

down in the circular of the 29th April, 1877, in which Lord Carnarvon states “the Queen has been graciously pleased to approve of my recommendation that “retired Judges of the Supreme Courts of the Australasian Colonies may be allowed “the privilege of bearing the title of ‘honorable’ for life within the colony, with “precedence, in the case of retired Chief Justices, after the Chief Justice and “before Puisne Judges, and in the case of retired Puisne Judges, next after the “Puisne Judges.”

2. I am to observe that Sir George Grey expresses his satisfaction that the services of Judge Gresson and Judge Chapman have been recognized, and that it is only as regards the mode in which this recognition has been made to which he takes exception.

3. I own that, for my own part, I am quite unable to understand the objection raised by Sir George Grey to the title of “honorable” for life being conferred upon retired Judges, nor can I see how Her Majesty, who is constitutionally the fountain of all honors, conferring that distinction upon a retired Judge, can be said in any way to interfere with the Constitution or with the rights and privileges of the Parliament of New Zealand.

4. The title of “honorable” confers no political privileges, and is simply a social recognition of services performed in the colony, and only continues for life to the retired Judge the precedence which had been enjoyed by him during the tenure of his office. The same rule has existed within my own personal knowledge in every British colony for at least twenty or twenty-five years in the case of Executive Councillors who have held that office for three years, and I know from experience that it is a distinction which is, generally speaking, highly prized; and, with all deference to Sir George Grey’s opinion, I believe that its value is greatly enhanced by the fact that the honor is conferred directly by Her Majesty, and not under any local Act of Parliament. How the fact that this distinction conferred by Her Majesty is confined within the limits of the colony, can in any possible way tend to bring about a separation between New Zealand and the mother-country, Sir George Grey in no way explains, and he seems entirely to have overlooked the fact that, in clause 158 of the Colonial Office Regulations, it is distinctly laid down that “persons entitled to precedence in the United Kingdom “or in foreign countries are not entitled as of right to the same precedence in the “British Colonies;” and, as the distinction of “honorable” confers no privileges whatever beyond that of precedence, it seems to me not unnatural that it should not extend beyond the colony in which the services were performed for which the distinction has been conferred. Be this as it may, the same rule has existed for many years in every colony under the British Crown in the case of Executive Councillors, and I have never yet heard that any exception has been taken to it on constitutional grounds, or that it has in any way tended to weaken the tie between the colonies and the mother-country. I know, indeed, that in some instances the distinction has been declined by persons to whom it has been offered, but that has been simply a question of personal feeling, and the same thing may be said as regards knighthood or any other distinction.

5. As regards the further objection taken by Sir George Grey relating to the publication of Her Majesty’s pleasure in the *New Zealand Gazette*, and his proposal that in future such appointments should only be inserted in the *New Zealand Gazette* after publication in the *London Gazette*, are questions which of course must be decided by Her Majesty’s Government, and I do not feel called upon to offer any comment upon them, further than to state that Sir George Grey is entirely mistaken in supposing that I ever expressed any desire that the circular of the 29th of August, 1877, which lays down the rule that retired Judges may in future be recommended for the distinction of “honorable,” should be published in the *Gazette*. On the receipt of that circular and of the despatch marked “General” of the same date, announcing the appointment by Her Majesty of Messrs. Gresson and Chapman, I enclosed them in separate covers, the former being marked “For the information of Ministers,” and it was the despatch alone which was marked for publication in the *Gazette*.

I have, &c.,

The Right Hon. Sir M. E. Hicks Beach.

NORMANBY.