

4. The reference made by me, in my despatch of the 28th December, to a sentence in Mr. Bryce's speech at Waitotara, is not in the slightest degree affected by the other passages quoted by Mr. Bryce from that speech as qualifying it. They would no doubt have afforded an effective reply to an assumption that opposition to the progress of settlement was the sole offence alleged against Te Whiti; but the despatch itself shows very plainly that I made no such assertion. That, but for his opposition to the progress of settlement, Te Whiti's conduct in other respects would have been less unfavourably considered, was and is my decided opinion; and such being the case, it was my duty not to shrink from its expression in my reports to your Lordship.

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

I have, &c.,

ARTHUR GORDON.

No. 38.

The PREMIER to His Excellency Sir W. F. D. JERVOIS.

Memorandum for His Excellency.

A MEMORANDUM with reference to Sir Arthur Gordon's despatches, as published in a recent Imperial Blue Book, is transmitted herewith; and Ministers respectfully request that His Excellency the Governor will forward the same to the Secretary of State for the Colonies, by the outgoing San Francisco mail.

As Sir James Prendergast is referred to, Ministers beg to suggest that the memorandum should be submitted to him, as he may desire to offer some remarks upon it.

Wellington, January 25, 1883.

FRED. WHITAKER.

Enclosure.

Memorandum respecting Sir Arthur Gordon's Despatches as to Native Matters.

MINISTERS have received a Blue Book containing "Correspondence respecting Native Affairs in New Zealand, and the Imprisonment of certain Maoris," which was recently presented to the Imperial Parliament.

2. Ministers desire not to give occasion for controversy with reference to this correspondence; but it raises points of practical importance, to which they wish to direct the attention of Her Majesty's Secretary of State for the Colonies.

3. Sir Arthur Gordon, during the term of his office as Governor of New Zealand, forwarded to the Secretary of State despatches seriously impugning the conduct of Ministers, without giving them opportunity for explanation: in fact, Ministers had no knowledge of the existence of those despatches until several months after their receipt by the Secretary of State. The memorandum of which a copy is enclosed, relates to this fact. It was sent to Sir Arthur Gordon as soon as it was written; and Ministers think it should have been presented to the Imperial Parliament, and printed with the despatch to which it has reference. See No. 26.

4. The Blue Book contains a reprint of numerous articles, &c., extracted from the *Lyttelton Times*—the most uncompromising Opposition paper in the colony. Those extracts were forwarded by Sir Arthur Gordon to the Secretary of State without the knowledge of Ministers, with a statement by His Excellency that he was greatly disposed to share the views thus put forward; and they were published authoritatively, unaccompanied by explanation, for the information of the Imperial Parliament. Ministers cannot but think they are justified in declaring that such a proceeding was unfair, for, in their opinion, it was calculated to place the Colonial Ministry at a great disadvantage before the British Parliament and public.

5. Sir Arthur Gordon, in his despatch of October 22nd, states, with regard to the preparations made, in his absence from the colony, to deal with the Parihaka difficulties, that the intelligence he received on the subject was "obtained from a letter written by my Private Secretary, and from a perusal of the New Zealand newspapers, not a single member of the Ministry having addressed a single line to me on that or any other subject." This despatch must have been written after Sir Arthur Gordon received a memorandum from the late Premier, Mr. Hall, stating explicitly that the Government would not have advised that Sir Arthur Gordon could leave the colony, without public interests suffering, had they not been satisfied "that the Administrator would have all the powers of the Governor: that there would, in point of fact, be in New Zealand a Government competent for every purpose under the Constitution Act, and the Royal Commission and Instructions." Copies of Mr. Hall's memorandum, as well as of that of Sir Arthur Gordon, to which it was a reply, are enclosed. See Nos. 1 & 2. Ministers must add that, in their opinion, it would have been not only irregular but improper, had they communicated with Sir Arthur Gordon, as Governor, while he was absent from the colony, and there was present in it an Administrator of the Government duly appointed by Her Majesty.

6. The telegram spoken of by Sir Arthur Gordon, in the despatch of October 22nd, as having been received by him in Auckland from the Premier, stating that there was "no cause whatever for postponing" departure for Fiji, &c. was no doubt part of a correspondence respecting questions raised in the House of Representatives—(1) Whether the departure of the Governor would not make it unconstitutional for the Assembly, which was then in session, to continue to sit; and (2) Whether, the Dormant Commission having once been brought into operation, the Chief Justice could cease to act as Administrator until Her Majesty's pleasure on the matter had been communicated to him. There was no reference whatever to Native affairs in this correspondence; nor was any question raised as to the sufficiency of the powers of the Administrator for all purposes of Government within the colony. See A.—4, 1882. Copies of the printed paper presented to the Assembly on the subject are enclosed.