

The Bishop of Waiapu, in an official letter, dated April 5th, 1864, writes:—"The reports which are conveyed are of the most absurd character—such as you have instances of in other quarters—that the losses sustained by our soldiers are something enormous; that the Queen will not send any more soldiers; that England is at war with America and Russia and other parts of the world; that the soldiers have been driven out of Rangiriri and Meremere; that Auckland is nearly depopulated, and that the natives of the coast have only to go there and take possession. The tales and accounts which arrived while I was at Waiapu spoke of 156 of Ngatiwhakane (a friendly tribe on our side) being killed. (Three was the actual number.) It was to little purpose that I explained the onward march of the troops to Awamutu and Maungatautari—my story was English and one-sided."

An European settler, married to a Maori woman, and who has lived in the Ngatimaniopoto country during the whole war till a few weeks ago, writes, April 19:—"These tales of their losses (alluding to Orakau) is nothing but a mass of falsehoods. They only admit some 30 or 40 dead on their side, but the dead and wounded of our troops was the small number of one thousand four hundred."

These instances are only a few out of very many which might be stated. Some of the fabrications are plausible enough, others it would have been thought were too gross even for the credulity of men whose reasoning faculties have not been much exercised in weighing the evidence of facts, although they rather curiously present a very large amount of logical acumen in some other respects, the most remarkable being exhibited by the readiness with which they can frame an excuse for the justification of any fault with which they are charged. But veracity is not the most marked feature of their character; and it is certain that when their feelings are strongly interested, they are but little to be relied upon.

6th May, 1864.

WILLIAM FOX.

No. 15.

MEMORANDUM of HIS EXCELLENCY relating to granting Passes to visit Prisoners on board the Hulk.

The Governor has had presented to him a pass (herein enclosed) for his signature, addressed to the officer commanding the hulk "Marion," authorizing Mr. Martin to visit the prisoners now on board the hulk. The Governor has hitherto signed such passes, in compliance with the wishes of his Responsible Advisers.

But he is sure that his Responsible Advisers will feel that he ought not to continue to assume so direct a responsibility in a system of which he does not approve, and that he ought not to sign such passes.

Auckland, May 3, 1864.

G. GREY.

No. 16.

Despatch from the Governor to the Secretary of State, No. 72, dated 7th May, 1864. [Publication declined by His Excellency.]

No. 17.

MEMORANDUM by MINISTERS referring to Despatch No. 72.

Ministers have perused His Excellency's despatch to His Grace the Duke of Newcastle, No. 72, of 7th May, in which His Excellency suggests to His Grace that instructions may be given to him in relation to the disposal of the rebel prisoners taken at Rangiriri, and in other engagements with Her Majesty's troops.

Ministers regret extremely that they had not the opportunity of seeing the despatch referred to before it was transmitted so as to have been able to forward at the same time some observations which they think it proper to make on the subject of responsible government.

The Colony has had conferred upon it, and has accepted, the great boon and the great responsibilities of "Responsible Government," in reference to both the European and native races. If it is understood to be still open to Her Majesty's Government in England, on the suggestion of the Governor, from time to time, to withdraw particular questions from the control of the Responsible Ministry of the Colony, it certainly is not what was understood at the time when the Colony accepted "ministerial responsibility," and Ministers feel bound on behalf of the Colony most respectfully to protest against the practice.

In the particular instance under notice His Excellency has himself attributed the greatest importance to the disposal of the prisoners in its bearing on the prolongation or termination of the rebellion. Ministers are responsible for the suppression of the rebellion; for the whole policy by which it is proposed to suppress it; and, above all, for taking care that it is so suppressed that it may not be renewed at a future period. It is evident that if a particular subject of great importance to those ends is removed from the control of the Responsible Ministry their hands must be weakened, and the responsibility become so divided between them and His Excellency as to render it unintelligible in theory and powerless in action.

That the prisoners were taken by Her Majesty's troops appears to be the ground on which His Excellency suggests an opening for the exceptional treatment in this case. In the opinion of Ministers this makes no difference. It is a well recognised constitutional doctrine that in suppressing rebellion or civil tumult, Her Majesty's troops act only in aid of the civil powers. Whether arrested by military force, by a police constable, or simply surrendering at pleasure, rebels in arms are offenders against the law of the country, liable to be tried and punished by it, and their disposal as fitting a subject for the control of the Responsible Advisers of the Chief Executive Officer as any other which concerns the "peace, order, and good government" of the country.

Ministers respectfully request that His Excellency will forward a copy of this memorandum by the first mail to Her Majesty's Principal Secretary of State for the Colonies.

2nd June, 1864.

FRED. WHITAKER.