

1873.

NEW ZEALAND.

LEAVE OF ABSENCE TO MR. BULLER,

(FURTHER PAPERS RESPECTING).

Presented to both Houses of the General Assembly by command of His Excellency.

No. 1.

The Hon. W. GISBORNE to Dr. FEATHERSTON.

SIR,—

Colonial Secretary's Office, Wellington, 5th July, 1872.

I perceive from the accounts recently received from you that Mr. Buller has been drawing full salary at the rate of £400 a year, as acting Secretary to yourself, in addition to the half-salary of £200 a year allowed him during his eighteen months' leave of absence as Resident Magistrate at Wanganui.

I presume, of course, that you would not have authorized him to draw full salary as Secretary to yourself unless you were satisfied that he had performed its duties, but I wish to draw your attention to the correspondence which passed between Mr. Buller and myself in April, 1871, relative to his leave of absence, and which is published in the Appendix (G. No. 30) to the Journals of the House of Representatives, 1871. I enclose a copy of this correspondence.

Mr Buller, in his letter to me of 6th April, 1871, makes the following statement:—"I may state further that my salary as Resident Magistrate at Wanganui is £400 a year, but that, reckoning Registrar's fees and other allowances, my total income from official sources amounts to about £600 a year."

You will perceive from my letters of the 9th and 12th April, 1871, that the evident wish of the Government was that Mr. Buller's absence in England, on the New Zealand scientific work on which he was about to engage, should not deprive him of part of his official income, and that, in reliance on his general statement that such income amounted to "about £600 a year," I authorized him to draw in addition to his half-salary a sum not exceeding £400 per annum for services as your acting Secretary, making in all the sum of £600 per annum. At the same time, it is also evident that the Government did not wish to increase by any appreciable amount his official income, and that they regarded Mr. Buller's expression "about £600 a year" as conveying the obvious meaning that his income was within a few pounds more or less of that amount.

I find from Treasury Accounts, which I have since received, that Mr. Buller's income from official sources in the Colony during the financial year 1870-71 (the year immediately preceding his departure to England), amounted, as noted below,* to £535 16s. 6d., and that in each of the two previous years it amounted to a considerably smaller sum.

I am unable to reconcile this apparent discrepancy between Mr. Buller's statement of his annual income in the Colony from official sources and the "Return" furnished by the Treasury, and I have to request you to be good enough to call on Mr Buller for an explanation.

The Agent-General for New Zealand, London.

I have, &c.,
W. GISBORNE.

No. 2.

The Hon. G. M. WATERHOUSE to Dr. FEATHERSTON.

SIR,—

Colonial Secretary's Office, Wellington, 6th December, 1872.

Referring to Mr. Gisborne's letter No. 65, of the 5th July last, in which he informs you that a vote was about to be submitted to the House of Representatives of £200, for payment to Mr. Buller during the proposed six months' extension of his leave of absence, I have the honor to inform you that the vote having passed, Mr Buller will be entitled to draw at the rate of £200 for six months from 1st of January next.

His leave of absence will expire on 30th June, 1873.

The Agent-General for New Zealand, London.

I have, &c.,
G. M. WATERHOUSE,
(for Hon. Colonial Secretary).

* Resident Magistrate, £400; forage, £79 12s.; Returning Officer, £25; Registrar of Births, £31 4s. 6d.—total, £535 16s. 6d.

No. 3.

Dr. FEATHERSTON to the Hon. the COLONIAL SECRETARY.

7, Westminster Chambers, Victoria Street, Westminster, S.W.

19th February, 1873.

SIR,—

I have the honor to acknowledge receipt of your letter No. 150, of 6th December, 1872, acquainting me that in accordance with a vote passed by the House of Representatives, Mr. Buller is entitled to draw at the rate of £200 for six months, from 1st January to 30th June, 1873, on which latter date his extended leave of absence will expire.

I have, &c.,

I. E. FEATHERSTON,
Agent-General.

The Hon. the Colonial Secretary, Wellington, N.Z.

No. 4.

EXTRACT from TELEGRAM from AGENT-GENERAL to COLONIAL SECRETARY, dated London,
9th April, 1873.

MAY I retain Buller as Secretary till end August, salary £400, on understanding his appointment be kept open?

FEATHERSTON.

No. 5.

EXTRACT from TELEGRAM from Hon. PREMIER to AGENT-GENERAL, 12th April, 1873.

Do not employ Buller—Assembly not tolerate. If not back in time loses appointment.

VOGEL.

No. 6.

The Hon. W. H. REYNOLDS to Dr. FEATHERSTON.

Colonial Secretary's Office, Wellington, 7th May, 1873.

SIR,—

It has been brought to my notice that in a letter dated the 5th of July last, Mr. Gisborne drew your attention to the amount of pay drawn by Mr. Buller, and expressed a presumption that that gentleman had not been permitted to draw the full salary allowed him as your Secretary unless you were satisfied that he had performed the duties of the office. Mr. Gisborne then drew your attention to the correspondence between himself and Mr. Buller which had been laid before Parliament, with especial reference to the following statements made by Mr. Buller in a letter dated 6th April, 1871:—

“I may state further that my salary as Resident Magistrate at Wanganui is £400 a year, but that reckoning Registrar's fees and other allowances, my total income from official sources amounts to about £600 a year.”

In reference to this statement Mr. Gisborne pointed out that he had since received information from the Treasury Accounts that in the year immediately preceding Mr. Buller's departure for England his total income from official sources in the Colony amounted to £535 16s. 6d., and that in each of the two previous years it amounted to a considerably smaller sum; and he requested you to be good enough to call upon Mr Buller for an explanation of the apparent discrepancy between his own statement of his annual income in the Colony from official sources, and the return furnished by the Treasury. Of this letter I cannot find that any notice has been taken either by yourself or Mr Buller, though it is dated ten months ago.

I should feel obliged if you would furnish me as soon as possible with a reply to Mr. Gisborne's letter above quoted, with a copy of such explanation as Mr. Buller may have been able to afford as to the apparent discrepancy between his own statement of his official income and that given by the Treasury Accounts; as well as an explanation of the reason for the long delay which has taken place in replying to Mr. Gisborne's letter. I should also be glad to be informed what sums of money have been paid by you to Mr. Buller since the 31st of December last.

I have, &c.,

WILLIAM H. REYNOLDS.

The Agent-General for New Zealand, London.

No. 7.

Dr. FEATHERSTON to the Hon. the COLONIAL SECRETARY.

7, Westminster Chambers, Victoria Street, Westminster, S.W.,

16th May, 1873.

SIR,—

In my letter of 18th March last I explained to the Government what my requirements were as regards a staff of officers in order to keep pace with the daily increasing work in this Department. I stated then that provision would have to be made for a private and confidential Secretary, at a salary of £400 a year. Owing to a sudden increase in the official correspondence of the Department, and to the large amount of extra work occasioned by the necessary preparations for the Vienna Exhibition, I found it quite impossible to carry on any longer without the assistance of such a Secretary.

Under these circumstances I requested Mr. Walter Buller, who had previously been Acting Secretary to this Department, but had been relieved at the end of last year in order to enable him to

give his undivided attention to the completion of his work on New Zealand Ornithology, to resume the duties and to give me the whole of his time. As Mr. Buller had issued the last part of his book, and as I did not purpose to give him more than £400 a year, the actual amount of his salary as Resident Magistrate at Wanganui, and £200 a year less than he had been previously receiving, I did not apprehend any objection to this course on the part of the Government. Mr. Buller placed his services unreservedly at my disposal, and entered at once upon the required duties. On the 28th March I sent the following telegram to the Government:—

“Thoroughly overworked. May I retain Buller as Secretary till end August, salary £400, on understanding his appointment be kept open?”

On the 22nd of April I received the following telegram in reply:—

“Do not employ Buller—Assembly not tolerate. If not back in time loses appointment.”

I may add that Mr. Buller had originally purposed returning to New Zealand by the San Francisco mail steamer on the 1st May, so as to arrive in the Colony about the last week in June. The breakdown in Webb's line, however, rendered it necessary that he should leave by the Peninsular and Oriental mail steamer in April, in order to get back in time.

Under the circumstances which I have detailed, Mr. Buller remained in England in the full belief that he would be permitted to stay and assist me till the end of August, especially as, by the arrangement entered into, he had consented to forego his allowances over and above the £400 during the period of his detention here. The peremptory terms of the Hon. Mr. Vogel's telegram rendered it impossible that Mr. Buller could comply with the orders of the Government; for had he quitted England by the first mail steamer after receipt of that telegram (*i.e.*, by the Southampton steamer on the 8th, or by the Brindisi mail to-day), he could not, by any possibility, reach New Zealand before the middle of July, and when (as he is bound to conclude from Mr. Vogel's telegram) he would have found his appointment given away. He felt, therefore, that to have returned at once might have placed him in a false position with the Government; while, on the other hand, he was reluctant to take a step that would involve his throwing away a position acquired after close on twenty years' devotion to the Government service.

Mr. Buller has accordingly decided on remaining in England for the present, and has handed me his letter of resignation, which I beg to forward herewith, retaining in the meantime the office of Secretary, to which I have re-appointed him. But while, in accordance with Mr. Buller's request, I forward his resignation, I venture to express a hope that the Government will not accept it, but will allow me to avail myself of his services here till the end of August, as previously requested.

It is scarcely possible for the Government to form an adequate idea of the amount of extra work thrown upon this Department by the Vienna Exhibition; and as it was work requiring special knowledge of a kind possessed by very few persons, the Government will readily understand that no amount of ordinary clerical assistance would have enabled me to carry it through. In fact, I have no hesitation in saying, that without Mr. Buller's assistance I should have utterly failed in the attempt to make the New Zealand Court at Vienna the success and credit to the Colony which it now promises to be.

Whatever, therefore, may be decided on, I feel persuaded that, considering Mr. Buller's claim on the Government through length of service, and, in addition to this, the fact that I am really in want of his individual help here, the Government will not withhold its approval from the course which I have adopted, and that Mr. Buller's status in the public service will not suffer by the sacrifice he has made.

I have, &c.,

I. E. FEATHERSTON,
Agent-General.

Enclosure in No. 7.

Mr. W. BULLER to the Hon. the COLONIAL SECRETARY.

7, Westminster Chambers, Victoria Street, Westminster, S.W.,
16th May, 1873.

SIR,—

For reasons which will be fully explained to you by the Agent-General, I beg respectfully to tender my resignation of the following appointments, *viz.*:—

Resident Magistrate of Wanganui.

Sheriff of Wanganui District.

Registration and Returning Officer.

Registrar of Births, Deaths, and Marriages for the District of Wanganui.

Subject to the approval of the Government, I have resumed the office of Secretary to the Agent-General in this country.

The Hon. the Colonial Secretary, Wellington, N.Z.

I have, &c.,

WALTER BULLER.

No. 8.

The Hon. Dr. POLLEN to Dr. FEATHERSTON.

New Zealand.

SIR,—

Colonial Secretary's Office, Wellington, 2nd August, 1873.

I have the honor to acknowledge the receipt of your letter No. 310, of the 16th of May last, in which you enclose a letter from Mr. Buller, tendering his resignation of the offices he holds under the Colonial Government.

You inform me, at the same time, that you have appointed Mr. Buller to the office of Private and Confidential Secretary to yourself, at the rate of £400 a year, but you have omitted to state the date from which this appointment was to commence, though I infer from your letter that it was some time towards the end of March.

His Excellency the Governor has been pleased to accept Mr. Buller's resignation of his offices, of which fact he will receive notice from the Hon. the Minister of Justice.

With regard to his appointment as Confidential Secretary to yourself, I have the following remarks to make:—

The Government recognize the propriety of the selection of the person to fill an office of this nature being left entirely in the hands of the officer to whom he is to be attached, and the Government therefore make no objection to your choice of Mr. Buller. The rate of salary which you have assigned to the office is also sanctioned. I must however inform you that Mr. Buller cannot be allowed to retain this appointment unless he furnishes a full explanation in reply to Mr. Gisborne's letter No. 66, of 5th July, 1872, as called for by Mr. Reynolds in his letter No. 47, of 7th May, 1873.

Another condition of Mr. Buller's retaining the office to which you have appointed him must be, that he shall refund any sum that he may have received from you during the period from 1st January to 30th June, 1873, in excess of the £200 voted for him by the General Assembly. That vote was taken at the time that the extension of his leave of absence was authorized, and was intended, as the language of Mr. Hall's letter No. 150, of the 5th December, clearly conveys, to be paid in the shape of salary during the period of the extended leave. Mr. Gisborne also, in his letter of the 5th of July, 1872, uses the following words:—"It must be understood that he (Mr. Buller) is not under any circumstances, after the 31st December next (1872), to draw any salary as Resident Magistrate, or as Acting Secretary to yourself."

The Government are surprised that, in the face of these communications, you should have assigned a salary to Mr. Buller as your Secretary for any period prior to the 1st of July, 1873; and any amount that he may have drawn anterior to that date must, as I have already stated, be at once refunded, as a condition of his continued employment.

The Agent-General for New Zealand, London.

I have, &c.,
DANIEL POLLEN.