

5. I enclose copies of the memoranda which have passed between Ministers and myself on this subject.

The Right Hon. the Secretary of State for the Colonies.

I have, &c.,

A. GORDON.

No. 4.

His Excellency the GOVERNOR to the SECRETARY of STATE for the COLONIES.

MY LORD,—

Government House, Auckland, 13th September, 1881.

In my despatch, No. 55, of the 7th instant, I have reported to your Lordship that, after consultation with my Responsible Advisers, I had determined to adhere to the arrangements already made for my visit to Fiji, notwithstanding the probable duration for another week or ten days of the parliamentary session. Before coming to this conclusion, the Ministers had consulted with the leaders of the Opposition, who agreed that there was no reason for my remaining: one of them (Mr. Macandrew) saying, as he has since repeated in the House of Representatives, with more truth than politeness, that it was not of the smallest consequence whether the nominal Governor was in New Zealand or Fiji, so long as the true Governor, the Minister, remained in New Zealand, and had some one to sign the papers put before him.

2. Some questions have, however, been raised by Mr. Gisborne, a former Minister, as to the possibility of my absenting myself from the colony, and suggesting that my absence from Wellington of itself prorogued Parliament; that the Royal Instructions as to an Administrator only applied to the case of a Governor leaving the colony for good; and that, if once the Chief Justice was sworn in as Administrator, my Commission ceased, and I could not resume the Government without a fresh appointment by the Queen.

3. The Ministers at once pointed out the futility of these objections, which would prevent a Governor ever receiving leave of absence. As a matter of fact, I believe, speaking without reference, which is here impossible, no Governor of New Zealand, for the last twenty years, has been away from the colony on leave, so that there is an absence of the precedents so numerous in other parts of Australia, and other colonial possessions of Her Majesty. No great interest appears to have been felt in the question, and the House generally acquiesced without objection. It is so well understood how purely perfunctory the duties of the Governor really are, that I doubt if much interest is felt in arrangements which are known to be destitute of the slightest importance.

I have, &c.,

The Right Hon. the Earl of Kimberley, &c.

A. GORDON.

No. 5.

The PREMIER to His Excellency the ADMINISTRATOR.

Memorandum for His Excellency.

THE Premier presents his respectful compliments to the Administrator of the Government; and has the honor to advise that—because of doubts expressed by members of the Legislature as to the scope of the Commission under which His Excellency is acting, in the absence of the Governor from the colony—a telegram should be sent to the Secretary of State, so that the opinion of the Law Officers of the Crown in England may be obtained.

A draft telegram, such as Ministers think desirable, is appended, for His Excellency's consideration.

Wellington, September 26th, 1881.

JOHN HALL.

(Enclosure.)

Secretary for Colonies, Whitehall, London.

ON Governor leaving, Administrator sworn in under Dormant Commission. Question raised in Assembly, whether Sir Arthur Gordon can resume Government on return. Law Officers advise that he can. Matter submitted for your consideration.

No. 6.

The SECRETARY of STATE for the COLONIES to His Excellency the ADMINISTRATOR.

Yours 27th. Temporary Administrator's Commission ceases to have effect on return of Governor.

KIMBERLEY.

London, 30th September.

No. 7.

The SECRETARY of STATE for the COLONIES to His Excellency the GOVERNOR.

SIR,—

Downing Street, 28th October, 1881.

I have the honor to acknowledge the receipt of your despatch, No. 55, of the 7th ultimo, with its enclosures, reporting your intention of leaving New Zealand on a visit to Fiji, by H.M.S. "Emerald."