

1887.
NEW ZEALAND.

OWHAOKO AND KAIMANAWA NATIVE LANDS.

SIR W. L. BULLER'S STATEMENT.

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

No. 1.

Dr. BULLER to the PREMIER.

SIR,—

52, Stanhope Gardens, Queen's Gate, London, S.W., 1st November, 1886.

I have the honour to forward herewith my statement in regard to the Owhaoko matter, which was referred to a Select Committee of the House of Representatives last session, and formed the subject of a report in which my name is mentioned,

I have to request that you will lay this statement on the table of the House at the commencement of next session, and that you will, as a common act of justice to myself, give it the same publicity as was accorded to the paper which contained the unmerited reflections.

I have, &c.,

The Hon. the Premier, Wellington, New Zealand.

W. L. BULLER.

Enclosure.

Dr. BULLER'S STATEMENT *re* OWHAOKO.

I HAVE seen Sir Robert Stout's memorandum of the 18th May last, also the report of the Select Committee, and the evidence upon which it is based. Whilst entirely exonerating Judge Fenton, the report adds: "Several serious charges have been made against Dr. Buller in the course of the inquiry, as to which, that gentleman being absent and unrepresented, the Committee offer no opinion." After careful perusal of all the papers I find that these "charges" resolve themselves into three. I shall take them in the order in which they arise.

1. The first and most offensive of these is a direct accusation of falsehood brought by Mr. Fenton himself. I quote from the printed evidence (page 3):—

"Mr. Bell: Go on to Dr. Buller's telegram of the 26th July, which is as follows: 'Wellington 24th July, 1880. *Re* Owhaoko. Please inform me by telegram of the names of the applicants for rehearing. The case has been adjourned *sine die*, and Mr. Fenton has advised Studholme to make terms with a view to withdrawal.—W. L. BULLER.—A. J. Dickey, Esq., Native Land Court, Auckland.' I call your attention to the last words, that is, 'Mr. Fenton' to the end. I ask you what you say to that?"

"Mr. Fenton: I say this: that this is almost the only point—I will not say altogether, but it is the feature in this paper which I have a distinct recollection of. I remember it for this reason: that I saw this telegram months afterwards, in Auckland, when looking over the files for some other purpose, and I was very much annoyed at this—not so much that I should have minded making a suggestion to Mr. Studholme or any one else if I could fix up a quarrel; but because in this case I had not done so, and I thought it was an impertinence on the part of Dr. Buller, and I think so still.

"Sir R. Stout (page 5): I do not wish to jump at conclusions, as Mr. Fenton may have excuses to offer to my satisfaction. For instance, to-day he says Dr. Buller's statement in the telegram to Mr. Dickey is untrue. I assumed in my memorandum that what Dr. Buller said was true; but Mr. Fenton says it is not true. I have no prejudice or bias in the matter, and if Mr. Fenton can explain other things in the same way I shall be the first to acknowledge it. He says Dr. Buller stated what was untrue, and I shall believe him, and shall assume that Dr. Buller has wired to the Clerk of the Native Land Court an untruth."

The accusation here is clear and distinct; and Mr. Bell, in his address to the Committee, as Mr. Fenton's counsel (page 74), thus apologetically refers to what had occurred: "The writer of the memorandum knew that Dr. Buller was absent from the colony; and the comment upon this telegram drove us into what has been a very unpleasant position—the contradiction of statements made by an absent man, who is not here to meet that contradiction."