise the issue of copper coinage in this colony and to prohibit the circulation of base coppers	ditto	ditto
1843 An Act to authorise the issue <i>de novo</i> of certain writs under the Road Compensation Acts, in certain cases	ditto	ditto
1844 An Act for raising a fund for the encouragement of agriculture, to be expended in the erection of lime kilns and the burning of lime	ditto	ditto
1845 An Act to suspend a certain clause in the Land Assessment Act relating to the cancelling of Treasury notes	ditto	Now a matter for Dominion Parliament
1851 An Act for establishing the rates in currency at which rents reserved in sterling shall henceforth be paid in this Island	ditto	Not now law
1853 An Act relating to certain lease and monetary obligations entered into before the passing of the Currency Act	Disallowed	Afterwards re enacted by 17 Vict c 6 Received allowance, 8th February 1855, and is now law.
1855 An Act to impose a rate or duty on the rent rolls of the proprietors of certain rented township lands in Prince Edward Island, in order to defray the expenses of any armed force which may be required on account of the withdrawal of the troops, and for the further encouragement of education	Not assented to	Not now law

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*PRINCE EDWARD ISLAND—*continued.*

TITLE	Action taken	Whether the Principle is now Law
1855 An Act to secure compensation to tenants in Prince Edward Island and thereby to promote the improvement of the soil	Disallowed - -	The principle contained in this Bill was again enacted by Tenants Compensation Act, 1871 (34 Vict c 9). This Act was disallowed 2nd September 1871. The principle was again enacted with amendments by Tenant Compensation Act, 1872 (35 & 36 Vict c 10). It was returned with suggested amendments. The principle was again enacted with suggested amendments, by an Act to alter and amend the Tenants Compensation Act, 1872 (36 Vict c 24) The Tenants Compensation Act, 1872, with the amendments contained in 36 Vict c 24, were specially confirmed, and are now law
1855 An Act relating to stamped instruments - - -	Disallowed - -	Not now law.
1858 An Act relating to the fishery reserves in this Island	Not assented to - -	ditto
1860 An Act for the better apprehension of certain offenders	Disallowed - -	Principle now law under Fugitive Offenders Act, 1881
1862 An Act to give effect to the report of the Commissioners on the land question	Not assented to - -	Not now law
1862 An Act to facilitate the operation in certain particulars of the award or report made by certain Commissioners to settle and adjust differences respecting some of the township lands of this colony	- - ditto - -	ditto
1862 An Act for the naturalization of aliens - - -	- - ditto - -	ditto
1863 An Act to incorporate the Grand Orange Lodge of Prince Edward Island, and the subordinate lodges in connection therewith	- - ditto - -	ditto
1851 An Act for establishing the rates of currency at which rents reserved in sterling shall hereafter be paid in this Island	- - ditto - -	The principle in this Bill was re-enacted and incorporated in 17 Vict c 6, and is now law
1860 An Act to authorise grants of the shores of this Island	- - ditto - -	Afterwards enacted by 25 Vict c 19, and received the Royal Assent, 13th November 1862. The principle is now law, but regulated by Dominion Statutes
1861 An Act to change the constitution of the Legislative Council by rendering the same elective	- - ditto - -	Re-enacted the following year, and received the Royal Assent, 13th November 1862, which existed as law up to the late Session (1893) in which the Constitution of the Legislature was altered, the two House system being abolished, and one House or Representatives substituted therefor
1861: An Act to incorporate the Roman Catholic Bishop of Charlottetown in his diocese	- - ditto - -	Re-enacted by 25 Vict c 16; received the Royal Assent, 1st November 1862, and is now law
1862 An Act to give effect to the report of the Commissioners on the land question	- - ditto - -	The principle contained in this Bill is not now law.
1862 An Act to facilitate the operation in certain particulars of the award or report made by certain Commissioners to settle and adjust differences respecting some of the township lands of this colony	- - ditto - -	ditto - ditto.

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*

NEWFOUNDLAND.

TITLE	Action taken	Whether the Principle is now Law.
1858 An Act for the protection of the herring fishery on the coast of this Island	Disallowed - -	Yes, amended Act of 1862 allowed.
An Act to provide for the liquidation of a certain debt contracted by the colony for the making and widening of the streets and firebreaks of St John's, and for the permanent improvement thereof	- ditto - -	No
1859 An Act to provide for the payment of the owner's assessment to be levied under the provisions of an Act to incorporate the General Water Company	- ditto - -	No
1865 An Act to continue the punishment of banishment in certain cases	- ditto - -	No
1866 An Act for preventing collisions at sea on the coast within the limits of the jurisdiction of this colony (suspending clause)	Not assented to -	No
1886 An Act to regulate the exportation and sale of herring, caplin, squid, and other bait fishes (Reserved)	- ditto - -	Act of 1887 assented to
1888 An Act respecting copyright - - - - -	- ditto - -	Repealed and partly re-enacted in 1890
1890 An Act to amend the Act 51 Vict c 5, intituled, "An Act to provide for the management of the municipal affairs of the town of St John's, and for other purposes"	Disallowed - -	No

NEW SOUTH WALES.

1875 A Bill to enforce claims against the Crown (Reserved)	Not assented to -	Yes, amended Bill of 1876 allowed
1877 A Bill to amend the law relating to Divorce and Matrimonial Causes (Reserved)	- - ditto - -	Yes, Act allowed in 1881
1879 A Bill to amend the law relating to Divorce and Matrimonial Causes (Reserved)	- - ditto - -	- - ditto - ditto
1887 A Bill to amend and extend the law of Divorce (Reserved)	- - ditto - -	Yes, Act of 1892 allowed

VICTORIA.

1857 A Bill to explain to whom the term "Crown" as used in certain cases shall apply (Reserved)	Not assented to -	No
1860 An Act to provide for the better regulation and discipline of armed vessels in the service of Her Majesty's Local Government in Victoria, No 96 of 1890	Disallowed - -	Yes, see the Colonial Naval Defence Act, 1865, 28 & 29 Vict. c 14
1860 A Bill to abolish pension to retiring responsible officers (Reserved)	Not assented to -	Amended Bill passed and assented to, 1864

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*VICTORIA—*continued.*

TITLE	Action taken.	Whether the Principle is now Law.
1860 A Bill to amend the law relating to Divorce and Matrimonial Causes in Victoria (Reserved.)	Not assented to -	Yes, Bill passed, and assented to, 1864.
1862 A Bill to alter the sum appropriated to the payment of the salary and allowances of the Governor. (Reserved.)	- - ditto - -	Amended Bill passed in 1863, and assented to, 1864.
1862 : A Bill to give a preferable lien on growing crops without delivery. (Reserved)	- - ditto - -	Yes, similar measure passed, 1876

QUEENSLAND.

1860 A Bill to amend the constitution of the Supreme Court of Queensland, and to provide for the better administration of justice (Reserved)	Not assented to -	No
1874 A Bill to consolidate and amend the laws relating to the marine board, navigation, pilotage, harbour lights, and the keeping and carriage of gunpowder. (Reserved)	- - ditto - -	Amended Bill, passed in 1877 assented to
1875 A Bill to legalise the marriage of a man with the sister of his deceased wife (Reserved)	- - ditto - -	Yes, Bill passed in 1877, assented to.
1879 A Bill relating to wrecks, casualties, and salvage. (Reserved)	- - ditto - -	Yes, by the Colonial Courts of Admiralty Act, 1890. 53 & 54 Vict. c 27.
1881 A Bill to provide for the execution in Queensland of warrants of apprehension issued in other Colonies (Reserved)	- - ditto - -	Yes, see the Fugitive Offenders Act, 1881, 44 & 45 Vict. c 69.
A Bill to prevent the influx of foreign and other criminals into Queensland. (Reserved)	- - ditto - -	No

SOUTH AUSTRALIA

1860 A Bill to legalise the marriage of a man with the sister of his deceased wife (Reserved)	Not assented to -	Yes, Bill passed in 1871, assented to
1862 An Act to amend the Acts relating to marriage in the Province of South Australia, by extending certain provisions thereof to persons professing with the Society of Friends, called Quakers.	Disallowed - -	Yes, amended Bill, passed in 1864
863 An Act to legalise the marriage of a man with the sister of his deceased wife	Not assented to -	Yes, Bill passed in 1871, assented to
1864 An Act to amend the Marine Board Act of 1860 -	Disallowed - -	Further legislation in 1867, 1873, 1876, 1878, 1881-82.
1864 An Act to repeal Act, No 18 of 1857-58, intituled, "An Act to prevent the introduction into the Province of South Australia of convicted felons and other persons sentenced to transportation for offences against the laws," and to make other provision in lieu thereof	- - ditto - -	No.

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*SOUTH AUSTRALIA—*continued.*

TITLE	Action taken	Whether the Principle is now Law
1870 A Bill to legalise the marriage of a man with the sister of his deceased wife (Reserved)	Not assented to -	Yes, Bill passed in 1871, assented to
1871 A Bill to make better provision for the interchange of colonial products and manufactures between the Colonies of Australasia (Reserved)	- - ditto - -	Yes, <i>see</i> Australian Colonies Duties Act, 1873, 36 Vict c 22
1871 A Bill to provide for the regulation of precedency in South Australia (Reserved)	- - ditto - -	No
1891 A Bill to amend the Marine Board and Navigation Act, 1881 (Reserved)	- - ditto - -	Governor informed 7th June 1893.

TASMANIA.

1859 A Bill to provide for the abolition, upon certain terms, of State aid to religion in the Colony of Tasmania (Reserved)	Not assented to -	Yes, Bill passed in 1868, assented to.
1861 A Bill to alter the sum payable for defraying the allowances and contingent expenses of the establishment of the Governor of Tasmania (Reserved)	- - ditto - -	No (This Act affected the Governor then in office.)
1863 An Act to make further provision for the control and disposal of offenders under sentence of imprisonment	Disallowed - -	No
1867 A Bill to reduce the salary and allowance of any future Governor of Tasmania (Reserved)	Not assented to -	Bill passed in 1873, assented to; further Act, 1883
1867 A Bill to promote inter-colonial free trade (Reserved)	- - ditto - -	No
1868 A Bill to reduce the allowances of every future Governor of Tasmania (Reserved)	- - ditto - -	Bill passed in 1873, assented to; further Act, 1883
1870 A Bill to make better provision for the interchange of Colonial products and manufactures between the Colonies of Australasia (Reserved)	- - ditto - -	Act of 1873 allowed, passed after the enactment of the Australian Colonies Duties Act 1873, 36 Vict c 22
1890 A Bill to amend "The Crown Redress Act" (Reserved)	Not assented to (by desire of Colonial Government)	Act of 1891, allowed

NEW ZEALAND.

1856 An Act to empower the superintendents and provincial councils to enact laws for regulating the sale, letting, disposal, and occupation of the waste lands of the Crown	Disallowed - -	No
1856 A Bill to enable the native tribes of New Zealand to have their territorial rights ascertained, and to authorise the issue in certain cases of Crown grants to natives (Reserved)	Not assented to -	No

RETURN of the Names of Bills passed by both Houses of the Legislature, &c.—*continued.*NEW ZEALAND—*continued.*

TITLE	Action taken	Whether the Principle is now Law
1860 A Bill to establish a council to assist in the administration of native affairs (Reserved)	Not assented to -	No
1861 A Bill to enable the superintendent of the Province of Marlborough to construct a railway from Pictou Harbour to the Wairau, both in the said Province of Marlborough (Reserved)	- - ditto - -	No
1863 A Bill to enable provincial legislatures to pass laws authorising the compulsory taking of land for works of a public nature (Reserved)	- - ditto - -	Bill passed and assented to, 1866 or 1867, and since repealed
1866 An Act for indemnifying persons acting in the suppression of the native insurrection	Disallowed - -	Amended Act, passed in 1867, allowed
1867 A Bill to alter the salary of the Governor of New Zealand	Not assented to -	—
1870 A Bill respecting reciprocity with the Australasian Colonies and Tasmania, as to Customs Duties (Reserved)	- - ditto - -	Yes; see Australian Colonies Duties Act, 1873, 36 Vict c 22
1873 A Bill to provide for the surrender of fugitive criminals (Reserved)	- - ditto - -	Yes, Bill passed in 1874, assented to
1883 A Bill to facilitate the confederation with, and annexation to, the Colony of New Zealand of any Island or Islands in the Pacific the Government or constituted authority of which may make proposals to that effect to the Government of New Zealand (Reserved)	- - ditto - -	No

WESTERN AUSTRALIA
AND
CAPE OF GOOD HOPE.

NIL.