

No. 2.

The Hon. Dr. POLLEN to Sir W. TYRONE POWER.

SIR,—

Colonial Secretary's Office, Wellington, 4th April, 1877.

I have the honor to acknowledge the receipt of your letter of the 15th of November last, enclosing the copy of a correspondence which had passed between yourself and Sir Penrose Julyan and Mr. Sargeant on the subject of certain expressions which the Hon. Frederick Whitaker is reported to have made use of in the House of Representatives on the subject of your appointment by the Crown Agents to the office of Agent-General for New Zealand.

If any expression uttered in Parliament by a member of the New Zealand Government should have been of such a nature as to cause annoyance to yourself, as the words attributed to the Hon. Mr. Whitaker would appear to have done to Sir Penrose Julyan and Mr. Sargeant, it would be a source of exceeding regret to myself and to the other members of this Government.

I now enclose a copy of a memorandum by Mr. Whitaker, in explanation of his remarks, which, I trust, will be satisfactory to you.

The correspondence shall, as you desire it, be printed and laid before Parliament at its next session.

Sir W. Tyrone Power, K.C.B., &c., London.

I have, &c.,

DANIEL POLLEN.

Enclosure in No. 2.

MEMORANDUM by Mr. WHITAKER.

I AM unable to say from recollection that the report of the New Zealand *Hansard* of the observations I made on the 5th September last on the subject of the Agent-General's office is inaccurate, but I do say that a meaning has been attached to the word "interference," assuming that I did use it, which I did not intend.

I never meant it to be inferred that Sir Penrose Julyan and Mr. Sargeant had exceeded their legal powers in appointing Sir William Power. I was quite aware that they were authorized by law to make the appointment, but I believed, and intended to say, that the power they possessed was not exercised to the best advantage for the colony. My objection was not to the legality of the "interference," but to the purpose for which it had been employed.

It appeared to me at the time of debate that the best course under the circumstances would have been for Sir Penrose Julyan and Mr. Sargeant to have permitted the business of the Agency Office to be temporarily carried on by the officials in the Agent-General's office till the Government in New Zealand could have been communicated with. If an immediate appointment had been necessary (I was not aware of such urgency), I considered that Mr. Kennaway would naturally have succeeded temporarily to the office on the death of Dr. Featherston. It is admitted that he was perfectly competent, and had, in fact, as I understood, for some time previously performed the duties in consequence of Dr. Featherston's illness. I did not see the necessity for the temporary introduction of a gentleman, a stranger to the duties, when a suitable one well acquainted with them was available on the spot.

Sir Penrose Julyan and Mr. Sargeant assume that I, as a member of the Government, was cognizant of all that had occurred on the subject of the appointment of an Agent-General under Dr. Pollen's and under Sir Julius Vogel's Governments; in this they are mistaken. Prior to the resignation of Sir Julius Vogel's Government, I had, on important questions, been in opposition, and I only became a member of the new Ministry on its formation by Major Atkinson on the 1st September. On the 5th of the same month the debate in question took place.

I am sorry to have caused Sir Penrose Julyan and Mr. Sargeant, as well as Sir William Power, so much trouble and annoyance. I hope my explanation that I did not for a moment intend to question the legality of what they did will be satisfactory to them, and I trust they will not feel that under the circumstances I exceeded legitimate criticism of the expediency of the course pursued.

Auckland, 5th February, 1877.

I have, &c.,

FRED. WHITAKER.

No. 3.

The CROWN AGENTS to the Hon. the COLONIAL SECRETARY.

SIR,—

Downing Street, London, 15th November, 1876.

We have the honor to inclose, for the information of your Government, copy of a correspondence which has passed between the Agent-General for New Zealand and ourselves, on the subject of certain expressions which the Hon. Frederick Whitaker is reported to have made use of in the House of Representatives on the 5th September last, from which it is made to appear that we had exceeded our powers in making the temporary appointment we did to that office, and that we were governed by very questionable motives in so doing.

To have been guilty of such an act would have constituted an offence on our part against your Government, and towards Sir William Power, which nothing could justify; and although we feel assured that we shall finally be exonerated by you from all such imputations as have been cast upon us, yet the occurrence is doubly painful to us from the fact that, in the meantime, it places Sir William Power before the public in a somewhat false position, which has been brought about by our having induced him, in the interests of the colony, to accept the appointment somewhat against his inclination.