

No. 7.

MEMORANDUM for His EXCELLENCY.

MINISTERS present their respectful compliments to the Governor.

2. Ministers have been informed that a Despatch, dated December 10, 1883, from the Secretary of State for the Colonies, was received by His Excellency in February, and at once sent on to his then Responsible Advisers, for consideration.

3. Since then, there have been several changes of Ministry. It appears that a memorandum in reply to the Despatch was prepared by the Ministers who were conversant with all the matters stated in the Despatch and the correspondence to which it refers. That memorandum, without comment by the present Government, is now forwarded to His Excellency, with a view to its transmission to the Secretary of State for the Colonies.

ROBERT STOUT.

Wellington, November 7, 1884.

Enclosure.

MINISTERS have considered Lord Derby's Despatch as to the correspondence respecting Native Affairs on the West Coast, and the Despatches of Sir Arthur Gordon relative thereto.

2. Ministers will not now protest against Lord Derby's decision, as conveyed to Sir Arthur Gordon, that Her Majesty's Government do not consider the points involved in that correspondence "of sufficient public interest" in England, "to justify the communication of further papers to Parliament on the matter:" but Ministers must place upon record a decided protest against the time when that decision was arrived at, and the circumstances connected with it.

3. Sir Arthur Gordon was part of the Government of New Zealand; and, as Ministers believe, he was not, while in that position, at liberty to attack that Government, or to endeavour to defeat its action. If he disapproved of the advice of his Ministers, he should have replaced them by others, or should have retired from the Governorship. By transmitting to the Secretary of State, Despatches hostile to his Government, and in sympathy with their opponents; he acted against them and endeavoured to bring about their defeat.

4. The Imperial Government, as Ministers regret to be compelled to believe, by publishing those antagonistic Despatches, and especially by the publication of some which Sir Arthur Gordon marked "Confidential," joined with, and went beyond, him in his unconstitutional proceedings. Having, by such publication, given force and authority to Sir Arthur Gordon's hostile criticisms—having shown that they considered voluminous extracts from a newspaper bitterly opposed to the New Zealand Government to be worthy of publication, though contained in Despatches marked "Confidential"—the Imperial Government now give evidence of hostility to the Colonial Government, by declaring their comments and replies not to be of such interest as to warrant their presentation to the Imperial Parliament.

5. It was urged upon Lord Derby by the late Premier, Sir Frederick Whitaker, that the publication of such criticisms as those of Sir Arthur Gordon and the *Lyttelton Times*, must tend to "affect prejudicially the relations that ought to exist between the Secretary of State for the Colonies, a Colonial Governor, and his Responsible Advisers." His Lordship was also pressed to give consideration to the case, because, as Sir Frederick Whitaker wrote, the publication of the *Lyttelton Times* articles, without opportunity being afforded to the Government of giving explanations, was "calculated to place the Colonial Ministry at a great disadvantage before the British Parliament and public." Sir Arthur Gordon's reply to the memorandum (amongst others) in which those appeals were made, has been printed and presented to the Imperial Parliament. It contains various misrepresentations, which were pointed out by Sir Frederick Whitaker: but Sir Arthur Gordon has been told that he need not attempt to defend or explain what he has written, and such justice as might have been done to the Colony, by the official publication in England of the whole correspondence, has been refused.

6. Summarizing the whole case, the position in which the Government of New Zealand have been placed, is this:—Sir Arthur Gordon was pleased to consider his Responsible Advisers, during a very critical period, to be entirely wrong as to the action they deemed it necessary to take. In Despatches which he marked "Confidential," he condemned their action and showed that he had no respect for their motives. Presumably, he intended that those Despatches should not be published: but, if he had that intention, it was frustrated in the office of the Secretary of State for the Colonies. The confidential writings of an antagonist, who is a skilled controversialist, were given to the Parliament and people of England, without evidence or indication of the writer's desire that they should not be so given, but with all such aid, in the way of enforcement, as could be supplied by articles from a newspaper which was an uncompromising opponent of the Government. This publication took place while Sir Arthur Gordon continued to hold office as Governor, and to carry on the business of the country with men whom he condemned. Sir Arthur Gordon having left New Zealand, the complaint of the late Premier was sent to him by the Colonial Office for comment; and his reply, which is inaccurate in statement and offensive in tone, was at once presented to the Imperial Parliament. But, to the remonstrances by the late Administrator of the Government, and by the Ministers of the Crown, like publicity has been denied, on the ground that the points involved are not of sufficient interest in England.

7. While acquiescing, then, in Lord Derby's decision that further papers on the subject shall not be presented to the Imperial Parliament, Ministers deeply regret that which has been permitted as well as that which has been avoided by his Lordship. They earnestly hope that what has occurred may not be regarded as creating a precedent: because they feel that similar treatment in a future case, whatever Colony may be concerned, will involve a risk of serious disturbance of the good feeling that has hitherto, as a rule, characterized the relations between Constitutional Colonies and the authorities at the Colonial Office.

H. A. ATKINSON.