

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, &amp;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 Kūi-iwi Cavalry, dashed upon them, and cut them down gleefully and with

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ease. . . Rangihiwenui declared that he would not have joined the local forces if he had thought them capable of such acts. He earned thereby the hatred of Bryce, who long afterwards, when Native Minister, dismissed him from office. . . Bryce earned among the Maoris a title which clung to him. They called him 'Kohuru' (the Murderer)."

It will be observed that Sir Arthur Gordon in his letters gives Bishop Hadfield as his informant. Now, that prelate was perfectly well known to Mr. Rusden, who was as well able to form an opinion as to his reliability as the Governor himself was. Yet Sir Arthur Gordon, on his own account, gives the emphatic assurance that the statements made against me might be relied on by Mr. Rusden, and it was doubtless this assurance which encouraged Mr. Rusden to publish them.

These statements were absolutely concealed from me at the time : indeed, until the appearance of Mr. Rusden's book, I had no idea that such imputations had been made against me at any time or by any person.

In the present communication I give the bare uncoloured facts of the case, and I purposely refrain, in this letter at all events, from offering any comment on them. I will only further remark that Sir Arthur Gordon knew that the Government of which I was a member had an unsparing Opposition Press against us in the colony, and bitter political opponents in Parliament and elsewhere. He knew also that I had gone through many contested elections without a whisper of such imputations on my character being made. In these circumstances it is difficult to conceive that he could have believed the atrocious charges to be true ; but, even if he had believed them true, the method he adopted for my punishment admits of no defence.

I appeal to you to consider what your servant Sir Arthur Gordon has done, and to judge between us. I know that he is a great man belonging to one of Britain's ruling families, and I know also that I am but a humble colonist ; but, great as he is, and humble as I am, I appeal to you in the fullest confidence that in your high office you will do justice, because you are the Minister of a great and just Sovereign.

The Right Hon. Edward Stanhope, Secretary of State for  
the Colonies, London.

I have, &c.,

JOHN BRYCE.

### Sub-Enclosures.

Sir ARTHUR GORDON to Mr. RUSDEN.

(Private.)

MY DEAR MR. RUSDEN,—

Wellington, 23rd January, 1882.

By next week's steamer I shall, I hope, be able to send you copies of the papers I promised you. Meanwhile I enclose a note with respect to Bryce's antecedents which will I hope interest you, and on which you can rely. My informant was Bishop Hadfield. Have you noticed how completely the telegraphic agencies have been got hold of, and how completely the English Press has been humbugged in all that relates to West Coast matters? One would suppose from the paragraphs in the *Times*, *Daily News*, &c., that there was every symptom of a formidable armed insurrection, and that the utmost alarm prevailed in the colony.

Yours ever sincerely,

A. H. GORDON.

*Enclosure in above Letter.*

On the 1st December, 1868, the Pa of Taurangaika, four miles north of Waitotara, was being besieged. A number of women and children and young children came out of the pa and began to gather food. No men at all were with them. A party of mounted men from among the besiegers, headed by Mr. Bryce and Sergeant Maxwell, rode among them, and, on their flying, pursued them and cut them down. Dr. Featherston, then Superintendent of Wellington, expressed his horror to the Bishop in the strongest terms. Major Kemp, who was fighting on our side, was greatly disgusted, and said he would not have joined us had he supposed we were capable of doing such things. Hence the strong antipathy between Bryce and Kemp. The pa was taken the following day, and Maxwell was killed in the attack, which the Bishop supposes was the cause why the matter was never gone into. Bryce's name amongst the Maoris is "Bryce the Murderer."

ENCLOSURE in a LETTER (not produced) from Sir ARTHUR GORDON to Mr. RUSDEN.

MY DEAR SIR ARTHUR,—

Rangitikei, 27th February, 1882.

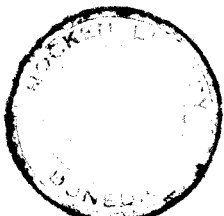
Your note did not reach me until the 25th. I accidentally this morning met a person who belonged to the Wanganui Cavalry in 1869. I ascertained from him without difficulty that the killing of the children (he would not admit that there were women among them, but did not positively deny it) took place (to use his own words) three or four weeks before Maxwell's death. This would agree with my information as to the *first* event, and with what you learnt as to the date of the *last*. He said Taurangaika was taken some weeks afterwards. I mentioned no name but Maxwell's. He said the Hon. J. B. (!) commanded the party who killed the children ~~hunting~~ pigs outside the pa. All I professed to know was what Dr. Featherston told me. I certainly confused the dates if ever I heard them correctly, but, as to the main fact, I am clear, as I have a distinct recollection of Dr. Featherston's indignation, which he made no effort to conceal, when relating his facts to me. I wrote on Saturday to a friend who ought to know the dates, but, as he is a Government officer, he may perhaps be reticent. I ought to have said that Major Kemp, a Maori, was reported two years ago to have spoken freely on the subject.

I am returning to Wellington in a day or two.

Yours very truly,

O. WELLINGTON.

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Sir ARTHUR GORDON to Mr. RUSDEN.

DEAR MR. RUSDEN,—

The Red House, Berks, 2nd July, 1883.

The Bishop's statements were made *viva voce*. The enclosed is a rough note of what he said, made at the time; and this is the personal matter to which the Bishop refers in his note. Copy these papers if they are of any use to you, and return them. I never see any New Zealand papers now. Have they said anything specially amusing about your book?

Yours very truly,  
ARTHUR GORDON.

Enclosure in above.

MY DEAR SIR ARTHUR,—

12th November, 1881.

Te Whiti before 1865 was living on the coast a few miles from Parihaka. On two or three occasions his places were burnt by the troops. He went inland and settled at Parihaka, never occupied before—about 1866. Neither he nor Tohu nor any of his people, about 250, including women and children, ever took part in the rebellion. On these points I have had my recollection of them confirmed to-day from two independent sources.

Yours truly,  
O. WELLINGTON.

PS.—On the personal matter I mentioned I have also had my recollection confirmed.

ANOTHER ENCLOSURE from Sir ARTHUR GORDON to Mr. RUSDEN.

December, 1868. Taurangaika, four miles south of Waitotara. Bryce and Maxwell. A number of women and children came out of the pa and began to collect food. B. and M. and a party of mounted men rode among them and cut them down. No men were among the natives. Bishop wishes to be within the mark; know of five women being killed, and at least ten young children. Believe there were many more. Maxwell was killed a few days afterwards, which probably prevented inquiry. Featherston, the Superintendent, expressed his horror to Bishop in strong terms. Major Kemp was disgusted, and said he would not have fought on our side had he entertained any idea that we should do such things. Bryce's name amongst Maoris is "Bryce the Murderer."

No. 2.

(No. 63.)

SIR,—

Government House, Wellington, 28th June, 1887.

I have the honour to forward herewith copies of the Acts passed by the General Assembly during their late session, together with a synopsis of the same prepared by the Solicitor-General.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 3.

(No. 64.)

SIR,—

Government House, Wellington, 28th June, 1887.

With reference to your Despatch No. 21, dated the 15th April last, transmitting a copy of a letter from Viscount Cross, enclosing a schedule of inquiries, on behalf of the Royal Commission on the Education Acts, relating to the present system of primary education now in force in certain colonies and provinces, I have the honour to forward herewith the desired particulars so far as concerns the colony under my Government.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 4.

(No. 73.)

SIR,—

Government House, Wellington, 12th August, 1887.

I have the honour to report that I have commuted to penal servitude for life a sentence of death passed upon three Maoris, Aporo, Te Hau, and Te Uri. These men were convicted, at the recent sitting of the Supreme Court held at Gisborne, of the murder of two old Maoris, Huku and Hirea—murders which they were induced to commit by a belief that the death of a relative of theirs named Mahaere had been caused by witchcraft on the part of their victims.

There is no reason to doubt that the crime was committed by the prisoners, and there can be no question of the justice of the conviction and sentence. But it is to be borne in mind that even the most enlightened amongst the Maoris do not, for the most part, consider it wrong to put to death people whom they conceive to be guilty of witchcraft, and that the carrying-out of the sentence of death would be regarded by the Natives generally as an act of excessive severity and of injustice. It is moreover probable that the enforcement of the extreme penalty would scarcely have a greater deterrent effect upon the commission of a similar crime in the future than will be the penalty which the prisoners are now to undergo.

I accordingly arrived, after mature consideration, at the conclusion that it was advisable to commute the sentence of death to one of penal servitude for life—a conclusion in which my Ministers unanimously concur.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 4A.

TELEGRAM from the GOVERNOR to the SECRETARY of STATE.

23rd August, 1887.

GENERAL elections are about to take place here. Meeting of Parliament 1st October. Ministers advise that, as regards New Zealand, agreement as to naval force should be kept open till meeting of Parliament.

No. 5.

(No. 78.)

SIR,—

Government House, Wellington, 1st September, 1887.

A.—2, 1887, Sess.  
II., No. 25.

With reference to your Despatch No. 18, of the 5th April last, transmitting a letter from the Aborigines Protection Society, to be laid before my Government, and requesting to be furnished with any observations they might desire to offer thereon, I have the honour to forward herewith a memorandum on the subject, dated the 18th August, by the Minister of Native Affairs in New Zealand.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

THE Native Minister has the honour respectfully to acknowledge the receipt from His Excellency the Governor of Despatch No. 18, of the 5th of April last, from the Secretary of State for the Colonies, containing the copy of a letter from the Aborigines Protection Society enclosing one from Major Te Wheoro.

It will no doubt be recognised by Her Majesty's Government that the Government of New Zealand is always ready to regard with the utmost consideration any representations that may fairly be made by people of the Maori race, in the same spirit of justice that characterizes their relations with Europeans. Ministers therefore beg that His Excellency will inform the Secretary of State for the Colonies that there is nothing in Major Te Wheoro's letter of the 29th March last with which the Government of New Zealand are unable to deal, and which has not been the subject of repeated explanations.

Wellington, 18th August, 1887.

J. BALLANCE,

Native Minister.

No. 6.

(No. 79.)

SIR,—

Government House, Wellington, 1st September, 1888.

A.—2, 1888,  
No. 17.

With reference to your circular despatch, dated the 15th June last, transmitting a copy of a letter from the Board of Trade requesting information respecting the laws and regulations for saving life at sea in force in the British

colonies, I have the honour to forward herewith a memorandum by the Minister of Marine giving the desired information as regards this colony.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

THE law relating to the carrying of boats, &c., in New Zealand is contained in the 169th section of "The Shipping and Seamen's Act, 1877," which provides for rules to be made by the Governor in Council, or, in the absence thereof, boats are to be carried in accordance with the rules for the time being in force under "The Merchant Shipping Act, 1854," or any Acts amending the same. The Governor in Council having made no rules, those made under "The Merchant Shipping Act, 1854," are in force in New Zealand. These are enforced by the officers of the Customs and Marine Departments, and not by any society.

26th August, 1887.

P. A. BUCKLEY,

(For the Minister of Marine.)

No. 7.

(No. 82.)

SIR,—

Government House, Wellington, 20th September, 1887.

With reference to your circular despatch, of the 4th of May last, transmitting copies of a correspondence with the War Office respecting the contribution by the various colonial Governments of a proportion of the pension of any non-commissioned officers and men of the Imperial Army who may have been employed by them, I have the honour to forward herewith a copy of a memorandum by the Colonial Treasurer, on behalf of my Ministers, stating the views of the Government of this colony on the subject.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

THE Government of New Zealand have no officers or men in their employment at present to whom this question would apply. If Her Majesty's Government wish a month's pay on each year contributed to the Home Government to provide for pensions, the simplest plan would be to lay down such a rule, and then, if a colonial Government employed such and such an officer or man, the condition would be to stop a twelfth part of the amount payable and remit it Home. The condition being laid down, the Governments and the persons employed would understand them, and it would be an element on the one hand of the terms offered, and on the other of the terms accepted.

20th September, 1887.

JULIUS VOGEL,

(For the Premier.)

No. 8.

(No. 83.)

SIR,—

Government House, Wellington, 20th September, 1887.

With reference to your circular despatch, dated the 2nd June last, relating to a proposal by the Belgian Government for the publication of the Customs tariffs of various countries, I have the honour to inform you that my Government desires that its adhesion to the proposal should be notified to the Belgian Government.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 9.

(No. 84.)

SIR,—

Government House, Wellington, 7th October, 1887.

With reference to my Despatch No. 57, of the 15th of June last, reporting the defeat of my Ministers on their financial proposals, and the

A.—2, 1888,  
No. 9.

A.—1, 1887, Sess.  
II., No. 34.

prorogation and dissolution of Parliament after the passing of a new Representation Bill, I have the honour to inform you that the elections under the new Act were held throughout the colony on the 26th ultimo.

2. The result of the elections has been adverse to the Ministry. It is difficult, however, to arrive at a precise estimate of the relative strength of parties. The total number of members of the House of Representatives is 95, and these are classified in the various newspapers published throughout the colony as Ministerialists, Oppositionists, and Independents. The numbers allotted to each of these sections vary according to the political bias of each particular newspaper. The estimate of the strength of the Ministerialists varies from 34 to 43, of the Oppositionists from 44 to 54, and of the Independents from 1 to 9. All the papers published in Wellington agree in allotting 54 members to the Opposition, and estimate the Ministerialists at from 38 to 40.

3. Of the four chief provinces, Auckland, Wellington, and Otago have returned a large majority in favour of the Opposition, whilst Canterbury remains strongly Ministerialist.

4. There are 33 of the recently-elected members who did not sit in the last Parliament, and, of these, 24 are altogether new to parliamentary life.

5. Several prominent members both on the Ministerial and Opposition side have been rejected by their constituents. Foremost amongst them is the Premier, Sir Robert Stout, who failed to secure his re-election. Mr. Tole, Minister of Justice, also lost his seat. Of the Opposition party, the most notable of the rejected candidates are Mr. Rolleston and Mr. Bryce. Both are able and experienced politicians, who have held office for prolonged periods in previous Governments, and have rendered no small services to New Zealand, Mr. Rolleston as Minister of Education, and Mr. Bryce as Native Minister.

6. On the defeat of Sir Robert Stout being announced, no fewer than five members of the Ministerial party offered to resign their seats in his favour, but he has resolved to retire from political life for some time, and will not be persuaded at present to offer himself again for election.

7. The Ministry recognised that the verdict of the country was adverse to them, and on the 30th ultimo Sir R. Stout tendered to me the resignation of himself and his colleagues, which I duly accepted.

8. I then sent for Major Atkinson, who, in the last Parliament, moved the vote of want of confidence in the Stout-Vogel Ministry, and is the most prominent and influential member of the Opposition party. I requested him to form a Ministry, and he is at present in communication with various members of his party, in order to consult them before making formal proposals. Meanwhile the Ministry of which Sir R. Stout is Premier continues to discharge the duties of Government.

9. Major Atkinson's task of forming a Ministry is less easy than might be supposed from a cursory glance at the classification of the parties in the House. It is considered by some that the fall of the Stout-Vogel Ministry may remove the chief bond of union between the sections of the Opposition, and that on the assumption of office by Major Atkinson some members may withhold their support from him. He is accordingly obliged to exercise extreme caution in his selection of colleagues, and his task is rendered the more difficult by the fact that his party now comprises many men who are looked upon as having a fair claim for consideration in the allotment of portfolios, but few, if any, whose claim is so superior as to make their selection a certainty.

10. It has been suggested in some quarters that the formation of a stable Government will be impossible until a coalition is effected between Major Atkinson and Sir Julius Vogel. The latter is credited with the staunch support of at least twenty members from Canterbury and the northern provinces of the South Island. On the other hand, there are many members with whom the first article of their political creed is opposition to Sir Julius Vogel, and whose support would be withdrawn from Major Atkinson if the suggested coalition were effected. There is, however, no immediate prospect of the coalition being brought about, Major Atkinson having expressed himself so distinctly averse to it.

11. Such is the present political situation, and it remains to be seen:

whether, by a judicious selection of his colleagues, Major Atkinson will succeed in forming a Ministry which will command a working majority.

12. The Parliament was yesterday opened by Commission, when the members were sworn in, and Sir G. M. O'Rorke elected to the office of Speaker, which he held in the late Parliament.

13. On the formation of a Ministry prepared to meet the House, I shall proceed to open Parliament in person.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 10.

(No. 85.)

SIR,—

Government House, Wellington, 7th October, 1887.

With reference to your circular despatch, dated the 16th June last, <sup>A.-2, 1888,</sup> transmitting for communication to my Government a copy of a letter from the <sup>No. 18.</sup> War Office respecting the proposal that the Australian military forces should be occasionally inspected by an Imperial officer, I have the honour to inform you that my Ministers do not consider it necessary for New Zealand to incur the expenditure that an inspection of her forces in the proposed manner would involve.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 11.

(No. 86.)

SIR,—

Government House, Wellington, 7th October, 1887.

With reference to your Despatch No. 48, dated the 10th August last, <sup>A.-2, 1888,</sup> I have the honour to report that I am not aware of any objection to the appoint- <sup>No. 32.</sup> ment of Mr. August Friedrich Castendyk as Vice-Consul for Germany at Wellington, and that I have accordingly recognised him provisionally in that capacity until the arrival of the Exequatur.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 12.

(No. 87.)

SIR,—

Government House, Wellington, 7th October, 1887.

With reference to your Circular Despatch No. 48, of the 24th June last, <sup>A.-2, 1888,</sup> transmitting a copy of a despatch from Her Majesty's Consul at Noumea relating <sup>No. 19.</sup> to the treatment of distressed British subjects in the hospitals in New Caledonia, and requesting information as to the terms on which distressed French subjects are admitted into the hospitals of this colony, I have the honour to inform you that my Government is not aware that any distinction on account of their nationality has been or is made in the treatment of patients in the hospitals of New Zealand, nor of any claim having been advanced for the refund by the French Government of expenses incurred in the maintenance in hospital of the subjects of that nation.

I should add that since November, 1885, the New Zealand hospitals have been under local, and not Government, control.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

## No. 13.

(No. 88.)

SIR,—

Government House, Wellington, 7th October, 1887.

A.—2, 1888,  
No. 11.

With reference to your circular despatch, dated the 6th June last, forwarding certain documents relating to the Submarine Telegraph Convention and Declaration, and requesting to be informed whether the Government of this colony is prepared to accede to them, I have the honour to report that my Ministers inform me that a Bill having for its object the adherence of New Zealand to the Convention and Declaration in question will be submitted to Parliament.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

## No. 14.

(No. 89.)

SIR,—

Government House, Wellington, 7th October, 1887.

A.—2, 1887, Sess.  
II., No. 24.

With reference to your Despatch No. 13, dated the 22nd March last, concerning the claim of Mr. William Webster, a subject of the United States of America, to certain land in New Zealand, and requesting me to furnish any observations that my Government might desire to make upon the case, I have the honour to forward herewith printed copies of a memorandum on the subject by Sir R. Stout, Premier of this colony.

It will be observed from the concluding remarks of Sir R. Stout's memorandum, on page 30 of the enclosure, that my Ministers consider that great liberality has been shown by the New Zealand Government in its treatment of Mr. Webster.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

[For enclosure, see A.—4, Session II., 1887, Appendix to Journals of House of Representatives.]

## No. 15.

(No. 90.)

SIR,—

Government House, Wellington, 8th October, 1887.

A.—2, 1887, Sess.  
II., No. 22.

With reference to your circular despatch, dated the 5th July last, transmitting, for communication to my Government, copies of a correspondence between the Admiralty, the Board of Trade, and the Colonial Office respecting the question of the clearance of vessels from ports in the Australasian Colonies for fictitious ports, I have the honour to forward herewith a memorandum on the subject from Sir Julius Vogel, Minister of Marine.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

## Enclosure.

MEMORANDUM for His Excellency the GOVERNOR.

I ATTACH the views of Mr. Seed and Mr. Glasgow. In my opinion it would be impossible to prevent vessels clearing for Guam—*i.e.*, not declaring their true destination. Any attempt to prevent it would fetter freedom of trade, and place the British mercantile marine at a disadvantage compared with that of other countries. It would be a blow also to commerce to regard coal as contraband of war in times of peace, or to limit the disposition of coal-stations for peaceful purposes. Coal is so liable to deterioration that it is not likely to be stored for war purposes long in advance of its being wanted for such an object. The Admiral on the station, by having returns of clearance sent to him from coal ports, would be able to notice if at any time there was a suspicious number of vessels laden with coal clearing for Guam.

5th October, 1887.

J. VOGEL.

## Sub-Enclosures.

MEMORANDUM for the Hon. the PREMIER.

THE Customs Act requires masters of vessels to answer all questions that may be put to them when



clearing. If a master refuses, he is liable to a penalty of £20. There is no power to put him on oath, nor is there provision for punishment in case of false answers. I understand in some cases the master gets sealed instructions, and does not know his destination until he is clear of the coast. I think the second paragraph of the letter signed "E. Goodwin," page 6 of the despatch, makes it clear that all efforts to get at real ports of destination would be ineffectual even if clearances for Guam were refused, and heavy penalties threatened in case of false statements being made.

W. T. GLASGOW,  
Secretary, Marine Department.

21st September, 1887.

MEMORANDUM for the Hon. Sir J. VOGEL.

THE practice of entering outwards and obtaining clearances for Guam is adopted by owners and masters of vessels when they desire to keep secret the destination of their vessels. I do not see how any effectual means can be adopted at the port of departure for ascertaining the real destination of vessels. If clearances for Guam are refused, the name of some other foreign possession will be substituted with the same object. Legislation by the Imperial Parliament, applicable to all British ships, might impose a penalty on the master of any such ship for deviation of voyage or discharging cargo at any port other than that named in vessel's clearance, penalty to be sued for when the fact became known to any Customs or Consular officer; but this could not operate against foreign vessels, so that any restriction of the kind named in respect of British vessels would simply have the effect of causing merchants to charter foreign vessels for conveyance of cargoes the destination of which they desired should not become known.

W. SEED,  
Late Secretary, Marine Department.

14th September, 1887.

No. 16.

(No. 92.)

SIR,—

Government House, Wellington, 15th October, 1887.

I have the honour to forward herewith a petition to the Queen from the Chancellor and Council of the University of Otago, an institution now affiliated to the University of New Zealand, praying that Her Majesty may be pleased to grant Letters Patent under which degrees conferred by the University may be recognised in the same manner as those conferred by any University in the United Kingdom.

I forward also a counter-petition from the Chancellor and Senate of the University of New Zealand, tracing in outline the circumstances under which the University became, as at present, the sole institution in the colony possessing the power to confer academic degrees, and submitting that there are no sufficient grounds for granting the application made by the University of Otago.

I entirely concur in the view of the question taken by the counter-petition, and am of opinion that the granting of the request of the Council of the University of Otago would have an injurious effect upon the prospects of the University of New Zealand. I understand, moreover, that the request is far from meeting with the unanimous approval of the Professors of the Otago University itself.

I enclose additional counter-petitions from the Colleges of Auckland and Canterbury, which are affiliated to the University of New Zealand, and also one from former students of the University of Otago. These indicate the opinion of a large majority of those in the colony who have the interests of the New Zealand University at heart, and, having been prepared as soon as the intention of the Council of the Otago University was rumoured, were received by me at an earlier date than the petition from the latter body.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 17.

(No. 93.)

SIR,—

Government House, Wellington, 15th October, 1887.

I have the honour to transmit herewith copies of the Speech with which, on the 12th instant, I opened the First Session of the Tenth Parliament of  
2—A. 1.

New Zealand, and of the Addresses in Reply which have been presented to me by the Legislative Assembly and the House of Representatives respectively.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 18.

(No. 97.)

SIR,—

Government House, Wellington, 4th November, 1887.

I have the honour to forward herewith copies of the Financial Statement made by the Colonial Treasurer, the Hon. H. A. Atkinson, in the House of Representatives, in Committee of Supply, on the 1st instant.

It will be observed that considerable reduction in the public expenditure is proposed; but, though the necessity for retrenchment is universally recognised, no conclusion has yet been arrived at as to the precise manner in which it should be effected, the matter being still under discussion in the House of Representatives.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

[For enclosure, see B.-1, Session II., 1887, Appendices to Journals, House of Representatives.]

No. 19.

(No. 102.)

SIR,—

Government House, Wellington, 16th November, 1887.

With reference to your circular despatch, dated the 15th September last, requesting to be furnished with copies of any laws in force in this colony relating to suits against the Crown by private individuals, for transmission to the German Ambassador, I have the honour to forward herewith copies of "The Crown Suits Act, 1881," which consolidates the law in New Zealand relating to the protection and recovery of Crown property and the enforcement of claims against the Crown.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 20.

(No. 103.)

SIR,—

Government House, Wellington, 16th November, 1887.

I have the honour to forward herewith a copy of a memorandum, dated the 10th instant, from Major H. A. Atkinson, Premier of New Zealand, forwarding a letter from the Clerk of the Synod of the Presbyterian Church of Otago and Southland, enclosing a resolution adopted by that body and the Synod of the Anglican Church of Dunedin on the subject of the agreement recently entered into by the English and French Governments as to the early withdrawal of troops from the New Hebrides.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

Enclosure.

MEMORANDUM for His EXCELLENCY.

Premier's Office, Wellington, 10th November, 1887.

THE Premier has the honour to forward the accompanying letter from the Clerk of the Synod of the Presbyterian Church of Otago and Southland, covering a resolution adopted by that body and the Synod of the Anglican Church relative to the agreement recently entered into by the English and French Governments as to the early withdrawal of troops from the New Hebrides, and respectfully requests that His Excellency will be good enough to transmit it to the Right Hon. the Secretary of State for the Colonies.

H. A. ATKINSON.

## Sub-Enclosures.

SIR,—

Roslyn, Dunedin, 7th November, 1887.

I have the honour to forward to you, for presentation to His Excellency the Governor, with a view to its transmission to the Home Government, the enclosed document, being a copy of resolutions adopted by the Diocesan Synod of the Anglican Church, and by the Synod of the Presbyterian Church of Otago and Southland, on the recommendation of joint committees appointed by these Synods.

I have, &amp;c.,

WM. BANNERMAN,

Clerk of Synod of Presbyterian Church of Otago and Southland.

The Hon. the Premier of New Zealand.

The Right Hon. Her Majesty's Secretary of State for the Colonies.

A JOINT meeting of committees appointed by the Diocesan Synod of the Anglican Church and the Presbyterian Synod, both in session at date, to confer on the New Hebrides, having been held, it was unanimously resolved to express satisfaction at the report received by cablegram of the agreement made between the British and French Governments as to the early withdrawal of the French from their occupation of the New Hebrides, and the hope that full provision has been made for the protection of the missions so long carried on on those islands, and of the natives, from any inroad of *récidivistes* from the French penal settlements in the Pacific. And, further, that a copy of this resolution be laid before the respective Synods for adoption, with the recommendation that, when adopted, it may be transmitted to the Premier for presentation to His Excellency the Governor, with the view to its transmission to the Home Government.

The above resolutions were laid before our respective Synods and unanimously adopted.

S. T. DUNEDIN.

J. M. DAVIDSON, Moderator, Presbyterian  
Synod of Otago and Southland.

Dunedin, New Zealand, 4th November, 1887.

## No. 20A.

TELEGRAM from the GOVERNOR to the SECRETARY of STATE.—(18th November, 1887.)

WITH reference to your telegram of 14th November, Government here accepts agreement increase of naval force. Bill will be submitted accordingly to Parliament without delay. Parliament is now in session.

## No. 21.

(No. 104.)

SIR,—

Government House, Wellington, 29th November, 1887.

With reference to your circular despatch of the 30th of August last, stating that it has been suggested by the Secretary of State for War that the practice regulated by article 120 of the Royal Warrant of the 31st December, 1886, relating to the relative precedence in a colony of Imperial and colonial military officers of equal rank but different seniority, should be extended to the colonies generally, I have the honour to report that there is no objection on the part of my Ministers to the extension of the practice in question to the colony under my Government.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

## No. 22.

(No. 105.)

SIR,—

Government House, Wellington, 29th November, 1887.

With reference to your circular despatch of the 2nd of September last, relating to your predecessor's circular despatch of the 14th of August, 1886, on the subject of the registration and preservation of publications, I have the honour to report that no steps in the matter have as yet been taken in this colony. My Government, however, approve of the principle contained in the Ceylon ordinance referred to in the circular despatch of the 14th of August, 1886, and propose, if possible, to deal with the matter during the next session of Parliament.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

No. 23.

(No. 107.)

SIR,—

Government House, Wellington, 29th November, 1887.

A.—2, 1888,  
No. 39.

With reference to your circular despatch of the 8th September last, transmitting a copy of "An Act to consolidate and amend the Law relating to Fraudulent Marks on Merchandise," which has been passed during the recent session of the Imperial Parliament, together with other documents on the subject, and urging on my Government the desirability of similar legislation with a view of securing uniformity and of checking fraud, I have the honour to report that my Ministers have had the question of trade-marks under consideration, and recognise the necessity of revising, amending, and consolidating the law in this colony. They are not prepared to deal with the question at present, but propose to make it part of the business of the next session of Parliament.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

No. 24.

(No. 111.)

SIR,—

Government House, Wellington, 15th December, 1887.

I have the honour to transmit herewith copies of the Public Works Statement made by the Minister for Public Works, the Hon. E. Mitchelson, in the House of Representatives on the 12th instant.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

[For enclosure, see D.—1, 1887, Session II., Appendices to Journals, House of Representatives.]

No. 25.

(No. 112.)

SIR,—

Government House, Wellington, 5th December, 1887.

A.—2, 1888,  
No. 41.

With reference to your Despatch No. 58, of the 13th September last, transmitting a letter addressed to the Marquis of Salisbury by M. P. Kawiti, of the Ngapuhi Tribe of Maoris, and requesting to be informed of the manner in which certain alleged grievances of that tribe are dealt with, I have the honour to forward herewith a report with enclosures on the subject by Mr. Mitchelson, the present Minister of Native Affairs.

I have, &amp;c.,

W. F. DRUMMOND JERVOIS.

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

## Enclosure.

## MEMORANDUM for His Excellency the GOVERNOR.

THE Native Minister has the honour respectfully to acknowledge the receipt from His Excellency the Governor of Despatch No. 58, of the 13th September last, from the Secretary of State for the Colonies, enclosing the copy of a letter from the Native chief Maihi Paraone Kawiti, of the Bay of Islands.

His Excellency is informed that the principal grievances complained of by M. P. Kawiti are those relating to certain old land-claims which he has repeatedly brought before the Government, and which have formed the subject of correspondence for several years.

The pieces of land referred to are in the Bay of Islands district, and as mentioned in the third paragraph of the letter are named—(1.) Opuā, at Kawakawa. In Ruapekapeka Block: (2) Maai, at Taumarere, Kawakawa; (3) Waikurakura, at Taumarere, Kawakawa; (4) Whakaarorangi, at Taumarere, Kawakawa.

On the occasion of the late Native Minister's visit to the Bay of Islands in March last, M. P. Kawiti again, as stated in his letter, brought the subject of his land-claims before the Hon. Mr. Ballance, who promised him that the Resident Magistrate of the district should inquire into the matter and report thereon. In accordance with this promise, instructions were given to Mr. Clendon, Resident Magistrate, on the 19th of May, and the official files of papers bearing on the

claims were supplied to him. At the same time Kawiti was informed by the Native Office that Mr. Clendon was instructed to make the inquiry.

On the 10th of October Mr. Clendon furnished his report to the Government, from which it will be seen that Kawiti's claims were not substantiated. A copy of Mr. Clendon's report is enclosed herewith.

With reference to the portion of the 71st section of the Constitution Act quoted in the letter, and to the desire expressed that it should be given effect to, it will be observed from the accompanying copy of a letter addressed by the late Native Minister to the Native chief Tawhiao that the Government was of opinion that the councils referred to in the Act were only to be of a temporary nature, and that to introduce them after a lapse of thirty-four years would be acting directly contrary to the spirit of the Constitution Act itself. The views expressed in this letter by the Hon. Mr. Ballance are concurred in by the present Native Minister.

It is not known by the Native Minister what gift of land is referred to in the latter part of Kawiti's letter.

A communication has been addressed to M. P. Kawiti on the subject of his letter, a translation of which, with copy of enclosures, is forwarded herewith.

Wellington, 16th November, 1887.

EDWIN MITCHELSON,  
Native Minister.

### Sub-Enclosures.

LETTER from J. A. CLENDON, Esq., to the UNDER-SECRETARY, Native Office, Wellington.

SIR,—

Native Office, Whangarei, 10th October, 1887.

I have the honour to return herewith all the papers in connection with the claims of Maihi P. Kawiti to certain pieces of land alleged to have been reserved by the Natives at the sale of the Ruapekapeka Block to the Government, and also of the Opua Block, which was sold many years since to the Church Missionary Society by Toitapu and other chiefs long since deceased.

I regret that so long a delay has occurred in making a report on this matter; but upon two of my periodical visits to the Bay of Islands Maihi Kawiti was absent from his settlement, and it was not until the late Native election day that I could definitely meet with him.

In relation thereto, I would beg to say that I obtained the original map of the Ruapekapeka Block from the Survey Office at Auckland, made by Mr. Kempthorne, on which all the reserves made at the time were marked off. I pointed out to Maihi Kawiti that, had any other reserves been made at the time of the survey than those shown, they would also have been marked on the plan; and that no such pieces of land as he claimed were shown as reserves: consequently he had not any claim. With relation to the Opua Block, I pointed out to him that it had been settled upon by the Church Missionary people and their tenants as far back as 1838, and that until a few years back no claim whatever had been made to it by any Native. Maihi Kawiti contends that it is alleged to have been sold to the Church Missionary Society by persons who could have no title to it. I replied that the fact of the sale having been recognised by the chiefs Pomare, Kiwikiwi, Kawiti te Whareunui, Pukututu, Pumuka, and others during their lifetime, was sufficient to show that the alienation had been complete, and that he could not have any real claim to it.

I have, &c.,

JAMES A. CLENDON, Native Agent.

FRIEND,—

Native Office, Wellington, 15th November, 1887.

His Excellency the Governor has forwarded Ministers a letter from you, dated the 12th July, 1887, addressed to the Right Hon. the Marquis of Salisbury, and which has been in due course forwarded to the Colonial Government.

Friend, as regards your claim to the pieces of land in the Bay of Islands district named in your letter, you are aware that in accordance with your wishes the late Government directed Mr. Clendon, the Resident Magistrate, to make a careful investigation into your claims. This he has done, and informed you of the result—namely, that your claim cannot be substantiated.

With reference to that portion of your letter relating to the 71st section of the Constitution Act, and your desire that it should be given effect to, I forward you herewith an extract from a letter addressed by Mr. Ballance, at the time he held the office of Native Minister, to Tawhiao on the subject, and wish to inform you that I quite agree with the views therein expressed by him.

From your loving friend,

EDWIN MITCHELSON,

Native Minister.

M. P. Kawiti, Waioimio, Kawakawa, Bay of Islands.

FRIEND TAWHIAO,—

Native Office, 8th June, 1886.

I have received your letter of the 17th May, by the hand of our friend Henare Kaihau, concerning the grievances which have affected you and your people since the making of the Treaty of Waitangi. In this letter you draw attention to the Constitution Act of New Zealand, clause 71, where the Queen has the power by Orders in Council to provide for the meeting of Native chiefs for the purpose of deliberating upon affairs peculiar to the Maori people.

I have read with great pleasure the personal history you give of your father Potatau, whose life and conduct endeared him to the Europeans of the colony, and whose memory is still cherished in New Zealand. For it is true what you say, that at an early period of the colony he was the consistent friend of the Europeans and a staunch advocate of peace. His action in reference to the Treaty of Maraetai, when his word went forth to the chiefs of Waikato that they should continue to show love and good-will to the colonists,—his disapproval of Hone Heke's proposal to cut down the flagstaff at Takapuna, and his support of the Europeans at that period,—his declaration

of peace when hostilities commenced at Waitara in 1860, when he gave his word that fighting should cease and that troubles should be dealt with according to the law, are all events of the life of this great man which consecrate his memory, and claim for his son the respect and good-will of the Government and people of New Zealand. You, Tawhiao, tell me that when fighting broke out in the Waikato you steadfastly adhered to the injunctions of your father, and have done so to this day, though your people have fought against the Queen; and you say, "We are now considering by what means we can live in the former state of peace and friendly feeling." It is right that, when terms are proposed, you should consider the people equally with yourself; and in this matter I think you have acted with magnanimity and unselfishness, and with a sincere desire to promote the welfare of your race. It is my desire that whatever may be done in the future shall be for the welfare of the whole people rather than for the aggrandisement of individuals.

At the present moment permanent peace has been established between the Government and the tribes of New Zealand. The difficulties remaining do not amount to any great principle, but are matters of detail which can be arranged amicably by conference between the Native Minister and the representatives of the various tribes.

I speak in the name of almost all the tribes when I say that they are not opposed to the surveys or the Native Land Court, but, on the contrary, it is by their wish that the Land Court is held to establish the right of the people to their land. When, therefore, I uphold the Land Court, I am only giving deliberate effect to the deliberate will of the people expressed through their chiefs again and again. Do not be offended when I say that I think you are wrong in preventing the people from trying to establish their tribal, their hapu, and their individual rights to the land. You think it best for the people that there should be no Courts. I think it best for the people that there should be Courts. Who then shall decide between us? My answer is, let the people who own the land decide.

Your request for the establishment of a council for all the chiefs of the Island is a subject of so much importance that, as I intimated to you at Alexandra, I have submitted it for the consideration of the Cabinet. Ministers think that the power to call such a council together has passed from the Queen to the Parliament of New Zealand, and must be sought for by a Bill. Ministers consider also that the time has passed when they could as a Government adopt the proposal; and in support of this I will quote a portion of section 71 of the Constitution Act: "And whereas it may be expedient that the laws, customs, and usages of the aboriginal or native inhabitants of New Zealand, so far as they are not repugnant to the general principles of humanity, should for the present be maintained for the government of themselves in all their relations to and dealings with each other: It shall be lawful for Her Majesty, in and by any Letters Patent to be issued under the Great Seal of the United Kingdom, from time to time to make provision for the purposes aforesaid," &c. It seems clear from this that the councils referred to were only to be of a temporary nature, and, though they might have been applicable to the state of affairs in 1852, they would not be so in 1886. It was not intended by this provision that they should be permanent institutions; and to introduce them now, after the lapse of thirty-four years, would be acting directly contrary to the spirit of the Constitution Act itself. Ministers, moreover, are of opinion that, so far from uniting the two races and enabling them to live together as one people, the proposal would tend to estrange them, and set up two Governments, each possessing independent authority, leading to innumerable difficulties, which might be attended with disaster to the Maori people.

Your motives in seeking this measure to promote the welfare of the Maori people we do not question, but we are compelled to look at the results which would probably follow, rather than to well-intentioned motives which might end in evil. The duty of the Governor and his Ministers is to carry out the Queen's word, which you have referred to in your letter—namely, "to watch over the interests and promote the advancement of her subjects, without distinction of race." It appears to Ministers that, so far from the interests of the Maori people being advanced by the measure, a distinction of race would be drawn which would be injurious alike to Maoris and Europeans.

It is not necessary, after what has been said, to answer in detail the portion of your letter relating to the powers that might be intrusted to the council you propose to establish, though it would be easy to show that, even were it advisable to create such a council to do certain things, the powers which you would intrust to it are so excessive, and so contrary to the interests of both races, that its establishment would be attended with great evil to the Maoris themselves. As the Government, therefore, are bound to consider what is best for the Maoris as well as for the Europeans, they cannot agree to adopt a course which might lead to trouble hardly less disastrous than any which has yet come upon the Maori people, and which might end in lasting bitterness and complication between the two races.

In thus freely and unreservedly expressing the opinion of Ministers on the subject, there is no wish to impeach your good faith or sincerity in desiring to do that which is best for the Maori people. While Ministers, therefore, after careful consideration, are of opinion, for the reasons I have here stated, that such a measure would be injurious to both Natives and Europeans, and cannot be introduced into Parliament by me, yet I am prepared to give the utmost facility to introduce such a Bill without expense or delay, and if you accept the offer I made at Alexandra you can yourself make your appeal to Parliament on the subject.

In conclusion, I wish to say to you that, although my colleagues and myself cannot agree with you as to the council, we earnestly desire to have your valuable assistance in arriving at what may be for the good of your people, and trust that you may still carry out your intention, and work cordially with the Government to that end.

From your friend,

J. BALLANCE.

## No. 25A.

TELEGRAM from the GOVERNOR to the SECRETARY of STATE.—(23rd December, 1887.)

NAVAL Defence Bill has been passed by Parliament.

## No. 25B.

TELEGRAM from the GOVERNOR to the SECRETARY of STATE.—(29th December, 1887.)

NAVAL Defence Bill having been passed by all Australasian Colonies with the exception of one, Government here urge that the Admiralty should be requested to commence construction of vessels at once.

## No. 26.

(No. 119.)

SIR,— Government House, Wellington, 31st December, 1887.

I have the honour to forward herewith a memorandum from Major Atkinson, Premier of New Zealand, with reference to the desirability of connecting Canada with Australia by direct submarine telegraph across the Pacific, and urging that a survey should be made of the route without delay, in accordance with the recommendation contained in the proceedings of the Colonial Conference held in London on the 6th May last.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

## Enclosure.

## MEMORANDUM for His EXCELLENCY.

It has been suggested by the Premier of Victoria that the practicability of laying a telegraph cable to connect Canada with Australia should be set at rest by a survey as proposed at the Colonial Conference on the 6th May last; and, this Government approving of the suggestion, the Premier has the honour respectfully to request His Excellency to urge upon the Secretary of State for the Colonies the desirability of giving effect to the resolutions of the Conference adopted on the date referred to.

H. A. ATKINSON.

Premier's Office, Wellington, 24th December, 1887.

## No. 27.

(No. 121.)

SIR,— Government House, Wellington, 31st December, 1887.

I have the honour to inform you that on the 23rd instant I prorogued, by Proclamation, the First Session of the Tenth Parliament of New Zealand.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

## No. 28.

(No. 1—Telegram.)

Government House, Wellington, 10th January, 1888.

REFERRING to your despatch 27th November, 1886, nominated emigration stopped for the present.

GOVERNOR, New Zealand.

A.-2, 1887,  
Sess. II., No. 7.

## No. 29.

(No. 2.)

SIR,— Government House, Wellington, 11th January, 1888.

With reference to your circular despatch of the 28th September last, I have the honour to inform you that my Government agree to the suggestion

contained in the third paragraph of the War Office letter of the 2nd September last as to the manner in which the names of officers of Colonial Militia and Volunteers should be published in the Army List. There will be no need for any change in the case of the New Zealand Militia, as they are already shown by gradation lists; and the same plan will in future be adopted in forwarding the lists of the New Zealand Volunteers.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 30.

(No. 3.)

SIR,—

Government House, Wellington, 13th January, 1888.

With reference to your circular despatch of the 27th September, 1887, suggesting that a scale of remuneration should be laid down for naval officers employed under colonial Governments, I have the honour to forward herewith a memorandum by the Premier, Major Atkinson, stating that, although the New Zealand Government does not at present employ any naval officers, it would be happy to fall in with the views of the Australian Colonies on the subject of remuneration, should the necessity arise.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

Enclosure.

MEMORANDUM for His EXCELLENCY.

THE Premier has the honour to return circular despatch of the 27th September last respecting the payment of naval officers in the employment of colonial Governments, and to state that, although the New Zealand Government does not at present employ any such officers, it would be happy to fall in with the views of the Australian Colonies on the subject, should the necessity arise.

H. A. ATKINSON, Premier.

Premier's Office, Wellington, 10th January, 1888.

No. 31.

(No. 4.)

SIR,—

Government House, Wellington, 13th January, 1888.

With reference to your circular despatch of the 1st of September last, on the subject of a scheme proposed by Mr. Kimber, M.P., for the promotion of colonisation, I have the honour to forward herewith a memorandum by Major Atkinson, Premier of New Zealand, stating that Mr. Kimber's proposals appear to the Government of the colony to be impracticable.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

Enclosure.

MEMORANDUM for His EXCELLENCY.

IN returning circular despatch of the 1st September last on the subject of the promotion of colonisation, the Premier begs to inform His Excellency that the proposals of Mr. Kimber appear to the Government to be impracticable, particularly as to the settling of the people on the land immediately on their arrival in the colony, and as to the colonial guarantee of the repayment of sums advanced to them.

H. A. ATKINSON, Premier.

Premier's Office, 10th January, 1888.

No. 32.

(No. 5.)

SIR,—

Government House, Wellington, 14th January, 1888.

With reference to your Despatch No. 64, of the 31st of October last, transmitting a copy of a letter from the Treasury dated the 26th of October, I



have the honour to report that my Government agree to the proposal contained therein that their half-yearly contribution to the sinking fund of the guaranteed loan of one million pounds should be increased from £10,000 to £12,000.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

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No. 33.

(No. 6.)

SIR,— Government House, Wellington, 14th January, 1888.

I have the honour to forward herewith copies of the Acts passed by the General Assembly during the late session, together with a synopsis of the same prepared by the Solicitor-General.

I have reserved for the signification of Her Majesty's pleasure a Bill for the reduction of the salary and allowances of future Governors of New Zealand, intituled "The Governor's Salary and Allowances Act 1873 Amendment Act."

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

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No. 34.

(No. 7.)

SIR,— Government House, Wellington, 16th January, 1888.

I have the honour to inform you that, at the invitation of Lord Carrington, I am about to leave New Zealand this day in H.M.S. "Nelson" for Sydney, to be present at the celebration of the centenary of New South Wales. I shall be absent from New Zealand for about three weeks.

In accordance with paragraph 16 of the Royal Instructions of the 21st January, 1879, I have informed the Executive Council, in writing, of my intended absence, and have duly appointed His Honour Sir James Prendergast Deputy-Governor, in accordance with Her Majesty's Letters Patent of the same date. I enclose herewith a copy of the instrument whereby the Deputy has been appointed.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

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No. 35.

(No. 13.)

SIR,— Government House, Wellington, 5th March, 1888.

With reference to my Despatch No. 7, of the 16th January last, I have the honour to inform you that I left Sydney for New Zealand in H.M.S. "Nelson" on the 4th ultimo, and arrived at the Bay of Islands on the 10th ultimo. On the 13th ultimo I proceeded in the "Nelson" to Auckland, arriving there on the following day. On the 20th I left Auckland, and travelled overland to Wellington *via* Napier, arriving at Wellington on the 2nd instant.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

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No. 36.

(No. 18.)

SIR,— Government House, Wellington, 8th March, 1888.

With reference to your Despatch No. 74, of the 12th December last, transmitting a copy of a letter from the War Office relating to desertions to Australia from the troops stationed in Ceylon, and requesting me to inform you whether, and in what way, I consider that my Government can co-operate with

Her Majesty's Government in dealing with the difficulty, I have the honour to observe that the War Office letter refers to desertions to certain ports in Australia. There is no direct communication between Ceylon and New Zealand.

I have, &c.,

W. F. DRUMMOND JERVOIS.

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

No. 37.

(No. 22.)

MY LORD,—

Government House, Wellington, 22nd March, 1888.

With reference to your circular despatch of the 27th December last, transmitting a copy of a letter from the Statute Law Revision Committee relating to the retention in the statute-book of the Act 3 and 4 William IV., cap. 73, sections 61, 64, and 66, I have the honour to inform you that there is no objection on the part of my Government to the proposed repeal of the Act in question.

I have, &c.,

W. F. DRUMMOND JERVOIS.

The Right Hon. Lord Knutsford, G.C.M.G.

No. 38.

(No. 23.)

MY LORD,—

Government House, Wellington, 22nd March, 1888.

I have the honour to forward herewith a letter on the subject of Chinese immigration by Mr. J. C. Firth, a leading gentleman at Auckland, together with a copy of a communication addressed to me by him explaining the circumstances under which he forwarded the paper direct to your Lordship instead of through the Governor of New Zealand.

I have, &c.,

W. F. DRUMMOND JERVOIS.

The Right Hon. Lord Knutsford, G.C.M.G.

PS.—Pending receipt of circular despatch on the Chinese question, which I learn from public telegram your Lordship has addressed to the Governors of these colonies, I do not enter into the subject.—W. F. D. J.

#### Enclosure.

SIR,—

Auckland, New Zealand, 14th February, 1888.

The Chinese question appears to me to be more or less rapidly forcing itself into a position which cannot be safely ignored for any long time by the Australian Colonies.

1. For many years attempts have been made in the Australian Colonies to deal with Chinese immigration, chiefly by imposing a poll-tax on every Chinaman introduced.

2. These attempts have been only partially successful, with the additional disadvantage, as it appears to me, that such attempts are practical evasions of the treaties concluded by Her Majesty with the Emperor of China.

3. The working-classes of the Australasian Colonies have taken a decided stand against any considerable introduction of Chinese into their respective colonies, apparently and chiefly on the ground of their being competitors as wage-earners, and incidentally that they are not, and will not be, colonists in any true sense. Beneath these objections, I venture to think there may be—perhaps not yet so apparent or acknowledged—a broader and a vastly more vital reason—namely, the instinct of racial preservation.

4. When it is recognised that the Chinese immigration has, even at this early stage, demonstrated that the Australasian Colonies offer great inducements to the location of Chinamen, notwithstanding the disabilities imposed upon them, we may as well be prepared for a constantly-increasing migration to Australasian shores; and, though we may attempt to check it by the imposition of a still heavier poll-tax, and by disabilities of various kinds, we must be prepared ere long for an inquiry on the part of the Chinese authorities as to whether the treaties are not being evaded. Not that the ruling powers in China are desirous of encouraging the emigration of their people; but it is evident that, with the negotiation of the treaties, European ideas are making more or less impression on even so conservative a people as the Chinese, and that in China, as everywhere, the voice of the common people is more and more making itself heard.

5. When the English Plenipotentiaries secured the right of Englishmen to enter and locate themselves in the five treaty ports, they, of necessity, granted the right to China for her people to enter the British dominions. But when the English Plenipotentiaries conceded this right it is probable that they had no idea that it would be largely taken advantage of. Events are, however,

proving that they had not fully measured the effect of the contact with European ideas which the treaty secured. Some of these effects the Australasian Colonies are already finding, to their cost.

6. It is unnecessary for me to enter here into a disquisition on the qualities of the Chinese as immigrants: suffice it to say that, though generally they are industrious, patient, inoffensive, and, so far, obedient to our laws, they do not, with few exceptions, become colonists. They are essentially aliens in manners, customs, and religion, and must continue to be so. They do not assimilate with us. They are amongst us, but not of us.

7. The question we have to consider is, What is likely to be the effect in the future upon the Australasian Colonies of their propinquity to an empire of four hundred millions of Chinese, should their migratory instinct develop into a volume beyond our power to control? At present the European population of the Australasian Colonies has not reached four millions. When we reflect upon the vast bodies of men which, even in historic times, have moved to other countries, when once the subtle and uncontrollable force of the migratory instinct had taken possession of them, we cannot regard the possibility of such an instinct influencing large masses of a population of four hundred millions without the gravest apprehension. Whenever that migratory wave sets in upon these colonies, with the present appliances at command, we shall not be able to control it, under the conditions of the existing treaties. If we are unable to control it, we may at some period, more or less distant, find the Australasian Colonies exposed to an invasion which will place these grand free colonies—now the homes of English people—under the control of Mongolian hordes, under which our bright dreams for the future would be for ever extinguished.

8. In view of such a contingency, and of the conditions of the existing treaties, there appear to me to be but two modes of dealing with the Chinese question: (1) To endeavour to procure the abrogation of the treaties, or (2) to endeavour to secure their modification. Looking at the vast and varied trade of the British Empire with China, the first of these modes is clearly beyond our reach. Nor is such a course desirable, even if it were possible, for the reason that, in the probably coming struggle between England and Russia, in these seas and elsewhere, China will be one of our most potent allies, unless we alienate her sympathies and drive her from us.

9. The latter course, namely, to endeavour to secure the modification or interpretation of the treaties, is obviously the one to adopt, and one, I think, within our power to obtain. The modification I ventured to propose is—by the adoption by Great Britain and China of a clause interpreting the articles permitting the entrance of British subjects into China, and of Chinese into British dominions, in the following manner, namely: Let a census be taken, say in 1888, of the total number of British subjects entering China in that year, and let that number be the number of Chinese to enter the British dominions during the following year, and so on.

10. In such an effort, it may be presumed that we should be supported by the United States, where the Chinese immigration question has frequently been the occasion of great difficulties.

11. I have thus briefly endeavoured to bring this question under your notice, and I also address by this mail similar letters to the Right Hon. the Secretary of State for the Colonies in London, the Premiers of Queensland, Victoria, South Australia, and New South Wales, in the hope that, however imperfectly I may have brought this subject before you, the question itself is momentous enough to induce you to consider it, and in the further hope that you may see fit to bring it under the notice of the Legislature of New Zealand, in order that concerted action may be taken.

I have, &c.,

Sir Harry Atkinson, Premier, New Zealand.

J. C. FIRTH.

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