

1878.

NEW ZEALAND.

DESPATCHES

FROM THE GOVERNOR OF NEW ZEALAND TO THE SECRETARY OF STATE.

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

SCHEDULE.

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No. 1.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 53.)

Government House, Wellington,

MY LORD,—

New Zealand, 13th November, 1877.

I regret to say that a case has arisen which I am obliged to submit for your Lordship's decision.

2. On the 26th October, Sir George Grey came to me and requested me, on the part of the Government, to appoint a Mr. Wilson to the Legislative Council.

1—A. 1.

The Government had only been in office a few days, and there were many reasons which led me to doubt very much whether the Government, as then constituted, had ever possessed the confidence of the House, and a vote of want of confidence was then pending. The reason assigned by Sir George Grey for wishing for the appointment was, that at present there is only one lawyer in the Legislative Council, and the Government were anxious to introduce another gentlemen of the legal profession into that House. I replied to Sir George, that if he informed me that he wished for the appointment of Mr. Wilson for the purpose of enabling him to take office in the Government, I would make it at once, but that if it was, as he informed me, simply for the purpose of adding a member of the legal profession to the House, the matter could not possibly be pressing, and that I therefore considered it undesirable to make the appointment pending the vote of want of confidence, but that if the Government had a majority I should be very glad to make it; and, when Sir George Grey left me, I was entirely under the impression that he had accepted my decision.

3. The next day, however, I received a memorandum referring to the reasons which I had given to Sir George Grey verbally the day before, and formally advising me, notwithstanding those reasons, to make the appointment at once, enclosing, at the same time, a commission made out in Mr. Wilson's favour for my signature.

4. I own at once that it never occurred to me that, by the privilege of Parliament, the Crown is not supposed to take notice of any matter "in agitation or debate" in the House; and it never entered into my mind that my answer could be construed into a breach of privilege, otherwise I should probably have answered that I required time to consider the matter.

5. The memorandum having quoted verbally the conversation which I had with Sir George Grey the day before, I unfortunately—though I think not very unnaturally—repeated in writing what I had said.

6. A day or two after, Sir George Grey advised me, in writing, to lay this memorandum before Parliament. It struck me at the time as being a curious request, and I was on the point of refusing my consent, and should certainly have done so (as I considered the communication, till it was laid before Parliament, as a confidential communication between myself and the Government), had it not been that I was afraid that, if I a second time refused their advice, they might say that as I did not choose to take their advice, they must tender to me their resignation. It was on this ground, and on this ground alone, that I gave my consent.

7. Immediately on the production of the paper, one of the strongest supporters of the Government moved that it was a breach of privilege. A debate arose; a Committee was appointed, who reported to the House that a breach of privilege had been committed; and an Address was presented to me. I at once sent it to the Government, requesting them to give me their advice as to the answer I should give. What subsequently occurred will be best explained to your Lordship by the correspondence which has taken place between the Government and myself, printed copies of which I enclose.*

8. The Government having positively declined to be responsible to Parliament for the act, which they maintain was a personal act of my own, I felt (notwithstanding the assertion of Sir George Grey, in his memorandum of the 8th November, that the Governor is not responsible to the Secretary of State in this matter) that I had no other course open to me than to appeal to your Lordship.

9. In the meantime, I considered it would not have been respectful to the House of Representatives to leave their Address entirely unanswered. I could not, however, send the answer advised by the Government, because, by so doing, I should have admitted that it was myself, and not the Government, on whom the responsibility rested; besides that, in a case where the Government decline the responsibility, it appears to me that they could certainly have no right to advise.

* See A. 5., 1877.

10. It is undoubtedly my duty to act honorably, fairly, and impartially with any Government who may possess the confidence of the House, and to accept their advice on all public matters, unless I see sufficient cause for objecting to it; in which case, should they consider the matter of sufficient importance, they have the option of resigning, and thereby relieving themselves from all further responsibility, and in that case I should have to justify my conduct to the Secretary of State for the Colonies.

11. It has always been my constant endeavor to act cordially, and in the most frank and open manner, with every Government that I have had; and Sir George Grey cannot point to a single instance, except that of the appointment of Mr. Wilson, in which, since he has been in office, I have in the slightest degree hesitated or demurred to accept the advice tendered to me by the Government. When, however, they denied their responsibility, and maintained that the responsibility rested on myself personally, then I assert, without fear of contradiction, that their right to advise me ceased; as I must utterly repudiate the idea that I am bound, either constitutionally or otherwise, to be fettered by the advice of any Government, in a matter where my own personal honour, character, or reputation are at stake.

12. Under these circumstances, I considered it my duty to send the message contained in the printed correspondence enclosed, and to lay the whole correspondence on the table of the House, in order that the House might be aware of the reasons which had guided my conduct; and I feel perfectly confident that the House will retain no feeling of resentment towards myself for anything that may have taken place.

13. The constitutional question, however, as to the extent to which the Government are responsible to Parliament for the acts of the Governor, still remains to be settled; and I consider it a question of such vital importance to the future good government of this colony, and to the position which is to be held by Her Majesty's representatives, that I must ask your Lordship to inform me whether I am right in the opinion which I hold, namely, that, so long as they retain office, it is the Government, and not the Governor, who are solely responsible to Parliament for the acts of the Governor.

14. In placing this matter before your Lordship, I have purposely abstained from entering into any arguments, or in any way urging my views or opinions upon your Lordship. I have simply stated facts, and I lay before your Lordship the whole case as printed for Parliament, and I await with confidence your Lordship's decision.

I have, &c.,

NORMANBY.

The Right Hon. the Earl of Carnarvon.

No. 2.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 55.)
MY LORD,—

Government House, Wellington,
New Zealand, 16th November, 1877.

I have the honor to inform your Lordship that on the 14th instant I received from Sir George Grey the enclosed memorandum, in which he advised me to dissolve the present Parliament. I also enclose a copy of my answer.*

2. No doubt the present state of parties in the House is such as cannot possibly continue; but at the same time it appeared to me that it was not my duty, taking all the circumstances of the case into consideration, to grant a dissolution, at any rate until every other expedient had failed to reconcile matters in the House. I was the more confirmed in this opinion, because I am not without hope that combinations may yet be made by which another Government could be formed, which would command a fair working majority. I may be wrong in this conclusion, but at any rate I did not feel justified in promising a dissolution to Sir George Grey until the attempt had been made.

* See A. 7, 1877.

3. It is quite evident that Sir George Grey does not command a majority in the present House, nor is there the slightest evidence that he has ever done so.

4. It is perfectly true that the vote of want of confidence was defeated by the casting vote of the Speaker, in a catch division; but Sir George Grey has omitted to state that there were three members accidentally absent, who subsequently explained in the House the reason of their absence, and stated that they had intended to have voted against the Government; and the Government have since been placed in a minority—I admit only of one—in the conduct of the business of the House.

5. I am quite aware that, in England, Parliament is always ready to vote the supply necessary for the service of the country, and no doubt it is a very constitutional and proper principle to act upon; but I also know, as a fact, that it is a principle which is by no means uniformly acted upon in the colonies; and Sir George Grey having distinctly informed me that if I would grant him a dissolution, he was prepared to go to the country, whether the House would vote the supplies or not, I felt bound to take that question into my consideration.

6. If I had granted a dissolution conditionally upon supply being voted, I felt that I should be putting a pressure upon the action of Parliament, to induce them to take a step which they might otherwise be unwilling to take; and besides that, I should have been placing the exercise of the Royal prerogative openly and entirely in the hands of the House. I thought it, therefore, my duty to refuse the dissolution at present, intimating at the same time to Sir George Grey that if he could show me that even three months' supply had been granted, I should be ready to reconsider the question.

The Right Hon. the Earl of Carnarvon.

I have, &c.,
NORMANBY.

No. 3.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 4.) Government House, Wellington,
MY LORD,— New Zealand, 4th January, 1878.

I have the honor to transmit to your Lordship copies of all Acts passed by the General Assembly during their late session, together with a synopsis of the same prepared by the Solicitor-General.

2. The Shipping and Seamen's Act and the Domicile Act have been reserved for Her Majesty's assent—the former, on account of its coming within the class of Bills which are directed to be reserved by the 11th clause of the Royal Instructions; and the Domicile Act, because it appears that the operation of section 5 may affect the interest of persons not resident in the colony.

The Right Hon. the Earl of Carnarvon.

I have, &c.,
NORMANBY.

Enclosure in No. 3.

SYNOPSIS ON THE ACTS PASSED BY THE GENERAL ASSEMBLY OF NEW ZEALAND IN THE SESSION OF PARLIAMENT HELD IN THE YEAR 1877.

The Public General Statutes.

- No. 1. *The Imprest Supply Act* authorizes an advance of £250,000 out of the Public Account by way of imprest for the service of the year ending 30th June, 1878. The money to be charged in the manner expressed in the Appropriation Act of the session appropriating the same.
- No. 2. *The Imprest Supply Act No. 2* similarly authorizes a further advance of £250,000.
- No. 3. *The Imprest Supply Act No. 3* similarly authorizes a further advance of £250,000.
- No. 4. *The Imprest Supply Act No. 4* similarly authorizes a further advance of £100,000.
- No. 5. *The Imprest Supply Act No. 5* similarly authorizes a further advance of £150,000.
- No. 6. *The Imprest Supply Act No. 6* similarly authorizes a further advance of £100,000.
- No. 7. *The Disqualification Act 1876 Amendment Act* exempts certain members of the General Assembly from penalties under "The Disqualification Act, 1876," to which they had rendered themselves liable by receiving attendance fees as members of certain River Conservation Boards.

- No. 8. *The Provincial Laws Evidence Act*.—Reprints of Provincial Laws having been published with an impressed note on the title-page only, and not on each Act, of the fact of such Act having been printed by authority, doubts arose as to whether copies of such reprints could be given in evidence, as not being strictly in accordance with the requirements of "The Official Documents Evidence Act, 1860." The present Act provides that such copies and reprints of Acts may be authenticated by receiving the seal of the Supreme Court thereon, and thereupon shall be admissible in evidence.
- No. 9. *The Census Act* is a consolidating Act, providing for an immediate taking of the Census in 1878, and again in 1881; thereafter a Census to be taken quinquennially. Provides further for the annual collection of statistics relating to agriculture and farm industries.
- No. 10. *The Friendly Societies Act* consolidates the law relating to friendly societies upon the system provided in the latest Imperial Statute on the same subject. (38 and 39 Vict., cap. 60.)
- No. 11. *The Industrial and Provident Societies Act*.—This Act is based upon the Imperial Act 39 and 40 Vict., cap. 45, and, being of a character cognate to the Friendly Societies Act, is similarly consolidated.
- No. 12. *The Agricultural and Pastoral Societies Act*, for the improvement of agriculture and the rearing of stock. This Act facilitates the incorporation of societies of not less than fifty persons, with power to hold lands and make laws for their guidance, for the collection of information, the holding of exhibitions, the granting of prizes for matters connected with farm industry.
- No. 13. *The Municipal Corporations Act 1876 Amendment Act* amends in certain technical points the original Act passed in the last session.
- No. 14. *The Slaughterhouses Act* provides an uniform law in respect of slaughterhouses, defines the respective control of counties and boroughs in respect of the same, and the regular inspection thereof; enforces a system of registry of cattle slaughtered, for the more easy tracing of stolen cattle that may have been slaughtered, and the discovery of the offenders.
- No. 15. *The Volunteers and Others Lands Act*.—This Act provides for the continuance of certain provisions relating to lands and settlements, for such time as may be necessary until the complete determination of all matters relating thereto. The fifth section empowers the issue of Crown grants to Natives for pieces of land which, on the cession of any block of land to the Crown, they may desire to retain for themselves.
- No. 16. *The Bankers' Books Evidence Act* provides machinery whereby extracts from bankers' ledgers, &c., may be put in evidence, avoiding the necessity of removing the original books from the bank premises. This Act is based on recent legislation in the Imperial Parliament.
- No. 17. *The Fine Arts Copyright Act* extends the protection of copyright to authors, resident in the colony, of original paintings, drawings, engravings, useful or ornamental designs, sculptures, and photographs.
- No. 18. *The Rabbit Nuisance Act 1876 Amendment Act* amends the Act of last year providing for the destruction of rabbits. Section twelve prohibits the liberating of any live rabbits in any part of the colony.
- No. 19. *The New Zealand Law Society Act 1869 Amendment Act* enables branches of the parent Law Society of the colony to be established within any Supreme Court district, with its own rules, subject to appeal to the parent society in case any member of a district society feels himself aggrieved.
- No. 20. *The Conveyancing Ordinance Amendment Act 1874 Amendment Act* explains that Judges and Commissioners for taking acknowledgments of married women, where mentioned in the Act of 1874, has reference to Judges and Commissioners both within and outside of the colony.
- No. 21. *The Education Act*, repealing all former laws, provides an uniform law for the secular education of the people. Creates a department of education under the control of a responsible Minister. Provides for the election of Boards of Education for districts charged with the general administration of the Act in those districts. Compels the attendance at a public school of all children between 7 and 13, unless exempted for sufficient reason, or certified as being sufficiently educated elsewhere. All School Committees to be elected by householders of district on the cumulative principle. The whole of the expenses attending the administration of the Act to be defrayed out of votes of Parliament without any poll-tax or special education rate whatever.
- No. 22. *The Education Reserves Act* makes a reappointment of all lands reserved for educational purposes (and not heretofore specifically granted) amongst the several school districts of the colony for purposes of primary and secondary education.
- No. 23. *The Public Health Act 1876 Amendment Act* provides for an annual report to the Central Board from every Local Board as to the sanitary condition of the district under its charge.
- No. 24. *The Gold Mining Districts Act 1873 Amendment Act* exempts from the fee payable under the Act of 1873 machine sites taken up anteriorly to the said Act, and all assignments or transfers thereof.
- No. 25. *The Public Reserves Sale Act* authorizes the sale or exchange of certain public reserves that are no longer suitable for the purpose for which reserved.
- No. 26. *The Waste Lands Boards Continuance Act* provides for the continuance in office of existing Waste Lands Boards whose term of office was to expire on 1st December, 1877.
- No. 27. *The Financial Arrangements Act 1876 Amendment Act* amends the Act of like title passed last session of the Assembly. Declares the land revenue, with the exception of the fraction thereof specially appropriated to counties and Road Boards, to form part of the Consolidated Fund of the colony. Reapportions the subsidies to be paid to local bodies throughout the colony.
- No. 28. *The Crown Lands Sale Act* establishes the minimum price at which Crown lands shall be disposed of in the several districts in the colony, without affecting the mode in which such lands may be disposed of.
- No. 29. *The Land Act* consolidates the law relating to the sale and disposal of Crown lands. Minister of Lands appointed in the place of the Secretary for Crown Lands. The term "Crown lands" to

- include all lands heretofore designated Crown lands, waste lands, and confiscated lands. Provides for the uniform sale by auction of town and suburban lands. Maintains within each land district the mode of disposal of rural lands heretofore existing therein. Extends to the whole colony the system of purchasing land on deferred payments within limited areas, and of pastoral lands within extended areas. Also prescribes that lands for pastoral purposes shall in future be disposed of by public auction, of limited areas, subject to all existing rights.
- No. 30. *The Government Native Land Purchases Act* prohibits any dealings with Natives by private individuals in respect of lands upon which moneys have been paid on account of Her Majesty; empowers the lodging of caveats in the Registry Offices for the protection of Her Majesty's interests in such lands; and terminates the system of purchasing lands from Natives by agents on commission.
- No. 31. *The Native Land Act Amendment Act* empowers the Native Land Court to award costs; and prescribes the mode in which applications on behalf of Her Majesty or the Governor may be heard and determined by the said Court.
- No. 32. *The New Zealand Loan Act* authorizes the borrowing and raising of not exceeding two million five hundred thousand pounds sterling (£2,500,000), for immigration and construction of public works, and for other purposes. The annual charge to be imposed on the consolidated revenue for interest and sinking fund (if any) not to exceed the sum of six pounds for every one hundred pounds expressed to be borrowed.
- No. 33. *The New Zealand Consolidated Stock Act* comes into operation only on Proclamation by the Governor in Council. It is not to affect any existing prior claims upon the colonial revenues. Empowers the Governor in Council, for the purpose of raising any loan or of converting any existing colonial loans, to create capital stock in amounts and manner, at such prices, on such terms, subject to such conditions, with such dividends, and redeemable at par at such times and on such conditions, as the Governor in Council may, before the creation thereof, determine. Similarly the Governor in Council may agree with the Bank of England for the inscription of such stock in the books of the Bank, and for the general management of such stock, and the conversion of loans, and the payment of dividends. He is also empowered to appoint Agents to carry out the purposes of the Act where powers are defined. The Act is not to authorize an increase of the capital or the annual charge of any loan.
- No. 34. *The Public Revenues Act* provides a reconstruction in the method of keeping the public accounts of the colony by the Treasury; authorizes the issue of deficiency bills not exceeding £400,000 in any year in supplement to the Consolidated Fund.
- No. 35. *The Counties Act Amendment Act*.—To render the practical working of "The Counties Act, 1876," more effective, certain amendments are made therein, which experience has shown to be required.
- No. 36. *The Public Reserves Act*.—The machinery for the administration of the public reserves in the colony, heretofore in force, having become abrogated by the abolition of provinces, this Act provides requisite machinery in substitution therefor.
- No. 37. *The Marine Act 1867 Amendment Act* authorizes the management of wharves, the property of Her Majesty, by local bodies, and the construction and management of public wharves by such bodies.
- No. 38. *The Stamp Act 1878 Amendment Act* provides for the admission in certain cases of secondary evidence of an instrument lost before the same was stamped.
- No. 39. *The Crown Redress Act* provides a more simple procedure in cases of claims or demands against Her Majesty within the colony; and authorizes the determination of such claims, with the consent of the Attorney-General, by Courts of minor jurisdiction, when such claims are within the limits of the jurisdiction of such Courts.
- No. 40. *The District Railways Act*, to facilitate the construction of railways by joint stock companies in country districts. Upon the consent of majority of ratepayers and owners of property exceeding one-half value of whole rateable property in a district, Governor may declare his approval of construction of railway. Where railway open for traffic, company to be guaranteed interest on the cost of construction for fifteen years at 7 per cent., part whereof to be raised by special rate within districts through which railway passes, amounting to 5 per cent.; the remaining 2 per cent. to be paid out of the Consolidated Fund. No rate to be paid whenever net profits of the company amount to 7 per cent. Rate only to be paid so long as railway is open for traffic. At any time after seven years from opening of railway for traffic the Governor to have the right to purchase the same.
- No. 41. *The Mining Companies Act 1872 Amendment Act* provides a mode of appeal to the Supreme Court from the decisions of a District Court or a Judge thereof in all matters under the provisions of the Act of 1872.
- No. 42. *The Mines Act* repeals all former Acts in force relating to gold fields, consolidates and amends the law upon that subject.
- No. 43. *The Maori Real Estate Management Act Amendment Act*.—This Act is to apply only to purchases of land on behalf of Her Majesty in respect of which negotiations or payments have heretofore been made. It authorizes Trustees of Maori infants to sell to Her Majesty the real estate of such infants, and to join in proceedings for any partition thereof. No sale or partition to be effected without consent of a Judge of the Native Land Court. Directs that all proceeds of sales shall be either laid out in purchase of other lands, or invested in Government securities for the benefit of the *cestui que* trusts.
- No. 44. *The Destitute Persons Act* re-enacts with amendments the existing law relating to destitute persons and illegitimate children; and makes necessary provisions in cases of desertion of wives by their husbands, or children by either of their parents.
- No. 45. *The Fish Protection Act* for the protection of fish, the natural or artificial propagation thereof, and the regulating of fisheries.
- No. 46. *The Cemeteries Management Act* establishes a general system of management of public cemeteries by Trustees; authorizes the Governor to appoint Trustees, and directs the mode of

- control over portions set apart for separate denominations; also empowers the Governor, on application, to extend the provisions of the Act to cemeteries heretofore established.
- No. 47. *The Public Libraries Subsidies Act* apportions the grant for public libraries among the provincial districts according to population for distribution to libraries maintained by voluntary subscriptions. Appropriates out of moneys to be voted by the General Assembly for public libraries, to every district establishing a free public library, a subsidy equal to the rate levied for the maintenance thereof.
- No. 48. *The Sale of Food and Drugs Act*, repealing the former Act on the subject, makes better provision for the prevention of adulteration of food and drugs, and the selling of adulterated or unwholesome food or drugs.
- No. 49. *The Law Practitioners Act Amendment Act* authorizes the payment of fees to Examiners appointed to examine candidates for admission as barristers or solicitors.
- No. 50. *The Imprest Supply Act No. 7* authorizes a further advance of £100,000 in manner provided by the previous Imprest Supply Acts of the same session.
- No. 51. *The Immigration and Public Works Appropriation Act* enumerates the Ways and Means to be carried to the Public Works Account. Appropriates £2,293,740 9s. 9d. for construction of public works and immigration for the year ending 30th June, 1878.
- No. 52. *The Appropriation Act*.—The annual Appropriation Act, amounts appropriated. Total, £2,301,642 18s. 1d.

The Reserved Acts.

- No. 53. *The Domicile Act* adapts the provisions of the Imperial Statutes 24 and 25 Vict, cap. 114, to wills of personal estate made out of the colony by British subjects.
- No. 54. *The Shipping and Seamen's Act*, repealing all former Merchant Shipping Acts Adoption Act, re-enacts and consolidates all provisions of Imperial Merchant Shipping Acts heretofore in force or adopted, and all provisions of Colonial Acts relating to the same subject, or to marine or steam navigation and wrecks.
- [The two above cited Acts are reserved for the signification of Her Majesty's pleasure thereon, for reasons which have been already expressed in memoranda referring to these measures.]

The Local and Personal Acts.

- No. 1. *The Auckland Highway Districts Validation Acts*, confirming the creation of certain highway districts originally established.
- No. 2. *The Wellington City Reserves Act 1872 Amendment Act*, authorizing the conveyance of certain reserves for hospital and orphanage maintenance and support.
- No. 3. *The Lyttelton Public Domain Act*, bringing certain public reserves at Lyttelton under the operation of "The Public Domains Act, 1860."
- No. 4. *The Timaru Mechanics' Institute Act*, vesting a reserve set apart for the Institute in Trustees, for the purposes of management and improvement thereof.
- No. 5. *The Oamaru Athenæum and Mechanics' Institute Reserves Act*, same purport as the foregoing.
- No. 6. *The Port Chalmers Mechanics' Institute Incorporation and Reserves Act*, same purport as the foregoing, and incorporating the members of Institute.
- No. 7. *The Port Chalmers Waterworks Act Amendment Act*, authorizing the Borough Council to borrow a further sum of £10,000 for completion of waterworks to supply the town and port with water.
- No. 8. *The Dunedin Drill-shed Reserve Act 1876 Amendment Act*, authorizing not exceeding £5,000 to be borrowed on security of reserve for the purpose of erecting buildings thereon.
- No. 9. *The Invercargill Gas Loan Act*, authorizing the Borough Council to borrow a further sum of £14,000 for purpose of improving and enlarging the gasworks.
- No. 10. *The Waiwera School Glebe Sale Act*, authorizing the sale of the land, the proceeds to be applied in the purchase of other land for same purpose.
- No. 11. *The Dunedin Town Hall Site Act*, authorizing the erection of Municipal offices on portion of a reserve set apart for a public market.
- No. 12. *The Havelock Commonage Act*, vesting the commonage reserve in Trustees for management and improvement on behalf of inhabitants of Havelock.
- No. 13. *The Special Contracts Confirmation Act*, authorizing the Governor to do all things necessary in certain cases where equitable claims had arisen for the satisfaction of such claims, in the absence of a direct law permitting their adjustment.
- No. 14. *The Tokomairiro Farmers' Club Reserve Act*, vesting a reserve in certain Trustees, who are incorporated by the Act, for the purposes of the Club, as an agricultural society.
- No. 15. *The Southland Agricultural and Pastoral Association Reserve Act*, vesting a reserve at Invercargill in certain Trustees for the purposes of the Association, as an agricultural society.
- No. 16. *The Auckland Harbour Act*, authorizing the Harbour Board to dispose of certain lands reclaimed by them from the sea; and amending the constitution of the Board.
- No. 17. *The Otago Roads Ordinance Amendment Act*, to supply an omission in the Ordinance, defines the qualification of electors at elections of members of certain Road Boards.
- No. 18. *The Ponsonby Highway District Act*, to change the inconvenient name, formerly belonging to it, of a certain highway district in the suburbs of Auckland City.
- No. 19. *The Lawrence Athenæum and Mining Institute Act*, vesting a reserve set apart as a site for an Athenæum in the incorporated members of the Institute.
- No. 20. *The Tapanui Agricultural and Pastoral Exhibition Reserve Act*, vesting a reserve in certain trustees, who are incorporated by the Act, for the purposes of the Trust, as an agricultural society.
- No. 21. *The Dunedin School Reserve Act*, changing the purpose of a cemetery reserve not needed for the purpose, and vesting the same in Education Board for a school site.

- No. 22. *The Kaiapoi Native Reserves Act*, reserving certain Crown lands in Canterbury for the benefit of the Kaiapoi Natives as compensation for lands wrongfully taken from them.
- No. 23. *The Dunedin Gas and Waterworks Act* repeals conflicting provisions in former Acts, bringing all waterworks and gasworks in the city within the provisions of "The Municipal Corporations Act, 1876."
- No. 24. *The Lawrence Reserves Act*, vesting certain public reserves within the borough in the Corporation thereof.
- No. 25. *The Peninsula County Libraries Act*, vesting the management of certain lands within Otago Harbour in Trustees, to apply proceeds towards maintenance of public libraries.
- No. 26. *The Lyttelton Harbour Board Land Act*, vesting certain lands, wharves, and jetties within Lyttelton Harbour in the Harbour Board thereof, for purposes of administration.
- No. 27. *The Auckland City Endowments and Reserves Act*, vesting in the Corporation certain surplus lands acquired for water-supply purposes as ordinary reserves for endowment of the city.
- No. 28. *The Kaiapoi Cemetery Act*, transferring and vesting in the Corporation of Kaiapoi an unused racecourse for the purposes of a public cemetery.
- No. 29. *The Wanganui Harbour Endowment and Borrowing Act*, setting apart certain Crown lands as harbour endowments, with power of mortgage or sale; authorizing a loan of £100,000 for harbour purposes.
- No. 30. *The Havelock Athenæum and Mechanics' Institute Incorporation Act*, incorporating the members of the Institute, and vesting in the Corporation certain reserves set apart for an Athenæum.
- No. 31. *The City of Wellington Loans Consolidation Act 1876 Amendment Act*, to supply an omission in the Act of 1876; ratifies the loans contracted thereunder, and appropriates the balances remaining of such loans.
- No. 32. *The Wakapuaka Telegraph Station Site Act*, authorizing the Governor to purchase from the Native owners certain lands for telegraph purposes, and to validate the title thereto.
- No. 33. *The Cromwell Athenæum Reserves Act*, transferring and vesting in the incorporated Cromwell Athenæum certain reserves and other lands for the use of the said Athenæum, with power to raise money thereon, but without power of sale.
- No. 34. *The Maitāwera Reserve Act*, transferring an unused ferry reserve, and vesting the same in Trustees, partly as recreation-ground and partly for purposes of Agricultural Society.
- No. 35. *The Akaroa Public Library Site Act*, authorizing an exchange of the site for other lands of equal area.
- No. 36. *The Christchurch District Drainage Act, 1875 Amendment Act* directs an annual estimate of expenditure within and without the limits of the city, and the rate to be levied throughout the district to be in proportion to such expenditure respectively.
- No. 37. *The Himatangi Crown Grants Act*, for the apportioning the Himatangi block of land, being part of the Rangitikei-Manawatu Block, among the Native owners thereof who did not join in the sale to the Crown of the aforesaid Rangitikei-Manawatu Block.
- No. 38. *The Queenstown Athenæum Act*, transferring to Trustees, incorporated by the Act, a certain reserve for the purpose of an Athenæum.
- No. 39. *The Lawrence Municipal Waterworks Act*, bringing under the operation of "The Municipal Corporations Act, 1876," certain waterworks constructed previous to incorporation of borough.
- No. 40. *The New River Harbour Management Act*, transferring the management of the harbour from the Harbour Board, dissolved by the Act, to the Corporation of the Town of Invercargill, and defining and regulating the powers of the Corporation in respect thereof.
- No. 41. *The Saint Andrew's Church (Wellington) Trustees Act 1873 Amendment Act*, empowering the Trustees to sell the land and church now existing, and to purchase more suitable site for the same purpose.
- No. 42. *The Wellington College Act 1872 Amendment Act*, appointing certain persons to be permanent and others *ex officio* Governors of the College, and authorizing Governor to nominate to ordinary vacancies.
- No. 43. *The Dunedin Gaol Street Act* authorizes the closing of the longitudinal half of the street (furthest removed from the walls of the gaol) wherein is situate the Dunedin Gaol.
- No. 44. *The Clyde Public Reserves Grant Act* authorizes the closing of a portion of a public street, and the grant of the same and another reserve to the County of Vincent.
- No. 45. *The Wanganui Gas Company's Act*: the usual Act authorizing a joint-stock company to construct works for supplying the Borough of Wanganui with gas.
- No. 46. *The Hokitika Gas Company's Act*: same purport as the foregoing in respect of the Town of Hokitika.
- No. 47. *The Port Chalmers Compensation Act*, authorizing the grant of certain lands to the Borough of Port Chalmers, in compensation for portions of its town belt taken for railway purposes.
- No. 48. *The Taranaki County Reserves Act*, vesting certain reserves in the county, for the purpose of raising income for maintenance of roads.
- No. 49. *The Canterbury Rivers Act 1870 Amendment Act*, altering the mode of constituting districts, enabling the same to be established on petition, and providing for election of members of Boards.
- No. 50. *The City of Dunedin Loans Consolidation Act*, for the purpose of consolidating its loans, authorizes the Corporation of Dunedin to borrow £600,000.
- No. 51. *The Auckland College and Grammar School Act* incorporates a body of elective Governors, with the Mayor of Auckland, for the management and control of the Institution and its property.
- No. 52. *The Otago Boys' and Girls' High Schools Act*, same purport as the foregoing in respect of Otago Boys' and Girls' High Schools.
- No. 53. *The Church Trust Property at Little River Exchange Act*, empowering the Trustees to exchange the church site at Little River for other land to be devoted to the same purpose.
- No. 54. *The Wellington Reserves Act 1876 Amendment Act*, authorizing the grant of certain reserves to local bodies, and the sale of a piece of land to the Order of Foresters.

- No. 55. *The Waikouaiti Athenæum Land Act*, vesting in Trustees, incorporated by the Act, certain land for the purposes of an Athenæum.
- No. 56. *The Otago Museum Act*, transferring the control of the Museum to the Otago University, with all the property of the Museum, and vesting certain lands in University for support of Museum.
- No. 57. *The Wyndham Recreation Reserve Act*, transferring and vesting in Trustees, incorporated by the Act, certain land as recreation reserve for inhabitants of Wyndham.
- No. 58. *The Jackson's Bay Road District Act*, authorizing the Governor on petition to subdivide the Okarito Road District, in Westland, into two separate road districts.
- No. 59. *The Mount Cook Road District Act* authorizes the alterations in the boundaries of the district as the same were established by "The Canterbury Roads Ordinance, 1872."
- No. 60. *The Waikato Hospital Reserves Exchange Act* authorizes the exchange of certain hospital reserves for private lands of larger area.
- No. 61. *The Thames Water Supply Act 1876 Amendment Act*, extending the powers under the Act of 1876 of taking lands and water necessary for maintaining the supply.
- No. 62. *The Masterton and Greytown Lands Management Act 1871 Amendment Act*, authorizing the Trustees of the Masterton lands to dedicate land for hospital, public school, public library, and for road purposes.
- No. 63. *The Onehunga Endowments Act*, transferring certain lands and vesting the same in the Borough of Onehunga for the endowment thereof.
- No. 64. *The Walsh and Others Pension Act 1876 Amendment Act*, regulating the appointment of new Trustees in cases of vacancy.
- No. 65. *The Patea Harbour Board Act 1876 Amendment Act*, for the rectification of an error in the Act of 1876, and making additional endowments to the Harbour Board.
- No. 66. *The Bluff Harbour Endowment and Borrowing Act*, setting apart certain Crown lands as harbour endowments with power of mortgage or sale, authorizing a loan of £50,000 for harbour purposes.
- No. 67. *The Borough of New Plymouth Reserves Act*, vesting certain reserves in the borough, with authority to construct a water reservoir or part thereof.
- No. 68. *The New Plymouth Harbour Board Ordinance 1875 Amendment Act* reconstitutes the Harbour Board with increased powers.
- No. 69. *The Manawatu Land Orders Act*, to be advertised in London. Requires all persons who selected land in the Manawatu District or elsewhere under original land orders of the New Zealand Company, and have not been able to acquire occupation, to send in their claims within two years, if abroad from the colony, and they will receive compensation scrip for other land; to be exercised within five years.
- No. 70. *The Napier Swamp Nuisance Act Continuance Act*.—The time limited in the original Act for the completion of the work referred to therein not being sufficient, this Act extends the time two years.
- No. 71. *The Taranaki Roads and Bridges Ordinance 1858 Amendment Act* transfers to County Council authority of Superintendent under Ordinance; amends the Ordinance in conformity with change of circumstances.
- No. 72. *The Nelson Gas and Waterworks Sale Act* transfers to the Corporation of Nelson the gas-works and waterworks therein, and all authorities of the Superintendent or Governor thereover.
- No. 73. *The Nelson and Westland Coal Fields Administration Act* re-enacts with amendments former provisions relating to the administration of the colliery reserves within the Provincial Districts of Nelson and Westland, regulates the sale and disposal of the same, and the application of the proceeds arising therefrom, subject to the repayment of the cost of the construction of certain railways in the coal fields.
- No. 74. *The Nelson Rifle Prize Act Amendment Act* directs the application of interests accruing from investments made under the original Act of the Province of Nelson.
- No. 75. *The Greenwood Pension Act* allots a pension for life of £120 to John Danforth Greenwood, late Sergeant-at-Arms of the House of Representatives.
- No. 76. *The Timaru and Gladstone Board of Works Property Vesting Act* vests in Her Majesty all real and personal property of the Board, conditional on payment of £2,500 for the same.
- No. 77. *The Canterbury Roads Ordinance Amendment Act* provides an amended form of constituting new road districts under the Ordinance, and regulates the division of assets and liabilities between original and newly-constituted districts.
- No. 78. *The Christchurch City Reserves Act*, vesting certain reserves within the City of Christchurch in the Corporation thereof.
- No. 79. *The Lyttelton and Heathcote Recreation-ground Act*, vesting certain lands in Trustees incorporated by the Act for the purposes of public recreation.
- No. 80. *The Balclutha Athenæum Act*, incorporating Trustees of the Balclutha Athenæum, and vesting certain lands in them as endowments for the said Athenæum.
- No. 81. *The West Harbour Mayoralty Election Validation Act*, for the avoidance of a second election of Mayor; validating the first election, which occurred some days before the fixed time for the same.
- No. 82. *The Southland Boys' and Girls' High Schools Act* incorporates a body of Governors for the management and control of Boys' and Girls' High Schools within Southland.
- No. 83. *The Hokanui Education Reserve Act*, validating a lease made by the Otago Education Board of a certain parcel of land, and authorizing the exchange of the said land for other land agreed upon.
- No. 84. *The Middle Island Half-Caste Crown Grants Act* authorizes the issue of Crown grants in fulfilment of promises made in favour of certain half-castes resident in the Middle Island.
- No. 85. *The Hutt County Offices Site Act* authorizes the grant to the Hutt County of a piece of railway land for the purpose of erecting county offices thereon.

- No. 86. *The Whangarei Port Act*, defining the boundaries of the port, and vesting the management and control thereof in the Whangarei County Council.
- No. 87. *The Lyttelton Harbour Works Compensation Act*, to carry into effect terms of an agreement as to compensation to persons deprived of water frontage by harbour works.
- No. 88. *The Roxburgh Reserves Act 1876 Amendment Act*, authorizing the sale of a portion of reserve, or payment of value of improvements effected thereon by a private individual.

		<i>Recapitulation.</i>					
Public General Statutes,—							
Assented to	52
Reserved	2
							— 54
Local and Personal Acts	88
							—
Total	142

No. 4.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 5.) Government House, Wellington,
MY LORD,— New Zealand, 12th January, 1878.

I have the honor to inform your Lordship that I have this day, by the advice of my Government, appointed Mr. John Ballance to be Commissioner of Customs and Minister of Education.

The Right Hon. the Earl of Carnarvon. I have, &c.,
NORMANBY.

No. 5.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 6.) Government House, Wellington,
MY LORD,— New Zealand, 28th January, 1878.

With reference to my Despatch No. 27, dated 31st May, 1877, on the subject of the proposed Treaty of Commerce between Great Britain and Austro-Hungary, I have now the honor to inform your Lordship that my Government think it desirable that New Zealand should be brought within the stipulations of that Treaty, on the basis of the most favoured nation treatment, without any specific engagements relative to tariff or other matters.

The Right Hon. the Earl of Carnarvon. I have, &c.,
NORMANBY.

No. 6.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 7.) Government House, Wellington,
MY LORD,— New Zealand, 29th January, 1878.

In reply to your Lordship's Despatch No. 34, dated 5th September, 1877, transmitting a copy of a letter from the Board of Trade, covering an extract from the finding of a Naval Court held at Samoa to investigate certain alleged breaches of "The Merchant Shipping Act, 1854," by Mr. Dunlop, I have the honor to inform your Lordship that the British Consul at Samoa wrote to the Collector of Customs at Auckland regarding the proceedings referred to in your Lordship's despatch, and the Collector reported the matter to the Government, and asked for instructions. He was informed, in reply, that there was no case under "The Merchant Shipping Act, 1854," against Mr. Dunlop, and no proceedings were therefore taken against him.

The Right Hon. the Earl of Carnarvon. I have, &c.,
NORMANBY.

No. 7.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY
to the Right Hon. the Earl of CARNARVON.

(No. 8.)
MY LORD,—

Government House, Wellington,
New Zealand, 30th January, 1878.

I have the honor to enclose a copy of a memorandum by the Registrar-General embodying the information your Lordship has asked me to obtain for the Committee appointed by the Treasury to inquire into the subject of official statistics, also two printed copies of the New Zealand Statistics for the year 1876.

I have, &c.,

The Right Hon. the Earl of Carnarvon.

NORMANBY.

Enclosure in No. 7.

MEMORANDUM by the REGISTRAR-GENERAL.

The Hon. the Colonial Secretary.

THE information requested by His Excellency may be summarized as follows:—

1. The statistical publications compiled by the Government of this colony are limited to the annual volume of Statistics, and the volume containing the results of the Census which is taken periodically.

2. There is not any distinct statistical department in the colony, but the compilation and preparation of statistics have been generally regarded as appertaining to the office of the Registrar-General, who has exercised a general control over the extent and character of the statistics to be compiled. The preparation of the above volumes has thus always been undertaken in that office, and the tables are either compiled therein from records of the department, or from returns specially applied for from public departments or private sources. The principal tables relating to trade, interchange, and finance are supplied in a complete form to the Registrar-General by the Customs, Treasury, Postal, and Telegraph Departments respectively.

3. The volume of Statistics embraces information relating to population and vital statistics, with the causes of death; meteorology, trade and interchange, finance, accumulation and production, law, crime and education, and miscellaneous statistics relating to municipal boroughs, road districts, constabulary, volunteers, &c. A copy of the volume for 1876 is forwarded herewith.

4. The free circulation in this colony of these statistics amounts to about 400 volumes, of which about one-half are for Members of the General Assembly and official departments. About 76 volumes are forwarded to various parts of the Australian Colonies, a similar number to other British dependencies and foreign countries, and about 211 are forwarded to Great Britain. The price of the volume being 15s., the sales thereof are not worth noticing.

WM. R. E. BROWN,
Registrar-General.

Wellington, 8th January, 1878.

No. 8.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY
to the Right Hon. the Earl of CARNARVON.

(No. 9.)
MY LORD,—

Government House, Wellington,
New Zealand, 31st January, 1878.

Referring to your Lordship's Despatch No. 44, 9th November, 1877, I have now the honor to enclose a copy of a memorandum which I have received from my Government, by which your Lordship will observe that, although inquiry has been made at the principal ports of the colony, the Government have been unable to obtain any information regarding the complaints made by Count Menabrea, that the colonial authorities had refused to arrest Italian deserters; and I can only express regret that any difficulties of the kind should have arisen. At the same time, until the receipt of Her Majesty's Order in Council of June, 1863, the authorities here would have had no power to arrest Italian deserters, except under the Colonial Act. The Order in Council has, however, now been gazetted, and the same difficulty cannot occur again.

I have, &c.,

The Right Hon. the Earl of Carnarvon.

NORMANBY.

Enclosure in No. 8.

MEMORANDUM FOR HIS EXCELLENCY.

MINISTERS present their respectful compliments to His Excellency, and have the honor to return Lord Carnarvon's Despatch No. 44, of 9th November, 1877, with its enclosed copy of correspondence between the Italian Ambassador and the Foreign Office respecting deserters from Italian vessels in New Zealand ports.

2. Count Menabrea does not state at what port the colonial authorities refused to arrest Italian deserters, and the Government, after inquiries made at each of the principal ports, cannot ascertain that any master of an Italian vessel has applied to the authorities to have such arrests made.

3. Count Menabrea claims that the Imperial Order in Council of 11th June, 1863, entitled Italian shipmasters to require the arrest of deserters; but Lord Carnarvon in his despatch explains and regrets that that order was not officially communicated to the colonies, owing to its not having been brought under the notice of the Colonial Office at the time it was passed.

4. The colonial law on the subject ("The Foreign Seamen's Act, 1860") might have been taken advantage of; but the Italian Consul has not signified that his Government desired that that Act should be brought into force in respect of the masters and seamen of Italian vessels, and Count Menabrea explains why it is thought not advisable that such a course should be taken.

5. Ministers respectfully submit, therefore, that the despatch of Lord Carnarvon, taken with its enclosures, shows why the authorities in New Zealand must have been powerless as regards deserters from Italian vessels, for the Imperial Order in Council was unknown in the colony, and the colonial law was allowed by the Italian Government to remain inoperative.

6. No such difficulty as that stated by Count Menabrea can, however, occur hereafter, the Order in Council of June, 1863, having now been published in the *New Zealand Gazette*.

G. S. WHITMORE,

(in the absence of the Premier.)

Wellington, 30th January, 1878.

No. 9.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. the Earl of CARNARVON.

(No. 10.)

Government House, Wellington,

MY LORD,—

New Zealand, 1st February, 1878.

I have the honor to enclose a memorandum which I have received from my Government, by which you will see that they are anxious to convey the thanks of this colony to the Government of the United States for the very handsome and effective manner in which salmon ova have been supplied to this colony by the Fishery Commissioners of the United States, under the direction of the Chief Commissioner, the Hon. Spencer F. Baird.

I venture also to express a hope, on my own part, that your Lordship will see no objection to adopt the course proposed by my Government, as I think that the action of the American Government has evinced such a feeling of friendship and generosity towards New Zealand, in a matter in which deep interest is taken, as to demand a special mark of acknowledgment and thanks on the part of this colony.

I have, &c.,

The Right Hon. the Earl of Carnarvon,

NORMANBY.

Enclosure in No. 9.

MEMORANDUM FOR HIS EXCELLENCY.

MINISTERS desire respectfully to inform His Excellency the Governor that the half-million salmon ova which arrived by the mail steamer from San Francisco, in November last, have been successfully hatched and distributed to the different rivers in the colony; and that, by information that has reached the Government from various directions, it has been demonstrated that, owing to the extreme care with which the ova were packed in America, the very satisfactory result of about 95 per cent. of live fish has been obtained.

2. In addition to the half-million sent at the request of the Government, an equal quantity has been sent to the various Acclimatization Societies in the colony, and this handsome gift of salmon ova has been made to the colony without charge, except cost of package and transit, by the Fish Commission of the United States, under the direction of the Hon. Spencer F. Baird, as Chief Commissioner.

3. Ministers venture to think that so generous an action on the part of a foreign nation is

worthy of being acknowledged in a special manner. They would therefore respectfully ask His Excellency to bring the matter under the notice of Her Majesty's Government, through the Secretary of State for the Colonies, in the hope that Her Majesty's Government will permit a communication to be made to the Government of the United States of the thanks of the Colony of New Zealand for the generous and valuable gift of a million salmon ova to the colony.

Wellington, 1st February, 1878.

G. S. WHITMORE,
(in the absence of the Premier.)

No. 10.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY
to the Right Hon. the Earl of CARNARVON.

(No. 11.) Government House, Auckland,
MY LORD,— New Zealand, 28th February, 1878.

With reference to your Lordship's circular despatch dated 20th October last, as to the appointment of Assessors under section 7 of "The Merchant Shipping Act, 1876," I have now the honor to enclose to your Lordship copy of a memorandum which I have received from my Government on that subject.

I have, &c.,
The Right Hon. the Earl of Carnarvon. NORMANBY.

Enclosure in No. 10.

MEMORANDUM for His EXCELLENCY.

WITH reference to Lord Carnarvon's circular of 20th October, 1877, covering a letter from the Board of Trade, dated 8th October, as to the appointment of Assessors under section 7 of "The Merchant Shipping Act, 1876," Ministers have the honor respectfully to advise that His Excellency's reply be to the effect that it is not considered necessary at present to nominate any persons as Assessors on behalf of this colony.

2. The provisions of the Act of 1876 are intended to protect the interests of the owners of ships detained at any port in the United Kingdom to be surveyed because of alleged unseaworthiness; and but very few New Zealand-owned vessels can be liable to such detention, seeing that only a few trade to the United Kingdom.

3. The circular of 8th September, mentioned by Lord Carnarvon, appears not to have been forwarded to Ministers.

Wellington, 8th February, 1878.

G. S. WHITMORE,
(in the absence of the Premier.)

No. 11.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY
to the Right Hon. the Earl of CARNARVON.

(No. 13.) Government House, Auckland,
MY LORD,— New Zealand, 27th March, 1878.

I have the honor to inform your Lordship that, in consequence of an invitation which I received to open a new road in the Thames District, the Colonial Government steamer "Hinemoa" not being available at the time, I proceeded in H.M.S. "Nymphé" to Grahamstown, on the 20th instant.

2. The road in question is one of considerable importance, not only on account of its opening out a communication with the Ohinemuri Gold Fields and some good agricultural country at the back, and ultimately to the Waikato, but also as an evidence of the change of feeling which has lately taken place among the Natives of that district. The road has long been a matter of dispute between the Natives and the white population. A portion of the land over which the road has to pass was, about fifty years ago, the scene of a great Maori battle, where between 1,500 and 2,000 men are said to have been killed. The place was tapued, and was considered so sacred that no persuasion would, until very lately, induce the Natives either to sell the land or to permit the road to pass through it.

3. About the commencement of this year, however, the County Council, who took a deep interest in the matter, succeeded in overcoming this opposition, and the negotiations were brought to a successful termination.

4. The old chief Riwai te Kiore, who, as a young man, was himself present at the battle, had always been until then a most violent opponent to the road, but he then gave way and became its warm supporter; and as far as it passed through Native land it has been constructed almost exclusively by the Maoris themselves. Since the 5th of January last, when the sanction of the Natives was obtained, the work has proceeded most rapidly; and were it not for some bridges, the construction of which has been delayed in consequence of the difficulty in getting the necessary timber, which is caused by the dryness of the season, making it difficult to float the logs down the river, the road would now be open for vehicles for about sixteen miles.

5. Under these circumstances, it was thought desirable that some demonstration should be made, and I readily accepted the invitation to open the road.

6. On landing at the wharf at Grahamstown on the morning of the 21st, I was received by the Harbour Board, the Mayor, and Corporation; and I must not omit to mention that a guard of honor which received me was composed of a Native Volunteer Corps which had been formed in the district. The corps is a most creditable one—they are a fine-looking body of men, active, clean, and well dressed, and apparently very fairly drilled; and the Hon. Hoani Nahe, the Native Member of my Executive Council, was one of the privates in the ranks.

7. After hearing an address from the Harbour Board and the Corporation of Grahamstown, a procession was formed, and I proceeded in a carriage to open the road.

8. On passing the town boundary, I was received by the County Council. Numerous arches had been erected across the road, and on that portion of the road which passed through Maori land these arches, which were very tastefully decorated, had been erected entirely by the Natives themselves. The procession proceeded about three miles along the road to a place close to the scene of the battle, where the Natives had erected an arbour of ferns and boughs; and then, after hearing an address of welcome from them, I declared the road opened, and, after partaking of some fruit which had been provided by the Natives, we returned towards the town. Riwai te Kiore, who is now a very old man, was himself present, and expressed his satisfaction at the opening of the road.

9. On approaching the precincts of the town, I was entertained at a large luncheon by the County Council, and, at 5 o'clock in the afternoon, I inspected the whole of the Volunteer Corps of the district, which form a most creditable Force, amounting to over 500 men. The whole population is almost exclusively employed in quartz-mining, and I have seldom seen a much finer body of men. Unfortunately, time did not admit of my seeing them manœuvre, but they marched past very creditably.

10. After attending a large public dinner given by the Reception Committee, I proceeded to a ball, which was perhaps the most marked feature of the whole reception, as it was a ball given by the Maoris in honor of the occasion; and it is, I believe, the first instance in which anything of the kind has ever been attempted by them. The ball was given in a large hall in the town, and the whole of the arrangements, which were very good indeed, were carried out by the Maoris themselves. Every one came by invitation, and a large number of the white inhabitants were invited. The Maori ladies were all well dressed in evening dress, and the men were all either in evening clothes or in the uniform of their corps to which many of them belonged; and the dancing was conducted in the most orderly and decorous manner, both races uniting in the most friendly way, and all evidently enjoying themselves to the utmost.

11. This closed the proceedings of the day, and I then embarked on board H.M.S. "Nymphé," and in the morning sailed for Auckland.

12. I have much pleasure in assuring your Lordship that the reception which was accorded me as Her Majesty's Representative was throughout of a most satisfactory character, and strongly evinced the feelings of sympathy and affection towards Her Majesty which are entertained by the inhabitants of the district.

13. The zealous manner in which the Natives joined in the construction of the road when once their consent had been obtained, together with their hearty participation in the demonstration which took place at the opening, will, I hope,

not be without effect in other districts; and I trust it will prove another evidence of the change of feeling which I believe is certainly, though slowly, taking place among them.

14. I have further to inform your Lordship that, on Monday, the 25th of March, I proceeded by railroad to the Waikato. The railroad is now open to Hamilton, the principal town in the district, eighty-four miles from Auckland.

15. On my arrival at Hamilton, I was received by the Mayor and Corporation, and a large number of the inhabitants. The Town of Hamilton is small, and the district is a purely agricultural one, and the population is scattered; the numbers therefore present were of course much smaller than at the Thames, but the loyal feelings expressed towards Her Majesty, and the cordiality of my reception as Her Representative, were equally warm and hearty. In the evening I was entertained at a public dinner, and on the following morning I proceeded by road to Cambridge, where I inspected a large troop of Volunteer Cavalry. The troop is 131 strong. They are upon the whole very well mounted, and are well drilled, and in the event of any unfortunate disturbance with the King Natives would prove a most valuable force, as it is composed entirely of settlers in the district, who know the whole of the country thoroughly. After the inspection was over, I drove round a large portion of the settled district to Ohaupo. This district has had great difficulties to contend against, in consequence of the Native troubles; but it is most satisfactory now to see the progress that is taking place. The soil appeared to me to be generally speaking of too light a description; but I saw some very good farms, where grass and root crops were growing well. Wheat, also, I understand grows well, and I am informed that before the war the Natives used to raise large quantities of wheat in the district. From Ohaupo I returned to Hamilton by railroad. This portion of the line, ten miles in length, is not yet opened for traffic, but it will be so next week. It is intended that this line should ultimately connect with the lines at New Plymouth and from thence to Wellington. A further section from Ohaupo to Te Awamutu, which is close upon the borders of the King country, will be constructed at once, but beyond that point it will be necessary to wait until some arrangement has been come to with the King Natives. On the following day I returned to Auckland.

I have, &c.,
NORMANBY.

The Right Hon. the Earl of Carnarvon.

No. 12.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. Sir M. E. HICKS BEACH.

(No. 15.)

Government House, Auckland,

SIR,—

New Zealand, 20th April, 1878.

In reply to your predecessor's circular despatch, dated 4th December, 1877, respecting the International Telegraph Convention, and the copy of the proceedings of the Convention held at St. Petersburg, I have been requested by my Government to inform you that New Zealand adheres to the Convention, and desires to be represented at the meeting proposed to be held in London during July next. The Agent-General has been instructed to be ready to act as the representative of this colony at the meeting.

I have, &c.,
NORMANBY.

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

No. 13.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. Sir M. E. HICKS BEACH.

(No. 18.)

Government House, Wellington,

SIR,—

New Zealand, 22nd May, 1878.

I have the honor to enclose a copy of a memorandum which has been forwarded to me by Sir George Grey, in which he takes exception to the rule laid

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.

Enclosure in No. 13.

The Hon. the PREMIER to His Excellency the GOVERNOR.

Memorandum for His Excellency.

SIR GEORGE GREY presents his respectful compliments to the Marquis of Normanby, and begs now to return the despatch from the Secretary of State announcing that a certain rank and dignity has been conferred on Mr. Justice Chapman and Mr. Justice Gresson; and also the despatch respecting Judges of the Australasian Colonies generally, as regards such rank and dignity.

2. A memorandum by Mr. Fox, attached to the former despatch, will explain the circumstances under which it was mislaid. Sir George Grey regrets greatly that it should have been mislaid, but it was beyond his control; and he can only apologize to the Marquis of Normanby for the inconvenience he suffered from the delay in the return of the despatch.

3. Sir George Grey naturally received with much pleasure the notification that it was intended to recognize, in some manner, the services of two Judges of New Zealand who have so well discharged the duties of their high offices as have Judge Chapman and Judge Gresson.

4. The mode in which, however, it is proposed to do this involves serious considerations, especially as the notification of the rank and dignity conferred on two New Zealand Judges is accompanied by a despatch which proposes to establish general rules in relation to similar cases, which the Secretary of State directs should hereafter be observed within the limits of New Zealand.

5. In making the following remarks upon this point, Sir George Grey wishes to avoid reflections upon the past, as he is well aware that the Secretary of State's action accorded with the wishes of former Ministers in New Zealand; but as Sir George Grey finds that the subject has never been brought under the attention of the General Assembly or of the people of New Zealand, he thinks it his duty to submit the following remarks for the consideration of Her Majesty's Advisers:—

6. A Representative Constitution has been bestowed by the British Parliament on New Zealand, under which the General Assembly is authorized to make all provisions necessary for the peace, order, and good government of the Islands of New Zealand.

7. This question now, therefore, naturally arises: Can the Crown, after the grant of such a Constitution to this country, create and establish in New Zealand, without the consent of the General Assembly, an order of rank and dignity which does not exist in Great Britain, which is to be confined within the limits of the Islands of New Zealand, and the probable direct tendency of which (in the belief of many of the people of the colony) may be to bring about ultimately a separation of New Zealand from the Empire, because it establishes here a *quasi* aristocracy, which will have no recognized rank or position in any part of the Empire outside this dependency of the Crown?

8. It certainly seems that such a proceeding is one which involves the order and good government of this colony so materially that, after the grant to it of a Representative Constitution, a local rank like that proposed can only be established here with the concurrence and assent of the New Zealand Parliament. On this point, it would probably be thought by the Secretary of State for the Colonies to be desirable to take the opinions of the Attorney- and Solicitor-General.

9. But even if, strictly in point of law, it were held that the Crown could impose on New Zealand the establishment within its limits of such a rank and dignity as it is now proposed permanently to introduce here, nevertheless, as a matter of wise and far-sighted policy, it would appear to be judicious to allow the General Assembly to be heard in the matter before establishing in New Zealand such a general rule as it has now been determined to lay down.

10. The Governor was anxious that a notification of the rank and dignity conferred on Judge Chapman and Judge Gresson, and of the general rule it is hereafter intended to enforce in this country, in relation to conferring such rank and dignity on retired Judges, should be published in the *New Zealand Gazette*.

11. Sir George Grey, anxious in all possible ways to meet the views of the Governor, yielded to his wishes upon the former point; and he was the more ready to do this because he found that the preceding New Zealand Ministry had advised the Secretary of State to take the course which he had taken. But upon the latter point, Sir George Grey feels it to be his duty to offer the following remarks:—

12. The rule observed for a long period of time has been, that when Her Majesty is graciously pleased to reward the distinguished services of any public servant of the Empire, by conferring any rank or dignity upon him, such fact is notified in the *London Gazette*. This practice redounds to the honor of the public servant who is so rewarded, because it gives a wide currency to his name, and creates inquiry as to the nature and value of his services. It also binds together in one common bond of honor the whole of Her Majesty's vast possessions. The observance of this rule renders it impossible to create, almost unnoticed, new ranks and dignities, and to establish rules and precedents which may have the most important influence upon distant possessions of the Crown, and may hereafter exercise a pernicious influence on the entire Empire: for so long as the rule hitherto in force is observed, such steps can only be taken in the presence,

as it were, of a great audience—the entire Empire—and under the watchful vigilance of the greatest statesmen of the day, and of an accomplished and energetic Press.

13. On the contrary, if such creations of rank and dignity, and the appointments made to them, are not to be notified in the *London Gazette*, whilst the Secretary of State is to have the power of directing the notification of them in the *Gazettes* of distant colonies, then important changes may be made, almost unknown, in the Constitutions of colonies: people who, whilst they are loyal, faithful, and prosperous subjects of the Crown, still desire, within their own limits, to preserve their democratic institutions, may have an aristocracy forced upon them in some very objectionable form, at the sole will of the Colonial Department: and great and lasting discontent may grow up in distant parts of the Empire, without the leading statesmen of the time, or the most influential portion of the public Press, having had any intimation that the causes which generated this discontent had been called into life, and had been brought into active operation.

14. It would be to deceive ourselves to attempt to deny the fact that it is from such proceedings as are now under consideration that the institutions of young nations almost imperceptibly develop themselves, and that, however trifling each step, taken by itself, may appear at the moment, its effect is lasting, and will ultimately produce important results.

15. On the whole, it appears that the most fitting rule to adopt in this colony will be: That whenever any honors conferred upon any inhabitant of New Zealand by the Sovereign are notified in the *London Gazette*, such notification shall, upon its receipt in this colony, be forthwith published in the *New Zealand Gazette*; but that in the case of any honor conferred upon any inhabitant of New Zealand not being notified in the *London Gazette*, or in the event of any general rules being laid down by the Secretary of State regarding the conferring of honors upon inhabitants of New Zealand, then the despatches relating to such cases shall be laid before the General Assembly during its next session, and may be published in the *New Zealand Gazette* in compliance with a resolution of each House of Parliament to that effect, but not otherwise.

Wellington, 29th April, 1878.

G. GREY.

Sub-Enclosure 1 to Enclosure in No. 13.

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

SIR,—

Downing Street, 29th August, 1877.

I have the honor to inform you that 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 next, in the case of retired Chief Justices, after the Chief Justice and before Puisne Judges, and in case of retired Puisne Judges, next after the Puisne Judges.

You will in future be at liberty to recommend for submission to the Queen the name of any Judge retiring from the Bench for these privileges.

The Officer Administering the Government of New Zealand.

I have, &c.,
CARNARVON.

Sub-Enclosure 2 to Enclosure in No. 13.

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

MY LORD,—

Downing Street, 29th August, 1877.

With reference to my circular despatch of this day’s date, I have the honor to inform your Lordship that the Queen has been graciously pleased to approve of Mr. H. B. Gresson and Mr. H. S. Chapman, who have retired from the Bench of the Supreme Court of New Zealand, being permitted to bear the title of “honorable” for life, within the colony, and to take precedence next after the Puisne Judges of the Supreme Court.

Governor the Most Hon. the
Marquis of Normanby, G.C.M.G., &c.

I have, &c.,
CARNARVON.

Sub-Enclosure 3 to Enclosure in No. 13.

Mr. E. Fox to the Hon. the PREMIER.

The Hon. the Premier.

I DESIRE to explain to you, immediately on your return from the North, that the despatch from the Secretary of State for the Colonies, on the subject of conferring the title of “honorable,” within the colony, upon Messrs. Gresson and Chapman, has, unknown to me, been for some time in my possession, and to express my regret for the fact.

The despatch was in an envelope, with a number of printed papers, handed to me by you, about the end of the session. At that time I looked through the documents, somewhat hastily, perhaps, and concluded that they were all printed, and almost wholly parliamentary papers; and it was not until ten days or a fortnight ago, when I examined the contents of the envelope in order to decide which of the papers required to be preserved, that I found the despatch.

Wellington, 22nd April, 1878.

E. Fox.

No. 14.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY
to the Right Hon. Sir M. E. HICKS BEACH.

(No. 21.)

Government House, Wellington,

SIR,—

New Zealand, 22nd June, 1878.

In reply to your circular despatch of the 20th February, 1878, transmitting a letter from the Foreign Office enclosing a communication from the French Ambassador on the subject of the New Hebrides group, I have now the honor to enclose copy of a memorandum which I have received from my Government, and which I have been requested by Sir George Grey to forward for your consideration.

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

I have, &c.,
NORMANBY.

Enclosure in No. 14.

MEMORANDUM FOR HIS EXCELLENCY.

SIR GEORGE GREY presents his respectful compliments to the Marquis of Normanby, and acknowledges the receipt of the Secretary of State's despatch of 20th February last, informing this Government that Her Majesty's Advisers have assured the Government of France that Her Majesty's Government have no intention of proposing to Parliament any measure having for its object to affect the independence which the New Hebrides Islands now enjoy.

2. Sir George Grey ventures to point out that, as he believes, the New Hebrides Islands are now a possession of the British Crown. Reference to a Commission issued to Sir George Grey, as Governor of New Zealand, in 1845 or 1846, will, he thinks, show that this is the case.

3. Respecting New Caledonia, Sir George Grey would observe that, by the Commission just mentioned, he was, in fact, appointed Governor of those islands as a dependency of New Zealand; that he proceeded in a small brig to visit the group as Governor of it, and that he found that the French had, a few days before his arrival, taken possession. The question of right was, by agreement between Sir George Grey and the French Commodore, referred to their respective Governments, and New Caledonia was subsequently relinquished to the Government of France.

4. Sir George Grey respectfully submits these remarks for the consideration of Her Majesty's Government, and requests that the Marquis of Normanby will forward them to the Secretary of State for the Colonies, and that His Excellency will also forward the enclosed memorandum by the Attorney-General of New Zealand upon the subject of the impolicy of the British Government refusing to extend the protection of England to the New Hebrides group.

Wellington, 14th June, 1878.

G. GREY.

Sub-Enclosure to Enclosure in No. 14.

MEMORANDUM *re* NEW HEBRIDES GROUP.

In my opinion it is much to be regretted that the Imperial Government should have refused to extend the protection of England to this group. I do not see how the French Government could interfere. The colonization of New Caledonia has not been very successful, and, were it not for the aid given to the colony by the French Government, it would not, I believe, exist long under its present management. No doubt, if the annexation of the New Hebrides group threatened in any way the existence of New Caledonia, or interfered with its commercial relation, something might be said against the Imperial Government interfering. The Marquis D'Harcourt's letter only states that commercial relations have been established, and that these are rapidly developing; but the trade relations between New South Wales and New Caledonia are far more extensive, and the mere fact of New South Wales being an English colony has not disturbed those relations, nor is it likely to do so.

I think this Government should urge the Imperial Government to reconsider its determination.

22nd May, 1878.

ROBERT STOUT.

No. 15.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY
to the Right Hon. Sir M. E. HICKS BEACH.

(No. 25.)

Government House, Wellington,

SIR,—

New Zealand, 22nd June, 1878.

I have the honor to enclose printed copies of a correspondence which has taken place between Sir George Grey and myself,

After due consideration, it appears to me best to decline to enter into any argument or controversy as to the main question raised by Sir George Grey, and for the same reason I think it desirable that I should forward the correspondence to you without any comment on my part.

The views expressed by Sir George Grey are perfectly plain, but it appears to me that they are of a character which should be left to the consideration of Her Majesty's Government.

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

I have, &c.,
NORMANBY.

Enclosure 1 in No. 15.

MEMORANDUM for His EXCELLENCY.

SIR GEORGE GREY presents his respectful compliments to the Marquis of Normanby, and acknowledges the receipt of five despatches, addressed by the Governor to the Secretary of State, together with the replies thereto, as numbered in the margin.

2. The Governor has, in four of these despatches, transmitted, for the Secretary of State's decision or opinion, various questions connected, firstly, with the duties of the Governor of this colony under the Constitution Act; secondly, with the duties of Ministers under the same law; and, thirdly, with reference to the privileges and proceedings of the House of Representatives of New Zealand.

3. Had the Governor confined himself to a correspondence with the Secretary of State simply for his own satisfaction, the Ministers of New Zealand would have had nothing to do with the matter; but the Governor has gone much further, for he has communicated the despatches alluded to, and consequently the decisions and opinions of the Secretary of State, to his Responsible Advisers, and has commanded them to lay the correspondence before Parliament.

4. Under these circumstances, Sir George Grey thinks it his duty to submit, for the Governor's information, an enclosure, showing what are the precise powers given to the Secretary of State by the Constitution Act, in reference to all questions relating to the proceedings of the General Assembly of New Zealand.

5. The Governor will find from this enclosure that the Secretary of State has no right or authority whatever to interfere with the proceedings of either of the branches of the General Assembly, or to determine what are their respective rights and privileges, or to communicate to them any decision or opinion, for their guidance or otherwise, in relation to their proceedings, rights, or privileges.

6. If it had been the desire of Parliament that an appeal should have been made to the Secretary of State for his decision or opinion, upon points connected with the questions which the Governor has raised in his despatches, undoubtedly, by an agreement entered into with the Governor, such questions might have been referred to the Secretary of State. However, in that case, each party would certainly have claimed the right of putting their own view of the questions at issue simultaneously before the Secretary of State.

7. In this instance, the Governor, without any communication with his Responsible Advisers, put his views of the questions he submitted to the Secretary of State before that great Officer of the Crown; and Sir George Grey cannot admit the precision—in some cases he would almost use the term the justice—with which the points raised by the Governor have been placed before the arbiter selected by His Excellency.

8. Leaving, however, this point on one side, from a desire not to involve the great constitutional question which is really at issue in that perplexity which always arises from a controversy upon points not material to any question which may be under consideration, Sir George Grey would respectfully remark as follows:—

9. The Constitution Act has strictly defined the powers of the Crown, of the Secretary of State, and of the General Assembly, of which the Governor is a constituent part. The same Act intrusts to the people of New Zealand the power and great privilege of working out their own future destiny, within the limits fixed by the British Parliament.

10. Sir George Grey believes that the people of New Zealand are quite competent to perform this momentous duty, and are prepared to build up institutions under which their descendants may have assured to them liberty, equal laws, and equal rights and advantages. He further believes that the people of New Zealand are not only disinclined to permit the interference of any exterior authority in the great duty which Parliament has thus assigned to them, but that they would resent any such interference, and would hold their Ministers responsible for not resisting any effort which might be made to interfere with the rights and privileges which the law in this respect secures to them.

11. Especially would they be likely to resent the attempt of any one of the persons or bodies named in the Constitution Act to assume to themselves powers denied to them by that Act,

12. If Sir George Grey is justified in thus thinking, there are additional strong reasons for checking any attempt made by the Secretary of State to interfere with the proceedings of the General Assembly, or to express to that body, without solicitation on its part, any decision or opinion upon its proceedings, rights, or privileges.

13. It has long been universally admitted that in the Colonial Department the real power vests in the Permanent Under Secretary. The Principal Secretary of State of that department, usually suddenly called to office, and rarely holding it for any lengthened period, can know but little of the multitudinous colonies of the British Empire. His time is occupied by his duties in Parliament, his duties in the Cabinet, his private affairs, the claims of society on a great Minister of the Crown; and when all these duties are attended to, but little interval is left for him to study the history and requirements of so vast an assemblage of dependencies. Even to read the letters which from day to day pour into his department, would occupy the greater part of the time of the most industrious statesman, however conversant he might be with the conduct of public business.

14. From these and other causes, the Permanent Under Secretary, in whose hands lie the entangled threads of the various questions of importance which perhaps have been for many months pending in the Colonial Office, becomes the real managing power in that department. He is unseen and unknown to the public generally: upon him no real responsibility rests.

15. It may be said that in the main this line of reasoning applies to all departments of the State in Great Britain; but this, in truth, is no answer to the arguments which have just been used. The action of the Foreign Office, of the Treasury, of the Home Department, of the War Office, indeed of most of the great offices of State at Home, concerns the nearest and dearest interests of every inhabitant of the British Isles: hence the action of these departments is narrowly watched by the observant eye of a jealous public, and is subjected to the careful scrutiny of the leading statesmen of the country. The attention of Parliament is thus ever closely riveted upon the proceedings of those great departments of the State.

16. On the contrary, in the case of the Colonial Department, the vast amount of business before the British Parliament renders it difficult to secure the attention of that body to any colonial question, whilst the members of it are too generally profoundly ignorant upon all colonial subjects. The public at large in Great Britain, also occupied by questions of near and intense interest relating to their own immediate welfare, give but little attention to colonial questions, which involve remote interests, and regarding which their information is necessarily extremely limited.

17. The power of the Permanent Under Secretary in the Colonial Department is, therefore, very great. He may largely change the relations of the colonies to the Empire without the leading statesmen in England, or the nation at large, having the least knowledge of what is taking place: he may greatly modify the institutions of a colony, and shape its whole future, without alarm being taken in any quarter, even by those most interested in its welfare.

18. For instance, if his own views were strongly in favour of breaking the Empire up, in a few years measures could be taken which would render such an event ultimately highly probable. Did he desire to set up an aristocracy in the colonies, in some novel form, landed or titular, or both, he could get many firm steps made towards the achievement of such a project. The man who earnestly believes in either of these principles, armed with the vast, and generally long-continued, power possessed by the Permanent Under Secretary of the Colonial Department, could hardly avoid, perhaps almost unconsciously, adopting measures which would tend to the fulfilment of his cherished convictions.

19. Or, again, the Colonial Office is often liable to be pressed to adopt some line of policy by returned colonists, who, having realized fortunes, are resident in England. Some of these gentlemen are occasionally disappointed colonial statesmen, who, having failed in getting their fellow-colonists to adopt their views, hope still to see them carried out by pressure brought to bear upon the Colonial Department. It may safely be said that nothing could be more injurious to the interests of Great Britain, and to the colonies, than that a party should exist in England, and have sufficient weight there to induce the Secretary of State for the Colonies, or the Permanent Under Secretary, to adopt their views in preference to those of any of the Colonial Parliaments. Differences of a serious kind must ultimately result between Great Britain and some of her colonies, if any opening is left by which a party in London can exercise an influence of this nature.

20. It must be remembered that the Colonial Department only communicates to the colonies such intelligence as it suits its own views to impart. At the present time, the intentions and recommendations of the Secretary of State are conveyed to the Governor in despatches of which even Ministers know nothing, or only so much as the Governor may please to communicate to them.

21. In many cases, laws which involve the most important interests of dependencies of the Crown, or regulations the enforcement of which will mould the destinies of rising nations, have been made and brought into operation without those most deeply concerned having been previously consulted. Too often, the difficulties which invariably attend on early settlement, struggles against native races, or the too ardent pursuit of wealth in a new country, blind the inhabitants of a colony to the probable effect of measures which have been taken and brought into force so rapidly and unexpectedly that they almost escape public notice.

22. Few colonists have been educated in a knowledge of constitutional law: they are, therefore, ill qualified, until trained by experience, to estimate the real value of a Constitution, or to

weigh and foresee the effect which modifications in their Constitution may produce upon the future of their country. Under such circumstances, they are not very watchful of trifling political or social changes which may from time to time be introduced under the authority of the Colonial Department: yet the accumulated effect of these changes may gradually produce an entire alteration in their form of government, and, after the lapse of a few years, they may find themselves landed in political or social institutions to which they never would have submitted had they known it had been intended to impose them upon their country.

23. It was the objection entertained by many leading British statesmen to such dangerous powers being left in the hands of the Colonial Office that induced the British Parliament to attempt to secure to the people of New Zealand and other dependencies of the Crown the power of controlling their own affairs, and of shaping their own future, without the interference of the Colonial Department.

24. The people of New Zealand, mindful of this, will, therefore, probably struggle against all efforts that may be unlawfully or improperly made to meddle with their Constitution, and to give to the Secretary of State, or the Governor, or the two combined, powers which the law does not confer upon them, and the exercise of which, if once allowed, might be drawn into a precedent most disastrous for the future of this country.

25. They would be wise in following this course, for to allow the interference of either the Principal Secretary of State, or the Permanent Under Secretary, with the Legislature or Executive Government of this colony, would be to permit them to humiliate our statesmen, and to, perhaps, subject them to severe temptation.

26. The Secretary of State is an officer whose authority is highly respected. His name and office carry great weight. It is an unpopular thing in any colony for a Ministry to differ with the Secretary of State; for it is generally believed that such a proceeding might turn one who could be a powerful and useful friend to the country into its foe.

27. The Secretary of State has also in his hands the power of conferring honors and distinctions which many colonial statesmen and colonists often desire, perhaps too eagerly, to obtain, and colonial statesmen might, in some instances, be unwilling to assume an attitude of hostility to a department possessing the power of bestowing such great advantages and honors upon Her Majesty's colonial subjects. To refer, therefore, constitutional questions for the decisions or opinions of the Secretary of State, and then to communicate those decisions and opinions to the Cabinet, is to enter upon a course which is likely sooner or later to create parties in the Ministry of the day.

28. Again, if the Secretary of State, or, in fact, the Permanent Under Secretary, is constituted the arbiter on such questions as those that have been at issue between the Governor and the General Assembly, and the Governor and his Ministers—that is, if an exterior authority is called in to interfere in our internal constitutional differences—a course would be pursued which would not only be humiliating to ourselves, but would also be unfair to Great Britain, which has given to the people of New Zealand the power of settling all such questions on the spot by ordinary constitutional means: for the certain result of such a line of proceeding would inevitably be to create differences between Great Britain and this country.

29. Generally, it may be said that the people of New Zealand will always unhesitatingly leave to the Principal Secretary of State, or to the Permanent Under Secretary, the exercise of all those powers which the law vests in him, and will assist him in giving effect to them; whilst they will, at the same time, claim for themselves the right of exercising, without interference on the part of the Governor, the Secretary of State, or the Permanent Under Secretary, all those powers which the British Parliament has bestowed upon them.

30. Sir George Grey feels that there is another point to which he should allude. The constitutional practice of Responsible Government requires that the Ministers should originate questions to which effect is to be given, and that, having originated them, they should then submit them to the Governor, with their advice as to the course which His Excellency should pursue in regard to them. In the case at present under consideration, the Governor has first moved in the matter. Without consulting his Ministers, or even informing them what he was doing, he submitted certain constitutional questions, which had arisen between himself and the General Assembly, and himself and his Ministers, for the decisions or opinions of the Secretary of State. He received these and communicated them to Ministers for their information, and, without consulting them on the subject, issued to them his commands, that his applications for these decisions and opinions, and the decisions and opinions themselves, should be laid before the General Assembly. By this proceeding on his part, the Ministers are made, not the advisers of the Governor, but his servants, to execute orders regarding which their advice has never been sought.

31. The introduction and establishment of a system of this kind would enable the Principal Secretary of State, or Permanent Under Secretary, as well as the Governor himself, to make what would really be addresses to the General Assembly against the Ministers of the day—a proceeding which would be most humiliating to Ministers, and which would be likely to encourage the formation of hostile parties and of a strong opposition in the Assembly, and to fan into a flame the feelings of those members who might be most strongly opposed to the Government.

32. Up to this point, Sir George Grey has viewed this subject simply under its general aspect. He now wishes to speak as to what he regards his official duty to be. He cannot con-

sent to have his conduct, in reference to the relations between himself and the General Assembly, or between himself and the Governor, submitted for the decision or opinion of the Secretary of State, nor can he recognize or accept that decision or opinion. He believes that Ministers are responsible to the General Assembly alone for their conduct in reference to the several questions which have been raised, and he objects to the weight of such an authority as that of the Secretary of State being called in to embarrass the Government in either House of the General Assembly.

33. Sir George Grey also respectfully declines to discuss any questions concerning the relations of Ministers with the General Assembly, which includes the Governor in so far as he acts under the Constitution Act, with any officer who is outside the Constitution, or who has no responsibility in the matter, or who has no lawful right to interfere with it.

34. It is for these reasons, and from no want of respect either for His Excellency or the Secretary of State, that Sir George Grey has not noticed or replied to the arguments used in the despatches of the Governor, or of the Secretary of State, which His Excellency has been pleased to send to Ministers. Sir George Grey feels that, in following the course of proceeding which he has thus pointed out, he is doing his duty to the Queen, to Great Britain, and to the inhabitants of New Zealand, and he relies for his justification upon the arguments he has used in this paper.

35. The Governor having, in fact, directed the publication of the despatches he transmitted to Ministers, Sir George Grey is of opinion that, after what has taken place, the best plan now to adopt to secure this end is to follow a course which has been previously pursued—that is, to publish those papers, together with this memorandum, in the *New Zealand Government Gazette*. He believes that the reason for his holding this view will be obvious from the remarks which he has felt it his duty to lay before His Excellency; and he recommends the Governor to sanction the adoption of this course.

G. GREY.

Wellington, 8th June, 1878.

Enclosure.

The New Zealand Constitution Act.

Clause 58.—“Whenever any Bill which shall have been presented for Her Majesty’s assent to the Governor shall, by such Governor, have been assented to in Her Majesty’s name, he shall, by the first convenient opportunity, transmit to one of Her Majesty’s Principal Secretaries of State, an authentic copy of such Bill so assented to; and it shall be lawful, at any time within two years after such Bill shall have been received by the Secretary of State, for Her Majesty, by Order in Council, to declare her disallowance of such Bill, and such disallowance, together with a certificate under the hand and seal of the Secretary of State, certifying the day on which such Bill was received as aforesaid, being signified to the Governor by the said Legislative Council and House of Representatives by Speech or Message, or by Proclamation in the *Government Gazette*, shall make void and annul the same, from and after the day of such signification.”

Part of Clause 73.—“That it shall be lawful for Her Majesty, her heirs and successors, by instructions under the signet and royal sign manual, or signified through one of Her Majesty’s Principal Secretaries of State, to delegate her powers of accepting such conveyances or agreements, releases or relinquishments, to the Governor of New Zealand, or the Superintendent of any province within the limits of such province, and to prescribe or regulate the terms on which such conveyances or agreements, releases or extinguishments, shall be accepted.”

Part of Clause 78.—“That no such charter shall be granted or have effect for any longer term than ten years from the passing of this Act; but one of Her Majesty’s Principal Secretaries of State may at any time during the term for which such charter shall be granted, by writing under his hand, extend the term for which such charter shall have been granted for such further time as in his discretion he may think fit.”

Clause 79.—“It shall be lawful for Her Majesty, by any such Letters Patent aforesaid, or instructions under Her Majesty’s signet or sign manual, or signified through one of Her Majesty’s principal Secretaries of State, to delegate to the Governor any of the powers hereinbefore reserved to Her Majesty respecting the removal of Superintendents of provinces, and the regulation of the sale, letting, disposal, and occupation of waste lands, the establishment of Municipal Corporations, and the preservation of aboriginal laws, customs, and usages.”

NOTE.—Clause 58 of the Constitution Act is still in force.

Clause 73 was repealed by ‘The Native Lands Act, 1873,’ section 4.

Clause 78 is virtually abrogated, although not expressly repealed.

Clause 79 is still extant.

Enclosure 2 in No. 15.

His Excellency the GOVERNOR to the Hon. the PREMIER.

Memorandum for the Hon. the Premier.

THE Governor presents his compliments to Sir George Grey, and begs to acknowledge the receipt of his memorandum of the 8th of June.

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.

Enclosure 3 in No. 15.

The Hon. the PREMIER to His Excellency the GOVERNOR.

Memorandum for His Excellency.

SIR GEORGE GREY presents his respectful compliments to the Marquis of Normanby, and acknowledges the receipt of his memorandum of the 17th instant.

1. The Governor is pleased, in that memorandum, to state as follows:—"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 representative in this and other colonies."

2. Sir George Grey does not precisely understand what is the meaning of this passage. He feels assured that the views he has expressed are such as would tend to Her Majesty's honor, and the welfare of her subjects both in Great Britain and in her colonial possessions. He is also aware that these views have been held by some of the greatest British statesmen, and that they have in no small degree influenced recent legislation in reference to the colonial dependencies of the Crown.

3. The Governor then goes on to state that he is the more surprised at these views, "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 no power to interfere."

4. The Governor has forgotten that on the occasion to which he alludes, Sir George Grey did not ask the Secretary of State to interfere within the limits of the Constitution Act. He asked him to interfere with questions which lay outside that Act, and which in one case fell entirely under cognizance of the Imperial Government. He was also, during the period of time alluded to by the Governor, specially anxious that an opinion should be obtained from the Attorney-General and Solicitor-General of England, whether the British Parliament had or had not conferred upon the General Assembly, by the Constitution Act, the power of abolishing the provinces without their consent. He desired a dry legal opinion as to what the respective powers of the British Parliament and the General Assembly were, in relation to that point.

5. According to immemorial usage, the opinion of the Attorney-General and Solicitor-General would have been obtained by the Secretary of State, and would have been forwarded to the Governor for the consideration of the authorities in this country; it would have been taken for what it was worth, and might have proved a very valuable guide. It does not appear, however, to have been procured; certainly it was not, in conformity with the usual practice in such cases, forwarded to the Governor of this colony for his information.

6. The questions regarding the powers of the Secretary of State now raised by Sir George Grey, relate to his jurisdiction within the Constitution Act, and are essentially different from those raised in the telegram or letters alluded to by the Governor.

7. In reference to the argument now raised by the Governor, regarding the Executive Council and the system of Responsible Government, Sir George Grey would remark as follows:—

8. It is true that the Governor constitutes, under the authority of a commission from the Crown, an Executive Council within the Colony of New Zealand; but his commission and instructions only authorize him to submit to that Executive Council questions connected with those prerogatives of the Crown—such as the prerogative of pardon—delegated to him by his commission. They do not authorize the Executive Council in any way to interfere with Acts performed under the laws of the General Assembly of New Zealand. The Crown has not attempted to give powers to the Executive Council which it had no lawful right to bestow upon that body. It was quite justified in saying, as it did in fact say, to the Governor: In intrusting to you, the Governor, certain of our Royal prerogatives which belong to us as of right, we do not choose to intrust them to your sole discretion, but, for the welfare of our people, we provide a Council to advise you in reference to every act done in relation to these our Royal prerogatives, and we desire that you do not perform any act in relation thereto until you have taken its advice, whether you follow it or not. If you do not follow it you will report to us that you have not acted on the advice of your Council, and you will give to us your reasons for following your own will in preference to adopting its advice.

9. Sir George Grey would further remark, on this point, that the General Assembly of New Zealand need in no way recognize that Executive Council. It is not necessary, under the Constitution Act, that the Ministers should be members of the Executive Council, nor is it necessary that any single member of either House of the Legislature should be a member of the Executive Council. Ministers only recognize that Council because the General Assembly has, by its enactments, required them to do so, by passing laws which confer upon that Council various powers vested in the Governor and his Responsible Advisers.

10. The Governor also states that Responsible Government owes its existence to instructions contained in a despatch from the Secretary of State. Sir George Grey ventures to say

that the Secretary of State could not either call into existence or establish Responsible Government in this colony. The General Assembly may determine the exact form of its own Executive Government. The Secretary of State has no more right to instruct the General Assembly what the form of Executive Government in this colony is to be, than he would have had to have dictated to each of the provinces what its form of Executive Government should have been.

11. Sir George Grey, whilst anxious, in as far as possible, to concur in the opinions of the Governor, cannot unreservedly admit that, 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 in all important questions have exercised an independent judgment upon them. Sir George Grey feels sure that many of the great statesmen alluded to would not, in such unqualified terms, have assumed these attributes to themselves. On the contrary, he believes they would have said that they had done their best, in as far as time, opportunity, and previous knowledge admitted, to make themselves masters of the various subjects brought before them; but that they admitted that many subjects might not have been brought with sufficient prominence under their notice which ought to have claimed their consideration; that their judgment upon almost all questions was necessarily based upon minutes and advice of the Permanent Under Secretary of the Colonial Department; that they really had often only time to peruse his recommendations, and that where these appeared reasonable, and were supported by apparently good arguments, they had at once adopted them; that it was clearly impracticable for them to do more, and it was the weight of arguments such as I have used upon this subject, which had led them to aid in legislation, the object of which was to remove, in as far as was possible, the most important dependencies of the Crown from under the control of the Colonial Department.

12. The Governor is pleased to say that, "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."

13. Sir George Grey ventures to differ with the Governor upon this point. He believes that the moment the Governor assumes office in this colony, and begins to act under the Constitution Act, his responsibility is to the law, and not to any other authority; and that he would not be justified in obeying commands of the Secretary of State, or in noticing any instructions from him, except in so far as these were in strict conformity with the law. That is the authority which should be recognized, and which should be obeyed.

14. Sir George Grey goes a degree beyond this. The Secretary of State may be very ignorant of the real state of affairs in this colony, and should he instruct the Governor, even within the limits of the law, to do something which was evidently unjust, or seriously detrimental to the interests of the people of this country, Sir George Grey believes that a Governor should not carry such instructions out, but should remonstrate, and point out what justice and the welfare of the Queen's subjects required to be done in the case.

15. There is an observation in an early part of the Governor's memorandum which might lead to erroneous conclusions on the subject now under consideration. The Governor states that he must be guided in his actions by the instructions which he may receive from the Secretary of State, as that officer is the constitutional mouthpiece of the Sovereign. In truth, the Secretary of State is the Constitutional Adviser, and not the mouthpiece of the Sovereign. What he proclaims is, the advice which he gave to the Crown—advice which, in the case of a change of Ministry, may vary in a day. He, indeed, declares his own will and nothing else. That will may be based upon insufficient information, or advice given by some irresponsible person, who may earnestly desire to carry out views of his own.

16. Sir George Grey is, again, from these considerations, driven to believe that a Governor who undertakes to govern a country, and to administer its affairs for the welfare of the Queen's subjects inhabiting that country, is bound, from the moment he enters on his office, to do nothing he may conceive to be unjust or wrong, whatever may be the nature of his instructions. He should reason, remonstrate, and do his best to have justice done, and if he failed, yield his place and allow some other person to do that which his conscience told him ought not to be done. On any other principle than this, there is no hope for the future of the Queen's colonial possessions, or the lengthened maintenance of the integrity of the Empire.

17. The general application of these principles in New Zealand falls under a rule connected with the Constitution Act. That Act permits the General Assembly to make a law by which the Governor of this country could be elected, instead of being nominated by the Crown. The relations between the Governor of New Zealand and the Secretary of State should, therefore, be such as are equally applicable to the case of a nominated or an elected Governor.

18. Sir George Grey is equally anxious with the Governor to preserve the position and dignity of Parliament. He believes that the line of conduct he has adopted upon the present occasion is eminently calculated to produce that end. He trusts it will be so considered, for he feels that, according to his knowledge and ability, he has done his best to merit the support of Parliament and the people of New Zealand.

19. The Governor is pleased to say that, for his own part, he would have much preferred that the despatches of the Secretary of State, together with his own, should have been published in the *Gazette* as soon as they arrived; and that 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 that they are published at once, and that Sir George Grey's memorandum, together with the Governor's answer, is published at the same time.

20. Sir George Grey, acquiescing in these views, respectfully tenders to His Excellency the advice that is asked for, and, in compliance with the Governor's wishes, will direct the publication of this correspondence in the *New Zealand Government Gazette*.

Wellington, 20th June, 1878.

G. GREY.

Enclosure 4 in No. 15.

His Excellency the GOVERNOR to the Hon. the PREMIER.

Memorandum for the Hon. the Premier.

THE Governor presents his compliments to Sir George Grey, and begs to acknowledge the receipt of his memorandum of this day's date.

The Governor considers that no public advantage can be derived by a prolongation of this correspondence, and, therefore, he must decline to make any remarks upon it.

NORMANBY.

Government House, 20th June, 1878.

No. 16.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. Sir M. E. HICKS BEACH.

(No. 30.)

Government House, Wellington,

SIR,—

New Zealand, 15th July, 1878.

In reply to Lord Carnarvon's circular of the 11th December, 1877, relating to the International Penitentiary Congress, to be held at Stockholm in August, 1878, I have now the honor to enclose the copy of a memorandum which I have received from my Government, by which you will see that they do not consider it necessary that New Zealand should be formally represented at the Congress.

The information asked for has already been forwarded to Dr. Wines.

I have, &c.,

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

NORMANBY.

Enclosure in No. 16.

MEMORANDUM FOR HIS EXCELLENCY.

MINISTERS present their respectful compliments to the Marquis of Normanby, and return herewith the circular last received from the Secretary of State for the Colonies, respecting a Congress on Prisons and Prison Discipline, which it is proposed to hold at Stockholm during August next.

Ministers do not consider it necessary that New Zealand should be formally represented at the Conference; but they have had pleasure in causing to be prepared certain information asked for by the Secretary of State, and that information has, in compliance with the suggestion originally made, been already forwarded direct to Dr. Wines, the promoter of the Conference.

G. S. WHITMORE,

Wellington, June 25th, 1878.

(in the absence of the Premier.)

No. 17.

COPY of a DESPATCH from Governor the Most Hon. the Marquis of NORMANBY to the Right Hon. Sir M. E. HICKS BEACH.

(No. 34.)

Government House, Wellington,

SIR,—

New Zealand, 20th July, 1878.

I have the honor to inform you that I have appointed the Hon. Sir George Grey to be Commissioner of Customs and Commissioner of Stamp Duties, *vice* the Hon. John Ballance, who has resigned those appointments; and that I have appointed the Hon. John Ballance to be Colonial Treasurer.

I have, &c.,

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

NORMANBY.

