

1888.

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.

No. 1.

(No. 60.)

SIR,—

Government House, Wellington, 28th June, 1887.

I have the honour to forward herewith a letter, dated the 21st instant, addressed to you by Mr. J. Bryce, member of the House of Representatives of New Zealand, the plaintiff in the recent case of Bryce *v.* Rusden, on certain points connected with that case.

I have, &c.,

W. F. DRUMMOND JERVOIS.

The Right Hon. Sir Henry Holland, Bart., M.P., G.C.M.G.

Enclosure.

SIR,—

Wanganui, 21st June, 1887.

I have the honour to call your attention to circumstances which are of serious consequence to me, and not without importance in their public aspects.

As the readiest way of introducing the subject I am about to submit for your consideration, I beg to refer to two questions ("The Case of Bryce *v.* Rusden") which Mr. Cobb, M.P., asked the Under-Secretary of State for the Colonies on the 26th of March, 1886. The reply of Mr. Morgan to these questions was that, "as the matter was still *sub judice*, Her Majesty's Government did not consider that they could properly take action in the matter."

I have admitted the technical propriety of Mr. Morgan's reply by abstaining until now from addressing you on the subject; but the trial of the action between Mr. Rusden and myself is now at length ended, and Her Majesty's Government is free to consider the conduct of its servant, Sir Arthur Gordon, in connection with this matter, and to take whatever action in regard to him justice may require.

The trial to which I have referred was an action brought by me against Mr. G. W. Rusden for publishing, in a book called "The History of New Zealand," a libel on my character infinitely cruel and damaging to me. Full evidence of the case was taken on commission in New Zealand, the commissioners being two Ministers of the New Zealand Government, both of whom were my strong political opponents. The case was tried in London before Mr. Baron Huddleston and a special jury. It occupied the Court eight days, and the jury found a verdict for me with damages £5,000. For your further information I beg to refer you to a report of the trial published in the *Times* of the 5th, 6th, 8th, 9th, 10th, 11th, 12th, and 13th of March, 1886.

During his examination in the witness-box Mr. Rusden stated that he derived the information from which he wrote the gravest of his libels against me from Sir Arthur Gordon at a time when that gentleman was Governor of New Zealand, and while I was one of his Ministers, and, as such, in frequent communication with him. In support of this statement he read three letters with enclosures purporting to have been written by Sir Arthur Gordon to himself. Copies of these letters and enclosures are hereto appended. (See enclosures 1, 2, 3, 4, 5, and 6.)

The following is the libel of which I mostly complained, and the data for which were alleged by Mr. Rusden to have been furnished by Sir Arthur Gordon, who well knew that Mr. Rusden was engaged in writing a "History of New Zealand," and presumably intended the information to be used in that work: "The literary cravers for blood were soon to be gratified on the West and East Coasts by events of which some were not officially reported nor told in Mr. Gudgeon's 'Reminiscences of Wars.' Lieutenant Bryce, who was in after-years a Native Minister, distinguished himself. Some women and young children emerged from a pa to hunt pigs. Lieutenant Bryce and Sergeant Maxwell, of the Kāi-iwi Cavalry, dashed upon them, and cut them down gleefully and with

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