

*Correspondence between His Excellency Sir James Fergusson and Ministers relative to the Publication of Despatches to and from the Secretary of State.*

MEMORANDUM for MINISTERS.

(Confidential.)

THE Governor requests that Ministers will be so good as to examine copies of certain despatches which were marked for printing and presentation to Parliament by the late Governor, and are now in Mr. Amelius Smith's hands.

The Governor would not desire to withdraw despatches which for any reason personal to himself Sir George Bowen desired to make public, but he cannot forget that the presentation to Parliament will be his own act, and that he and his Advisers are alone responsible for that step.

He would, in the first place, call the attention of Ministers to the fact that in the despatches now in the hands of the printer are several in which the various changes of Ministry which occurred during the last session and during the recess are reported to the Secretary of State, and also several in which the Secretary of State acknowledges their receipt.

The Governor does not think it a very convenient course to lay before Parliament the terms in which he reports such changes, and, if he does no more than report the occurrence of a change of Ministry, the presentation of the despatch becomes a mere and useless formality. But he would not desire to arrest upon his first arrival the process already so far advanced, were there not, in his opinion, grave objections to the publication of one of the despatches—viz., that numbered 79, and dated 20th September, 1872, in which, after relating the facts of the change of Ministry that had just taken place, Sir George Bowen comments upon the position of the Maori members in the House of Representatives and upon certain measures with regard to the Maori race which he anticipates. Inasmuch as it would be difficult to omit one despatch of a similar series or one portion of that particular despatch, the Governor would be disposed to withdraw all those having reference to the change of Ministry, in the absence of any recommendation by Ministers.

There are many despatches in which Sir George Bowen relates certain meetings with Maori chiefs and tribes, and several in which the officer lately administering the Government informs the Secretary of State of the late murder by a Maori in the Waikato district, and of the subsequent proceedings of the Government. The Governor would desire that the presentation of these to Parliament should depend upon the opinion of the Native Minister, or of the Ministry generally, as to the expediency of doing so, especially with reference to the second category. He would particularly be reluctant to publish statements of probable amnesties, the hope of which subsequent events may have weakened.

There are also certain despatches relating to correspondence with the Secretary of State and with other colonial Governments upon postal contracts and telegraphic extension, the publication of which should depend upon the time at which Ministers intend to consult Parliament upon those subjects.

Government House, 20th June, 1873.

MEMORANDUM for HIS EXCELLENCY.

MINISTERS have carefully considered His Excellency's confidential memorandum. It is difficult to understand the reason for incurring the expense of printing much of the correspondence to which His Excellency directs Ministers' attention; but the late Governor was in the habit of instigating the publication of his despatches without reference to their possessing public importance.

It may be open to question whether despatches should be made public covering intimations of changes of Government. Ministers believe the practice has been to make such despatches public, and His Excellency will recognise the delicacy they must feel in advising any change of practice, since the despatches under consideration concern not themselves only, but their predecessors. Two of the despatches relative to changes of Government are incomplete in their statements, and apparently intentionally so, and it might be held that by withholding their publication it was intended or desired to allow them to pass unchallenged.

Ministers do not shrink from the responsibility of calling attention to the uncandid nature of the documents, and probably at some future time they will move His Excellency to direct the notice of the Secretary of State to the subject. In the meanwhile, as they do not understand His Excellency to require their advice as to whether these despatches should be published, they do not feel called upon to advise their publication. Should Parliament move for their production Ministers would probably advise compliance with the request; but in that case they would advise the omission of the paragraphs to which His Excellency considers there are "grave objections." A note could be made to the effect that the omitted portions had nothing to do with the context, and that their omission was considered expedient. Ministers would ask His Excellency, to save misconception, to allow them to confidentially explain to some of the leading members that the omissions were in no sense made in the party or political interests of the Government.

Ministers thank His Excellency for the consideration which prompts his referring to them the despatches concerning Native affairs. Such a course is most expedient, since it will prevent the publication of information which it is not desirable to publish, and it will leave Ministers at liberty to freely communicate with His Excellency on Native subjects without their having to fear an inevitable, and therefore possibly a premature and injurious, publication.

The last class of despatches referred to by His Excellency it would be desirable to publish at once. It is the practice to prepare in anticipation of the session all the papers that it is supposed will be required during the meeting of Parliament: the resources of the printing office are generally overtaxed.

Wellington, 21st June, 1873.

JULIUS VOGEL.