

subsequently to these events as the 24th of June, viz. :—"That it was a matter of great importance, and one upon which, after careful consideration, Ministers were fully prepared to state their present views."

actually to take land did not comprise enough to fulfil the contracts with the Military Settlers.

28. *Ought to have made up their minds as to the general policy.....*

The general policy proposed to be pursued was that proposed by the Governor, adopted by his Ministers, and continued and given effect to by the General Assembly. The extent to which it ought to be carried would never be definitely fixed until the result of the military operations had been ascertained. On the 25th of June, Ministers stated in reply to a question on the point from His Excellency, what their views then were; and it was competent for the Governor at any time to have submitted such a question to the consideration of his Ministers, and he would have received an equally explicit answer. Ministers would never have presumed for such wide and extraordinary limits as the Governor has done—namely, the unfettered discretion of himself and the General—as something definite and explicit to the comprehension of the Maoris.

29. *When the Governor had been on two occasions deliberately advised.*

It is really remarkable to view the process by which the Governor has arrived at the statement that the draft order of the 17th of May was deliberately advised. When the order is first mentioned in His Excellency's Memorandum, he states that it was submitted to him (though he omits to say, as was the fact, that it was submitted to him as a draft for consideration); next it was laid before him; then Ministers advised the Governor; and lastly, His Excellency finishes with the decisive statement that Ministers deliberately advised His Excellency to sign the document in question. All this beyond the fact that the Order in Council of the 17th of May was submitted as a draft for consideration is pure fiction.

30. *The Governor also thinks that looking to the duty he owes to the Imperial Government.....It was wrong to attempt to place him in a position in which he was to do as a mere Ministerial act that which was contrary to Law and Equity.*

30. The Governor also thinks that looking to the duty he owes to the Imperial Government whose forces and means contribute so largely to carry on the war, and looking also to his duty to the Colony, that it was wrong to attempt to place him in a position in which he was to do as a mere Ministerial act that which was contrary to law and to equity, as he thinks the issue of the Order in Council of the 17th of May would have been; and that it was wrong to ask him to do this, or even that which he was advised to do on the 28th of May, without his having a knowledge of what was the general policy aimed at; and that it could not be expected that whilst he was in ignorance of this, he would from time to time give orders involving so largely the interests of the European Colonists and the Native race, for the employment of British forces, and the expenditure of large sums of British money. The Governor felt it at the time to be his duty to resist being put into such a position, and he is quite satisfied that he came to a right conclusion on the subject.

October 24th, 1864.

G. GREY.

His Excellency is much in the habit of justifying his acts by an appeal to motives and obligations of a paramount order, implying a high respect for them on his part, and a corresponding want of respect on the part of his Ministers. "The duty he owes to the Imperial Government," "the employment of British forces," "the expenditure of British money," and similar phrases too often take the place of argument or fact in His Excellency's discussion of matters which are quite within the regions of common sense, and the principles which regulate the ordinary administration of Government. It is obvious enough what it means; but it is submitted to His Excellency that even an effective phrase may be so often repeated as to lose force, and to be looked upon at last as a common form.

His Excellency's idea that an attempt was made to place him in the position he describes is purely imaginary. Ministers never did place His Excellency in such a position, or proposed or wished to do so. The Order in Council of the 17th of May was submitted in draft for His Excellency's consideration, and was abandoned when he preferred another mode of dealing with the subject. The orders of the 28th of May were framed in precise accordance with His Excellency's own views and wishes after consultation with him; and if there was some hesitation by two Ministers to answer categorically upon the instant, without consultation with their colleagues, important and difficult questions unexpectedly put to them, it is