

to address direct a Minister in England (that is, Her Majesty's Government) upon any question which does not relate to New Zealand. A reference to the rules and regulations of the Colonial Department will show that such is the case, because the object of requiring a communication to be sent through the Governor of a colony is that it may be reported upon by him before it reaches the Secretary of State. Now, clearly, if an emergency arises in any other portion of the Empire, regarding which the Governor of this colony may have no personal knowledge whatever, and regarding which no information exists in the colonial records, it would be a mere embarrassment to the public service to require that such a communication should be sent to the Governor, and should be delayed in its transmission to the Secretary of State until the Governor has reported upon it, especially as, when his report has been made, it may possibly be worthless. Moreover, the Governor of this colony is often absent from the seat of Government. A delay, extending to many days, might therefore result from the necessity of forwarding such a communication through him.

4. In further illustration of what I mean, I would put the following case: Supposing, that, at the moment the excitement about the disasters in Zululand was at its height, the Secretary of State for the Colonies enforced a rule in Great Britain that he would not receive and submit for the consideration of the Governor and High Commissioner of the Cape of Good Hope any suggestions or opinions from any individual in Great Britain regarding Zulu affairs, unless such opinions or suggestions were sent, in the first instance, to some person in Great Britain nominated by the Secretary of State—the object being that the individual so appointed might report thereon. It might be well known that this person was often absent and difficult to get at, was wholly unacquainted with South African affairs, the nature of the country, and the character of the populations, and that a long delay must necessarily take place before such report was drawn up and received, and that it then would probably be of no value. But instant action might be necessary in Zululand. This is virtually what you have done in reference to the inhabitants of New Zealand. It seems impossible but that the promulgation and enforcement of such a rule in this country must make its inhabitants seriously reflect whether the form of government under which such a rule can be established and enforced, without their knowledge and consent, is that one which is the best that can be devised for their welfare and security. It is evident that, if dreadful disasters at any time occur here, the same rule might then be enforced to their manifest injury and disadvantage.

5. I might adduce many other reasons in favour of the course which I consider inhabitants of this colony have a right to adopt. I feel satisfied, however, that the consideration of the regulations of your own department alone will convince you that I am right, and that the reprimand which you have virtually addressed to myself was unnecessary, undeserved, and, I may add, inexpedient. My sole desire was to promote the good of the public service, and that in a manner which has never been previously objected to by any Minister of the Crown, although in past years I have known the course I have followed to be frequently adopted. The obvious rule was followed in such cases—namely, the Home Government, if they considered there was anything of worth in the recommendations made to them, forwarded a copy of the communication to the Governor of the colony to which the correspondence referred, for his report, accompanied, if necessary, with an intimation that, if he approved of the plan, Her Majesty's Government were prepared to aid him in its execution.

6. I believe that it is unwise to enforce rules of the kind now attempted to be established. The Colonial Office Rules and Regulations represent the will of a single man. These rules may possibly, as in the present case, take from subjects rights which they constitutionally possess of communicating with the Crown through the Government, or in other ways interfere with the rights of British subjects. It cannot be believed that great free communities, with Parliaments and representative institutions, will long submit to be bound by such rules if rigidly enforced. I think that such communities will say that the Secretary of State is only known to them through the Royal Instructions and Constitution Acts, and will contend that such rules and regulations can only apply to themselves when they have been laid before their Legislatures, and received the approval or confirmation of the local Parliaments.

7. I assure you that nothing was further from my thoughts than to cause you any annoyance. Pardon me for expressing my belief that this, as I regard it, error in judgment, if persisted in, will hereafter be the cause of serious complications between Great Britain and her colonial possessions.

The Right Hon. Sir Michael Hicks Beach.

I have, &c.,
G. GREY.

No. 44.

COPY of a DESPATCH from Governor Sir HERCULES ROBINSON, G.C.M.G.,
to the Right Hon. Sir MICHAEL HICKS BEACH.

(No. 36.)

Government House, Auckland,

SIR,—

New Zealand, 26th June, 1879.

Upon the receipt of your Despatch No. 50, of the 18th October last, Lord Normanby laid it with its enclosures before his Ministers for their in-