

The Governor must decline to enter into any argument or discussion with Sir George Grey as to the position or authority which belongs to the Secretary of State under the Constitution Act, as that is a question which the Governor has no power to decide, and it is, in his opinion, one, the ultimate consequence of which, if pushed to extremes, might prove far too serious to the future interests of this colony to be dealt with in a correspondence of this kind.

The Governor is certainly surprised that views such as those now expressed by Sir George Grey should emanate from a person who for many years had the honor of acting as Her Majesty's representatives in this and other colonies; and the more so when he remembers that so late as two years ago, when in opposition, Sir George Grey did not hesitate to invoke, both by letter and by telegraph, the authority of the Secretary of State, in opposition to the views of the Government of the day, for the purpose of defeating a measure which had been passed by large majorities in both branches of the Legislature, and that after he was aware that the Secretary of State had officially announced that Her Majesty would not be advised to exercise her power of disallowing the Act for the Abolition of Provinces, and therefore, according to the views now expressed by Sir George Grey, after the Secretary of State had any power to interfere.

The Governor would point out to Sir George Grey that throughout the Constitution Act no mention whatever is made either of the Executive Council or of Responsible Government, the first being constituted under the authority of the Royal Commission held by the Governor, and the other owing its existence to instructions contained in a despatch from the Secretary of State; and yet no one would contend that they do not exist because they are not mentioned in the Constitution Act.

The Governor considers it also perfectly unnecessary that he should follow Sir George Grey in the opinions he expresses as to the mode in which the business of the Colonial Office is conducted. They are simply the expressions of Sir George Grey's own belief, and the Governor has good reasons for thinking that he is entirely mistaken. No doubt, as is necessary in every office, the drudgery and preliminary work is performed by the permanent staff; but the Secretary of State is solely responsible for the decisions arrived at, and, in latter days at any rate, the various Secretaries of State for the Colonies have been persons who have made themselves masters of the various subjects brought before them, and who, in all important questions, have exercised an independent judgment upon them.

Whatever may be the opinions entertained by Sir George Grey as to the duties and powers of the Secretary of State for the Colonies in New Zealand, there can be no doubt that the Governor is responsible to him as the Constitutional Adviser of Her Majesty on colonial matters; and that it is his duty to report to the Secretary of State all matters of importance that may take place, and to be guided in his actions by the instructions which he may receive from him as the constitutional mouthpiece of the Sovereign.

During the last session of Parliament, various questions arose which resulted in correspondence between the Governor and Sir George Grey, the whole of which was laid before Parliament, and was subsequently forwarded by the Governor to the Secretary of State.

The Governor is perfectly ready to admit that, under Responsible Government, Ministers have a perfect right to claim that all correspondence which in any way commits them shall be done by their advice and at their instigation; but where the Governor is asking the decision of the Secretary of State on his action, and still more so, as in this case, when he was forwarding, for the decision of the Secretary of State, a correspondence which had taken place between himself and his Government, and which had already been laid before Parliament, he can admit no such claim.

Under the Constitution Act, the Governor, as representative of the Queen, is as much a part of the Constitution as either branch of the Legislature. He has certain rights and duties to perform; and, while he has no wish to trench in the slightest degree upon the rights and privileges of the other branches of the Constitution, he is bound to preserve intact those which have been intrusted to his care by his Sovereign. Should the Governor exceed his powers, or commit any action to which exception can justly be taken, an appeal is at all times open to the Secretary of State; but the Governor cannot admit his responsibility to any other authority.

In directing that the despatches from the Secretary of State, together with his own, should be laid before Parliament, he was simply following the course which is adopted in every British colony.

For his own part, he would have much preferred that they should have been published in the *Gazette* as soon as they arrived; but he felt that it was due to the position and dignity of Parliament that they should be first presented to the two Houses of the Legislature, especially as in the matter of privilege he had informed the House of Representatives that he was about to refer the question of ministerial responsibility to the decision of the Secretary of State. At the same time, if Sir George Grey, on his responsibility as Minister, advises that the despatches should be published in the *Gazette*, instead of being laid before Parliament, the Governor is quite prepared to accept that advice, provided they are published at once, and that Sir George Grey's memorandum, together with this answer, is published at the same time.

The Governor begs to inform Sir George Grey that it is his intention to forward this correspondence to the Secretary of State by the next mail; and he will be quite prepared, at the same time, to forward any remarks that Sir George Grey may wish to make.

NORMANBY.

Government House, Wellington, 17th June, 1878.