

MEMORANDUM BY MR. RICHMOND.

The 22nd clause of the Petition alleges that the proposed Land Regulations of the Province of New Plymouth, there referred to, were framed and published by the Provincial Government, acting under my advice. It is true that I was at that time the legal adviser of the Superintendent, but I was not a member of the Provincial Government, and had no control over its acts. The advice to which the Petitioner refers was restricted to technical matters.

In clause 23, the Petitioner refers to the Votes and Proceedings of the House of Representatives July 23rd, 1856, p. 204, as proving that I originated clauses taking away the right of the Petitioner and others to land at Waitara. The reference appears to be to certain Resolutions which it was proposed by the Colonial Treasurer Mr. Sewell, to refer to the Select Committee on the Scrip Restriction Act, for their consideration; and which it will be seen, on reference to p. 207 of the same Proceedings, were so referred upon Mr. Sewell's motion, not upon mine. The Petitioner probably supposed that I then held the office of Colonial Treasurer, whereas I was Colonial Secretary. Though it seems proper that I should point out this inaccuracy in the Petition, I by no means desire to evade my fair share of political responsibility for Resolutions in which, as a member of the Government, and of the House, I concurred. I may here observe that I was not a member of the Select Committee to which the Scrip Restriction Bill was referred.

The 27th clause of the Petition gives a distorted account of what passed between myself and Mr. Carrington in 1858. I do not recollect that Mr. Carrington threatened to memorialize the Colonial Government and the Imperial Parliament. The allegation that Mr. Carrington threatened to memorialize the Colonial Government is, on the face of it, absurd. I presume it is intended to convey the impression that I was anxious to prevent the attention, even of my own colleagues, from being drawn to the Waitara Land Claims. The fact is that Mr. Carrington was in as free communication on the subject of his claims with my colleagues as with myself. The threat of an appeal to the Colonial Government against itself would have been unmeaning. The threat of appeal to the Imperial Government would have been not less futile, seeing that the Scrip Act of 1856 had been allowed by Her Majesty. No threat was necessary to induce us to propose to the Legislature a modification of provisions which we were ourselves desirous of relaxing in favor of the claimants; nor, as I believe, was any threat or pressure used by Mr. Carrington.

It is also untrue that I represented to Mr. Carrington that the Waitara "would not be" acquired by the authorities in order to be handed over to the Land Claimants, on account of the "great expense necessary for the purpose." I recollect that I was desirous of convincing Mr. Carrington of the equity and the necessity of a commutation of the claims on Waitara as effected by the Act of 1856. Amongst other arguments which I adduced in favor of such an arrangement, I believe I remarked, that the fund for land purchases, being now a Local fund, the Superintendent might be expected to oppose the expenditure of a very large sum in the purchase of land from the sale of which the Province would derive no benefit. I made no declaration whatever as to what the General Government would, or would not, do about the purchase of Waitara.

Mr. Carrington's attitude was not that of a person driving a bargain with the Government. The Act of 1856 had been allowed by the Imperial Government before the Act of 1858 had passed either House. Mr. Carrington was therefore in the position of a person applying for a relaxation in his favour of an existing law. My desire was not to obtain his consent, which was unnecessary, but merely to satisfy him, with a view to prevent further agitation of the question, that the compensation given, was, under the circumstances, reasonable in amount, and I asked him to place on record that he was satisfied, which he did by his letter to the Colonial Treasurer, dated 2nd August, 1858.

It results, from what I have already declared, that it is untrue that I represented "that efforts" should be made to acquire the Waitara land." Mr. Carrington will, I have no doubt, confirm my statement on this subject. Nor in fact, were "efforts made" to acquire the Waitara by the late administration, of which I was a member. The offer of the Waitara block in 1859 was, so far as I am aware, the spontaneous and unsolicited act of the Natives themselves. The land question in Taranaki was left more completely at rest by Governor Gore Browne and his late advisers, than it had been by any preceding Government. I can state that neither officially, nor privately, neither directly, nor indirectly, was I myself, or any of my colleagues, concerned in bringing about the offer of the block; nor was any one of us aware beforehand that it was about to be offered. Mr. Parris, who was District Land Purchaser at New Plymouth at the time of the alleged engagement entered into by me with Mr. Carrington, and who has ever since held that office, will be able to give testimony on this part of the subject should the Committee think fit to examine him.

I desire to make a few general observations on the Petition. The Petitioner appears to have desired to represent the provisions, of which he complains, as the fruit of covert machination on my part—as having become law by a kind of fraud practised by me upon the Legislature, and even upon my own colleagues. Such a preposterous assertion refutes itself. It is not, I would observe, pretended that I sought any private end, or that I employed any kind of misrepresentation. Nor is any undue use of political influence imputed to me, except in the account given of Mr. Carrington's interview with me, in which, as I have already stated, the truth is wholly perverted. The whole of the allegations respecting myself appear to be coloured by a disordered imagination.

It may be well that I should state exactly the personal share I had in framing the Bill of 1856. After the Bill had passed the House of Representatives I took part, in concert with other members of the Legislature, amongst whom I remember was Mr. Seymour of Nelson, in framing