

DESPATCHES

FROM THE

GOVERNOR OF NEW ZEALAND

TO THE

RIGHT HONORABLE SECRETARY OF STATE FOR THE COLONIES.

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF HIS
EXCELLENCY.

AUCKLAND:
1864.

DESPATCHES FROM HIS EXCELLENCY SIR GEORGE GREY, K.C.B., TO THE RIGHT HON. THE SECRETARY OF STATE.

No. 1.

MY LORD DUKE,—

Government House, Auckland, 4th January, 1864.

It is with much regret that I report that upon the 21st ultimo most barbarous murders were committed by a native in the Kaipara district to the north of Auckland.

2. On the evening of that day a native, during the absence of Mr. Thompson, attempted by surprise to murder all the females of his family, consisting of a settler and three daughters. He unhappily succeeded in killing the mother and one of the daughters, but the other two girls contrived to escape from him.

3. The murderer was believed to be a native named Ruarangi. There is no doubt, I think, that he is the guilty person. The motives that could have induced him to commit the crime are still unknown.

4. The most active exertions were made by the Government to induce the natives to secure and give up the supposed murderer to the police. From the enclosed papers your Grace will find that they have done so, and that the prisoner has been committed to take his trial for murder.

5. I regard Mr. Fox, the Colonial Secretary and Minister for Native Affairs, as being entitled to very great credit for the energy and activity he displayed in inducing the natives to produce and hand over the supposed murderer to the police.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No 2.

MY LORD DUKE,—

Government House, Auckland, 6th January, 1864.

I have the honor to transmit authenticated copies of the several Acts passed by the General Assembly of New Zealand during its last session, and of Bills which have passed through both Houses, but which I have reserved for the signification of Her Majesty's pleasure, together with explanatory memoranda by my Responsible Advisers on these several enactments.

2. I only think it necessary to trouble your Grace with the following remarks:—Firstly, I beg to recommend that the several bills which I have reserved for the signification of Her Majesty's pleasure may receive the Royal assent.

Secondly, In their remarks upon the "Suppression of Rebellion Act," and the "New Zealand Settlements Act," my Responsible Advisers observe as follows:—

"In former wars in New Zealand the natives have been permitted to leave off fighting when they thought fit, to keep all the plunder they had obtained, and they have not been subjected to any kind of punishment for disturbing the peace of the country, killing Her Majesty's subjects and destroying their property. If native wars are to be prevented in the future, some more effective mode of dealing with those who create them must be adopted. The question then is in what way for the future can the peace of the Colony be best maintained?"

3. I do not think that this passage accurately describes past events. For instance, in the war which arose about the valley of the Hutt, much land was taken from natives which they claimed, although the Commissioner appointed by the Crown had decided against them. Several powerful chiefs were for some time retained in confinement for their conduct on that occasion. The natives engaged in the war were forced to retire beyond the village of Otaki, and other punishments were inflicted on the natives; but, without discussing these particulars, I would deal with the general question.

4. There are two modes of dealing with subjects after a rebellion: to treat them with great generosity, or with severity. I believe the former method will generally be found to be the most successful. When, therefore, former wars terminated, the natives were very generously treated, and no large forfeiture of lands declared. In one way this policy was certainly eminently successful; for in the present war our former enemies, had they joined against us, might have inflicted the most serious injury upon us; whereas they have I believe, to a man, refrained from in any way taking advantage of our present difficulties; and many of them have earnestly expressed their readiness to aid us if we wished them to do so.

5. I do not think the same policy would now succeed to the same extent. The natives have acquired too many arms and too much ammunition. The war has become more a war of races; we have used no native allies in this war; it has lasted longer than any previous war, and more tribes have been drawn into it, and it originated, at least in the estimation of a large number of the natives, in an attempt on our part to establish a new principle in procuring native lands, and in an overlooking of their interests in other respects. Hence a wide-spread distrust and dislike of the Government has sprung up. The early successes of the natives at Taranaki have also emboldened their young men. All these causes make me think that it is necessary now to take lands from the natives who have been in arms, and to locate an European population upon them. But acting upon the principle of the great wisdom of showing a large generosity towards defeated rebel subjects, I would not carry the system too far.

6. I would call your Grace's attention to the remarks of my Responsible Advisers upon the "New Zealand Loan Act," and to their earnest request that the Imperial Guarantee may be given for the

large loan they purpose to raise. I can assure your Grace that I think this is a case in which Great Britain might most advantageously give this Colony the aid for which it thus asks. For I believe the inhabitants of New Zealand have in the present crisis exerted themselves to the utmost to defend themselves, and to save the Imperial Government as much as possible from expense. In this instance, therefore, to aid this Colony to the extent it now asks would I think be at once both just and politic. It is, therefore, a course which I earnestly recommend for your Grace's consideration.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 3.

MY LORD DUKE,—

Government House, Auckland, January 11th, 1864.

I have the honor to enclose a copy of a Memorandum and its enclosures, which I have received from my Responsible Advisers, regarding the influx of criminals from the Australian Colonies into New Zealand.

2. They earnestly request the interference of the Imperial Government with this subject, by obtaining an Act of Parliament either to meet the evil, or empowering the General Assembly of New Zealand to pass an enactment for this purpose; as it appears from the report of the Judges of the Supreme Court in this Colony that without additional powers the General Assembly is not able to legislate effectually on this subject.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 4.

MY LORD DUKE,—

Government House, Auckland, 3rd February, 1864.

I have the honour to enclose for your Grace's information copies of two reports from the Civil Commissioner of the Napier district.

2. The first of these contains a most interesting report of a tea-meeting of natives which recently took place in the Wairoa district, on the East Coast; and the second of the enclosed Reports contains some very valuable information regarding the present state of feeling in the Ngatikahunganui tribe, the whole of which, Major Whitmore believes, it is now quite possible to keep on the best terms with the European race.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 5.

MY LORD DUKE,—

Government House, Auckland, 3rd February, 1864.

I have the honour to enclose for your Grace's information the copy of a Report from the Civil Commissioner of the Bay of Islands District, regarding the state of feeling amongst the natives in that part of this Island, which I regard as being upon the whole satisfactory, although I do not think we are yet quite free from danger in that quarter.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 6.

MY LORD DUKE,—

Government House, Auckland, 5th February, 1864.

I have the honour to enclose, for the purpose of being laid before the Queen, an humble Memorial from Her Majesty's loyal subjects the Citizens of Auckland, humbly praying that Her Majesty will be graciously pleased to interpose Her Royal authority to prevent the removal of the Seat of Government from Auckland. Upon this petition my Responsible Advisers have not given me any advice.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 7.

MY LORD DUKE,—

Government House, Auckland, 12th February, 1864.

I have the honour to enclose for your Grace's information a Return, accompanied by a sketch, showing the total number of adult males inhabiting the shores of the Harbour of Tauranga, and the numbers of those who have joined the Waikato insurgents.

2. This Return will give your Grace a good idea of the manner in which the turbulent spirits amongst the natives inhabiting different districts separate themselves from the quiet portion of the population, and join the insurgents.

3. The total adult male population of Tauranga consists of 542 souls; of these, 260, or about one-half, have joined the enemy. But as the west side of Tauranga Harbour is inhabited by people under the influence of William Thompson, the case of Tauranga, as far as that side of the Harbour is concerned, must be regarded as being exceptional. Its total male population consists of 330 souls; and of these, 230, or about two-thirds, have joined the insurgents; whilst on the east side of the Harbour, which may be regarded as being upon the whole a well-disposed district, the total male population consists of 212 souls, of whom only 30, or about one-seventh part of the male population, have taken up arms against us.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 8.

MY LORD DUKE,—

Government House, Auckland, 12th February, 1864.

I have the honour to transmit for your Grace's information copies of two letters, one from the Bishop of Waiapu, the other from his son the Rev. Leonard Williams, describing the present state of the native population upon the East Coast of this Island.

2. From these letters your Grace will find that there are many satisfactory indications of a good state of feeling existing upon the whole amongst these tribes, although there is much excitement in that part of the country at present. Out of the whole population, it appears probable that only 53 men have joined the enemy, and of these only 43 were armed.

3. The natives have been informed that I will receive the deputation they propose to send here, and which is alluded to in Bishop Williams' letter.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 9.

MY LORD DUKE,—

Government House, Auckland, 15th February, 1864.

I have the honor to enclose, for your Grace's information, a copy of a letter from Mr. Mainwaring, dated the 12th instant. I thought it desirable that a friendly chief of the name of Te Ao-o-te-Bangi, connected with the Waikato tribes, should be allowed to communicate with the enemy, who are now in front of the General's position, with a view of inducing some of his own people to give up their arms, and to return to their allegiance.

2. Your Grace will find that he reports that the Waikato natives evinced a good disposition, but that the other tribes, such as the Ngati-raukawa, who have hitherto suffered little from the war, were overbearing and threatening, stating that they were getting weary of waiting for the General to attack their entrenched positions, and that if he did not shortly do so, they would commit murders.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 10.

MY LORD DUKE,—

Government House, Auckland, 17th February, 1864.

I have the honor to transmit, for your Grace's information, a very interesting account, which has been written by the Chief Wiremu Nero, of his visit to the position of the rebel natives after the occupation of Ngaruawahia by our forces.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 11.

MY LORD DUKE,—

Government House, Auckland, 29th February, 1864.

I have the honor to acknowledge the receipt of your Grace's despatch No. 113, of the 26th of November last, remarking upon the details of a plan for the introduction into the Northern Island of New Zealand of a large body of settlers to whom it is proposed to assign land on a species of military tenure, and upon the confiscation of lands, the property of rebel natives.

2. My Responsible Advisers have requested me to transmit, for your Grace's information, the enclosed copy of a Memorandum which they have drawn up in relation to your despatch, and from which it will be found that they fully recognise the wisdom and propriety of the views expressed by your Grace, and that they pledge themselves to do their utmost to fulfil their duties in the existing difficult state of affairs with prudence and justice.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 12.

MY LORD DUKE,—

Government House, Auckland, 29th February, 1864.

I have the honor to enclose, for your Grace's information, a Return and Memorandum, showing the number and composition of the Colonial Forces at the present date.

2. From these documents your Grace will find that we have—

		Officers and Men.	Horses.
1 Cavalry Regiment, of	...	411	386
3 Infantry Regiments, of	...	3617	

making a total force of 4028 officers and men, all enlisted for three years, and that these regiments, with the militia and volunteers actually under arms, make up a total force of 7806 men now on actual service and doing duty.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 13.

MY LORD DUKE,—

Government House, Auckland, 29th February, 1864.

I have the honor to transmit, for your Grace's information, a report by the Superintendent of the Province of Wellington, showing the present state of the feeling of the native population of that part of the Northern Island of New Zealand, which I feel assured you will peruse with much interest, and that you will regard it as giving upon the whole reason to hope that tranquility may still be preserved in that part of the Colony.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 14.

MY LORD DUKE,—

Government House, Auckland, 8th March, 1864.

I have the honour to enclose a copy of a translation of a letter from William Thompson to some chiefs upon the East Coast of this Island, in which he describes the recent actions with our troops.

2. Your Grace will find that this letter is interesting, as it shows the efforts which are made, by describing imaginary successes, to induce distant tribes to join the rebels, and thus to keep the war alive.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 15.

MY LORD DUKE,—

Government House, Auckland, 8th March, 1864.

I have the honour to enclose, for your Grace's information, a copy of a translation of a letter I received on the 6th instant from the Chief of the Whakatohea tribe, on the East Coast of this Island. This letter is in point of fact a declaration of war against us.

2. It will be seen that the main reason alleged for this hitherto friendly tribe engaging in hostilities against us (if they really persist in doing so) is, that orders have been issued from England that all the natives of New Zealand should be destroyed, whether faithful subjects of the Queen or not. It is by spreading false statements of this kind that the rebels have hitherto succeeded, from time to time, in drawing numbers of distant tribes, not acquainted with the true state of things, into the war.

3. I hope in this instance, if we can convince the Whakatohea tribe of the delusion under which they labour, that they will yet abandon their present intentions, which would certainly prove fatal to their interests.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 16.

MY LORD DUKE,—

Government House, Auckland, 5th April, 1864.

In your Grace's Despatch, No. 12, of the 26th of January, I am directed to state, in reference to certain murders which had been committed by natives of these Islands, to what extent these crimes are referable to the savage lawlessness of individual persons or families,—and how far they represent the feeling in which the natives generally are determined to carry on the war.

2. I referred this Despatch to my Responsible Advisers, and the Colonial Secretary states, in regard to it, that in his opinion the atrocities alluded to are exceptional, but that the exception includes a very considerable portion of the native race, and that, had the rebel forces been allowed to remain unchecked, they would probably have become general.

3. I ought to state that, in my belief, the custom of the Native race, in their savage state, has immemorially been as follows:—If any families were, in their belief, wrongfully deprived of land by others stronger than themselves, whom they could not successfully resist in open war, they sought revenge in sudden murders before they totally abandoned the soil: as much as to say, At least our property shall cost you dear. This custom they have in great part followed to the present day, although the enclosed copy of a paper sent recently to the Government by the Natives in Tauranga will show that a feeling much more in consonance with the teachings of Christianity is now springing up amongst many of the natives.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 17.

MY LORD DUKE,—

Government House, Auckland, 14th March, 1864.

I have much pleasure in transmitting for your Grace's information two reports from Mr. Barstow and Mr. E. M. Williams (both Resident Magistrates in the Northern District of this Colony), showing that the feeling on the part of the Native population in that part of the Island towards their European fellow-subjects, appears to be good, and continually improving.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 18.

MY LORD DUKE,—

Government House, Auckland, 5th April, 1864.

I have the honor to transmit a Petition which has been addressed to Her Majesty by the Provincial Council of Southland, praying the Queen to withhold her assent from the "Southland Waste Lands Act, 1863," which Act was reserved for the signification of Her Majesty's pleasure thereon.

2. The "Southland Waste Lands Act" was transmitted to your Grace in my Despatch, No. 10, of the 6th January, 1864, and was accompanied by a Report from the Attorney-General.

3. I now enclose the copy of a Memorandum from my Responsible Advisers upon the Petition transmitted in this Despatch. Your Grace will observe that in that Memorandum they state that they cannot advise me to request you to recommend Her Majesty not to assent to the "Southland Waste Lands Act."

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 19.

MY LORD DUKE,—

Government House, Auckland, 25th April, 1864.

I have the honor to enclose for your Grace's information the copy of a private Letter addressed by the Bishop of Waiapu to the Colonial Government, in which the Bishop states unreservedly his view of the necessity of punishing the Natives, who have joined in the rebellion in this country, by the confiscation of their lands, stating, at the same time, the reasons which have led him to form this conclusion.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 20.

MY LORD DUKE,—

Government House, Auckland, 7th May, 1864.

I have the honor to enclose for your Grace's information the copy of a Proclamation addressed to the Chiefs and Tribes of Waikato, who have been fighting against the Queen's Troops, and which was, by an additional clause, made applicable to all the Tribes in New Zealand.

2. Your Grace will see from the enclosed copy of a correspondence with my Advisers, that they advised me to sign this Proclamation, and that certain alterations were made in it to meet my views. The interlineations in red ink shew the alterations alluded to by the Colonial Ministry, as having been introduced into the Proclamation. These alterations were obviously necessary; for had it been issued in its original form, it was capable of being read in a sense which might have alarmed the native population generally.

3. I thought it my duty to sign the enclosed Proclamation, because I thought it essentially necessary to let the natives know some terms upon which they might return to their allegiance; and in the terms which it offered to them, it was a favourable modification of those held out to them in a previous Government notice.

4. But from the enclosed copy of the correspondence with my Responsible Advisers, your Grace will find that I should prefer a different course being pursued; and perhaps some change may yet be made in their plans, as they have now stated their intention of withholding the Proclamation for the present.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 21.

MY LORD DUKE,—

Government House, Auckland, 7th May, 1864.

I have the honor to transmit for your Grace's information copies of the letters, noted in the margin, from which your Grace will find that near Maketu, upon the 28th of April, the rebel natives sustained a severe defeat from the natives of a friendly tribe named the Arawa. The rebels left 53 of their dead upon the field. The Arawa tribe only lost 1 killed and 7 wounded.

2. Maketu is only about 17 miles distant from Tauranga, where we sustained so heavy a loss upon the subsequent day, the 29th of April.

3. I regret to state that I gather from the enclosed letters from the Civil Commissioner of Tauranga, that there seems but little apparent probability of the natives in that neighbourhood submitting to our authority for some time to come.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 22.

MY LORD DUKE,—

Government House, Auckland, 7th May, 1864.

I have the honor to enclose for your Grace's information, copies of letters, noted in the margin, from which your Grace will find that a very unsatisfactory state of things still prevails in several of the districts in this island, which are occupied by Europeans.

2. From the first of these letters you will find that the Resident Magistrate in Wairarapa reports that, it being intended to arrest a native in that district, in compliance with the directions of the Government, the natives who recognise the Maori King at once threatened resistance.

3. From the letters from the Resident Magistrate at Manawatu, your Grace will find that our authority has in that district been openly set at defiance. That in the case of the murder of an European, some of the natives have refused to allow a native lad, who is an important witness, to attend to give evidence in our Courts, and clothing him in the uniform of a soldier of the Maori King, have threatened to shoot or kill any one, European or native, who attempts to compel the attendance of the lad as a witness, because the only authority they recognise is that of the native King.

4. The last enclosure, a letter from Mr. Parris, will shew your Grace that the recent reverse of the rebels at Taranaki has as yet in no degree humbled them.

5. I would request your Grace's attention to a report made by the Superintendent of the Province of Wellington on the letter from the Resident Magistrate of Manawatu, of the 12th of April, promising that I had not previously known the nature of the language the Government had used to the natives in that district. He states:—

“What the natives of this Province who have taken part in hostilities at Taranaki and Waikato say is this: ‘What have you Pakehas been telling us ever since war broke out at Waitara? There must be no fighting here—we must keep peace in this Province! If any one is anxious to fight, let them go to Taranaki or Waikato. We have done what you told us. There has been no fighting here, we have done our best to preserve the peace, but some of us who have determined to fight have been at Taranaki and Waikato. Is it right then that as soon as we return we should be arrested and thrown into prison, our guns taken from us, and our lands confiscated? Why did you Pakehas tell us

if we wanted to fight to go to Taranaki and Waikato?' I confess that, knowing that such was the language held to the natives in this Province, it is not easy to answer their queries."

6. I will, in another despatch, address your Grace in relation to the line of policy the Government are in this instance pursuing, when I have received the explanations of my Responsible Advisers.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 23.

MY LORD DUKE,—

Government House, Auckland, 26th May, 1864.

I have the honor to transmit, for your Grace's information, copies of two letters from Whanganui, the first containing a description of the origin and opinions of a body of fanatics which has recently arisen amongst the natives in that part of New Zealand, the other containing a copy of the depositions of Mr. Booth, relative to the escape of himself and his family from a body of these misguided men. It seems highly improbable that so strange and foolish a delusion will spread to any extent in this country.

Yours, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 24.

MY LORD DUKE,—

Government House, Auckland, 28th May, 1864.

I have the honor to transmit, for your Grace's information, the copy of a very interesting letter from Mr. Buller, the Resident Magistrate of the Manawatu district.

2. Your Grace will be glad to find that the state of Mr. Buller's district is rapidly improving. He gives it as his opinion that if the system of allowing the natives some share in the administration of local affairs in their own district, which was introduced into the country in 1861, had been brought into operation at an earlier date, it would probably have arrested the rebellion which now unhappily exists here.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 25.

MY LORD DUKE,—

Government House, Auckland, 30th May, 1864.

Adverting to my Despatch, No. 80, of the 26th instant, in which I reported the rise of a fanatical sect of natives in the neighbourhood of the Settlement of Whanganui, who seemed bent on attempting the expulsion of the Europeans from that part of this Island, I have now the honor to enclose for your Grace's information copies of the letters of Messrs. Logan and White, from which you will learn that a body of these deluded people attempted to descend the Whanganui River, with a view of attacking the town, but that they were opposed by a party of friendly natives, and that an action ensued, in which the body of fanatics was nearly entirely destroyed—their high priest being killed amongst the others.

2. In the affair with Captain Shortt's party at New Plymouth, a number of these fanatics, including one of their prophets, were also killed, so that I suppose that this sect, which rose so suddenly, and the members of which appear to have been rendered almost insane under the delusion which possessed them, is now nearly extinct.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 26.

MY LORD DUKE,—

Government House, Auckland, 6th June, 1864.

I have the honor to transmit, for your Grace's information, a copy of a letter which the Bishop of Waiapu has addressed to the Colonial Secretary, and which my Responsible Advisers have forwarded to me.

2. In this letter the Bishop of Waiapu gives his reasons for believing that the war against Waikato was necessary, and could not have been avoided.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 27.

MY LORD DUKE,—

Government House, Auckland, 8th June, 1864.

I have the honor to transmit for your Grace's information a printed copy, in the native language, of a notice issued to the natives by the New Zealand Government on the 2nd of February last, which makes known the course they propose to pursue towards the natives who have been implicated in the existing Rebellion, and in the King movement. This paper is signed by Mr. Fox, the Colonial Secretary and Native Minister. I also enclose a translation of this paper, made in the Native Office.

2. Your Grace will find that it contains this paragraph to the natives who may come in and avail themselves of the terms of this Proclamation :—

"This, however, is to be remembered: the disposal of their lands is with the Governor."

3. I enclose also for your Grace's information the copy of a letter from Mr. Buller, the Resident Magistrate at Manawatu, dated the 9th of May, to shew the manner in which this paragraph is interpreted by some of the Government officers to the natives. Mr. Buller says he spoke thus to the natives who had been in rebellion :—

"But, listen; it is in your power now to stay my hand, and make it powerless against you (quotes from the circular). You see from this that if you give up your guns, and make a declaration of future loyalty to the Queen, your person is safe. I cannot then put you in gaol, although the confiscation of your land is left open for the Governor to decide."

4. On speaking upon this point to my Responsible Advisers, I understood that, in their opinion, they had, under the system of Responsible Government, a right to make use of the Governor's name personally in the manner done in the enclosed Proclamation, and then to require him to take and act on their advice, on the very point which they seemed by a public Proclamation to have left to his discretion.

5. I, therefore, on the 5th of May, wrote (see enclosure) to my Responsible Advisers, asking them to explain the power the Governor was actually to have in accordance with the terms of their notice over the disposal of the lands of the natives who might come in under it.

6. From their reply, your Grace will see that they intend that the Governor should do, with reference to the disposal of those lands, that which his Responsible Advisers may advise him to do, and that he must act on the advice which they may, in each instance, tender to him.

7. I do not think that the natives will understand the notice in the same sense as my Responsible Advisers do; and I think that those natives who have come in under the terms of the notice, are entitled to have it interpreted according to its real meaning, whatever that may be.

8. I read the notice as giving a much larger discretion to the Governor than my Responsible Advisers wish to do. The Ministers here may change every few months, with varying views of policy, on the subject of Native Lands. The Governor is a permanent Officer, and could, in a question of this sort, be aided by an Officer specially appointed for the purpose, and not expected to carry out the peculiar views of the Ministry of the hour. In dealing with so permanent and valuable a property as land, I think that one fixed and uniform system should be pursued.

9. I believe that if an opinion is pronounced by an impartial authority in England, as to the real meaning of the notice issued by the Ministers, public opinion in this country would go with such a decision, and that I shall have little difficulty in acting on it.

I have, &c.,

His Grace the Duke of Newcastle, K.G., &c., &c., &c.

G. GREY.

No. 28.

SIR,—

Government House, Auckland, 9th June, 1864.

I have the honor to transmit for your information the copy of a letter from Mr. Smith, the Civil Commissioner of Tauranga, containing some interesting information regarding the state of feeling amongst the Arawa Tribe. This letter was not sent to me until after the English Mail was despatched yesterday.

2. In compliance with the wish of my Responsible Advisers, I have sent to the Chiefs of the Arawa Tribe to say that I will receive them at Auckland.

3. At the same time information was sent from Tauranga, that the rebel natives at that place have declared their readiness to push on the war with the Europeans, asking whether it is our wish that they should act on the offensive or defensive, as they are ready to assume either attitude. By some persons this is regarded as only a boastful threat; others think that they will renew hostilities at that place, if they see a fair chance of doing so, with some prospect of success. From Mr. Smith's letter, herewith enclosed, I feel satisfied that the friendly natives believe the renewal of hostilities at Tauranga to be a probable event.

I have, &c.,

The Right Honorable Edward Cardwell, &c., &c., &c.

G. GREY.

No. 29.

MY LORD DUKE,—

Government House, Auckland, 6th June, 1864.

Upon the 7th ultimo I wrote to your Grace (Despatch No. 72) in relation to the prisoners of war taken by Her Majesty's Forces, and in my Despatch introduced this paragraph:—

"If your Grace deems it necessary, after a consideration of the case, to address any instructions regarding the mode in which it is proposed to dispose of these prisoners who were taken by Her Majesty's Forces, I have the honour to request that I may receive your commands on the subject."

2. My Responsible Advisers, in a memorandum a copy of which is enclosed, object to my having used this language, and state, in fact, that the question of the treatment of prisoners of war taken by British Forces in this Colony is beyond the control of the British Government, being a subject under the control of the Responsible Advisers of the Chief Executive Officer of the Colony.

3. It will be for your Grace to issue to me such commands as you think fitting upon this subject. But I think that, in justice to myself, this should be explicit, so that I may not hereafter be accused of improperly treating prisoners of war captured by British Forces, but that it may be clearly seen that the matter is one which is beyond my control, if that is the position in which it is to be placed.

4. That the Governor's position in relation to this subject is one of difficulty, these facts will show:—

On the 7th May, in the Despatch to which my Responsible Advisers object, I enclosed to your Grace my correspondence with them regarding these native prisoners. Amongst the papers was a memorandum from the Colonial Secretary, which they requested me to transmit to you, answering the objections I made to the treatment of the prisoners, and stating, amongst other things—

"The whole of the prisoners have improved very greatly in health and general condition—so much so that those who saw them at the time of their capture now scarcely recognise them."

"Little or no depression of spirit has existed among the prisoners, which has no doubt very greatly contributed to the health of the ship."

"The Colonial Secretary begs to express his conviction, that, under all the circumstances, no establishment of a similar nature in Her Majesty's Dominions is better managed, nor could bear a closer inspection, than the prison-ship 'Marion.'"

5. I thought it my duty to write, requesting, on account of the great responsibility which must rest upon me in the eyes of the world, that a Medical Board, composed of naval and military surgeons, might be appointed, to inquire into the state of the hulk and prisoners, and to report whether they could be with safety retained on board the same hulk during the winter.

6. My Responsible Advisers, on the 9th of May, objected to the composition of the Medical Board I proposed, but agreed that a Board should be appointed; adding, "They will be prepared shortly to submit the names of some gentlemen for the purpose."

7. I was surprised that I heard nothing further from them on the subject, and on the 22nd of May the Colonial Secretary left this place for Whanganui, without anything further being said on the subject to me.

8. On the 27th of May, the principal military Medical Officer in New Zealand, and the Sanitary Officer for Her Majesty's troops for New Zealand, called on me separately, and told me, in substance, that, after an inquest on the body of a native prisoner who had died, they had together visited the hulk on board which the prisoners of war were confined; that it was a most unfitting prison for them, and that some of them were there contracting the seeds of disease, which, if they did not die in confinement, must shorten their lives when released.

9. I immediately wrote to Ministers, calling their attention to the fact that I had heard nothing further from them in relation to the native prisoners and the promised Medical Commission since their memorandum of the 9th of May, and telling them the unfavourable reports that I had heard, and begging them to take immediate action in the matter.

10. They replied on the 30th May, stating that the delay in answering me had unfortunately arisen in consequence of the sudden departure of the Colonial Secretary for Whanganui, but that they were glad to be able to state, when it became evident that the prisoners would in all probability have to be detained in safe custody during the winter, Ministers gave careful consideration to the question of the fitness of the hulk for the accommodation of so many; and it appeared to them that, having regard to their health and comfort, some change would be necessary. Ministers therefore immediately rented a house and a peninsula of 40 acres of land on the North Shore; the house was made an hospital for the sick, and the land used as a place of recreation for them all.

11. Whilst, at the request of my Responsible Advisers, I was this day writing this Despatch to your Grace, I thought it would be desirable to ascertain the precise date when a commencement was made in carrying out this amelioration of the condition of the native prisoners on board the hulk. I therefore asked to be allowed to see any papers connected with the subject of the lease which had been taken of the house on the North Shore.

12. The papers, copies of which are enclosed, were then forwarded to me, from which I now learn, for the first time, that on the 13th of May the Medical Officer in charge of the prisoners wrote to the Native Minister, reporting that five prisoners were suffering from gunshot wounds (four of whom were unable to walk), and as confinement in these cases generally tends to deteriorate the system and retard recovery, he begged strongly to urge the necessity of their being brought on shore, and his being allowed to treat them there.

13. On the same day he reported that the prisoners were suffering from pains resulting from their having to sleep on hard wooden boards, and begging to be allowed to obtain straw mattresses for them.

14. On the 14th May the Medical Officer in charge reported that seven of the prisoners, including Teoriori, had considerably suffered since their confinement on board, inasmuch as they at the present time seemed depressed in spirits, emaciated in frame, and inclined to yield to the least predisposing cause of disease. He therefore suggested that they ought AT ONCE to be removed on shore, where, with the facilities of exercise and other remedial measures, they would be allowed a fair chance of renovating their shattered constitutions.

15. I beg your Grace will understand, that I have earnestly, for a long time, and in the gentlest manner, pressed the subject of these prisoners on the consideration of my Responsible Advisers. I stated to them, on the 29th of April last, what were my feelings on the subject in these words:—

"With all deference to the opinions of his Advisers, he thinks a very serious responsibility for such things rests upon him. He has done his utmost at all times to promote the views of his Advisers, and he only wished to show that, on a point where he felt so strongly, a responsibility really rested on him which gave him a strong claim on their consideration, which he hopes they will yet recognise."

I have, &c.,

G. GREY.

P.S.—My Responsible Advisers having stated that they would not be prepared to make remarks on this Despatch—which they should wish to do—until the mail which leaves on the 8th July, it has been detained until this date to meet their views.

July 7th, 1864.

G. GREY.

No. 30.

SIR,—

Government House, Auckland, 9th June, 1864.

After the English Mail had been despatched yesterday, a letter was received from Mr Mainwaring, who is Resident Magistrate on the River Waipa, stating that various circumstances which had recently transpired made it every day more obvious to him that the natives were determined to bring the apparent lull which had taken place in the war to an end, and that they will obstinately refuse any overtures of peace or mediation, whether emanating from their fellow-countrymen or from the Government.

I have, &c.,

The Right Hon. Edward Cardwell, &c., &c., &c.

G. GREY.

No. 31.

SIR,—

Government House, Auckland, 7th July, 1864.

I have the honor to transmit the copy of a letter which has been forwarded to me by Mr.

George Graham, a Member of the House of Representatives, commenting upon statements made in a memorandum by the Colonial Secretary, which I transmitted in my despatch No. 67, of the 5th of May last.

2. From the enclosed copy of a Memorandum by my Responsible Advisers, it appears that they do not think it necessary to make any remarks upon Mr. Graham's letter.

I have, &c.,

The Right Hon. Edward Cardwell, &c., &c., &c.

G. GREY.

No. 32.

SIR,—

Government House, Auckland, 23rd July, 1864.

In reply to your circular despatches, of the 29th of February and the 21st of March last, I have the honor to state that the Government of New Zealand concurs with the Board of Trade in thinking that great advantage would arise from the occasional inspection of lighthouses in this Colony in the manner proposed by the Board, and that it will co-operate with the Board of Trade in carrying out this system of inspection.

2. I have also the honor to request that the Board of Trade will be good enough to furnish 25 copies of the "Heads of Enquiry," for the use of this Colony.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 33.

SIR,—

Government House, Auckland, 23rd July, 1864.

In reply to your Circular Despatch of the 20th of March last, relative to the amount payable by the Colony of New Zealand on account of the Mail Packet Service, I have the honor to state that my Responsible Advisers inform me that Mr. R. Wood was authorised to settle all accounts with the Imperial Government, up to the 31st of December, 1863, and the Government of New Zealand hope that this will have been done prior to the receipt of this Despatch; and that the contribution towards the Suez Mail Subsidy for the half-year ending 30th June, 1864, shall be remitted by the August Mail, unless this Government, in the meantime, hear that Mr. Wood (as is possible) may have paid it in London.

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 34.

SIR,—

Government House, Auckland, 23rd July, 1864.

My Responsible Advisers have requested me to transmit, for your information, two Memoranda from the Colonial Secretary of this Colony, enclosing notes of his visit to Whanganui, and to the South coast of this Island; and also a Memorandum by Dr. Featherston, containing a very interesting account of his recent visit up the Whanganui River.

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 35.

SIR,—

Government House, Auckland, 29th July, 1864.

I have the honor to transmit for your information copies of two letters from Mr. Buller, Resident Magistrate of the Manawatu District, dated the 12th and 13th instants, from which you will find that the natives in the Manawatu District continue rapidly to return to their allegiance to Her Majesty. Amongst others who have done this is a Chief named Ahitara, who, the Colonial Secretary reports to have been, one of the most active and persevering emissaries of the party of the Native King. There can be no doubt that the facts detailed in Mr. Buller's letter, taken in connection with the events transpiring in this part of the Island, greatly increase the prospect of peace and tranquility being shortly re-established in this country.

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 36.

SIR,—

Government House, Auckland, 3rd August, 1864.

I have the honor to transmit a Memorandum which I have received from my Responsible Advisers, in relation to my Despatch marked "separate," of the 8th of June last.

2. I see no occasion to add anything to what I have already said upon the subject raised in my Despatch, but my Responsible Advisers seem to have left untouched this question:—Should they, so long as Great Britain maintains so large a force here, and incurs so great an expense upon account of this Country, issue to the Native Race such documents as that of the 2nd of February, which I transmitted to you, without previously obtaining the assent of the Governor to their doing so?

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 37.

SIR,—

Tauranga, August 6th, 1864.

I have the honor to report for your information that I arrived here on the 4th instant, accompanied by Sir D. Cameron and two of my Responsible Advisers.

2. A meeting was held yesterday, attended by all the Natives in this District who have been in arms against us, with the exception of 35; and by all the friendly natives.

3. As I have already reported, the hostile natives had, at a previous meeting, given up all their arms to Colonel Greer, 68th Light Infantry.

4. On this occasion they made a public and absolute submission to the Queen's authority, unreservedly relinquishing the whole of their lands as forfeited.

5. I enclose for your information notes of what passed at this meeting, from which you will find that this absolute submission on their part was accepted, and that I promised them that in as far as circumstances would admit of, they should be generously treated; that they should for the future be cared for, in all respects, as other subjects of the Queen's are, and that the prisoners of war of their Tribe should be released; they undertaking to be responsible for their future good conduct.

6. I beg to state that up to the date of the present war, the Tauranga tribes have conducted themselves well, no single instance having, I believe, occurred of an European, whether a resident here or a stranger, having been robbed, injured, or in any way ill-treated by them; and since they have been drawn into the present war by the Waikato Tribes, they have conducted the war in the most open and honorable manner, neither robbing nor murdering, and always respecting our wounded, several of whom, both officers and men, on one occasion fell into their hands.

7. Another meeting is to be held almost immediately, and I hope to be able to tell you, in a postscript to this Despatch, that a satisfactory arrangement has been come to regarding the lands of this tribe.

8. I entertain strong hopes that other tribes who have been in arms, will, upon seeing the manner in which the Tauranga Tribes have been dealt with, follow their example, and make an absolute submission to the Government.

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

P.S.—I have now the honor to enclose a copy of the terms which I gave to the Tauranga natives—Sir D. Cameron, who gave me the most valuable assistance on this occasion, and my Responsible Advisers, who also aided me in the most cordial manner—fully concurring in them. The natives expressed their gratitude very warmly for the manner in which they were treated.

As a vessel has to be despatched immediately to Auckland, to save the mail, I have not time to write at greater length by this opportunity.

G. GREY.

No. 38.

SIR,—

Government House, Auckland, 20th August, 1864.

In reply to your despatch No. 38, of the 24th of March, 1864, enclosing copy of a correspondence with the War Department respecting an application which was addressed to that Office on behalf of the child of a soldier who was killed in an attack of the natives in this country in June, 1860, I have the honor to enclose, for your information a copy of a memorandum by my Responsible Advisers covering a draft on the Bank of New Zealand in London for the sum of £10, which they wish presented to the orphan child of the deceased soldier.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 39.

SIR,—

Government House, Auckland, 29th August, 1864.

My Responsible Advisers have requested me in a memorandum, a copy of which is enclosed, to forward to you copies of a correspondence between the Colonial Secretary and the Bishop of Waiapu, relative to the question of the confiscation of lands belonging to natives. They stated that it was because they considered His Lordship's opinion as entitled to so much weight that they wished this correspondence to go on for your information.

2. As I feared that you might gather from the correspondence that the Bishop of Waiapu advocated some views that I do not think he would approve, I stated to my Responsible Advisers on the 29th of July that in the correspondence they were transmitting to you they alleged that they believed that there was very little difference between their opinion on the subject of confiscation and the opinion of the Bishop of Waiapu, and that it would be a satisfaction to me if Ministers would inform the Bishop of the nature and extent of the confiscation of native lands which they had advised me to carry out, in order that His Lordship, who was then in Auckland, might state whether in expressing the opinion he had done, he intended to advocate a confiscation of the nature and extent contemplated by Ministers.

3. My Responsible Advisers taking no notice of my request in this respect, I wrote to them on the 25th of August, begging that a reply might be given to my request of the 29th of July.

4. They answered me on the 26th of August by declining to comply with my request, for the reasons stated in the Memorandum, a copy of which is enclosed.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 40.

SIR,—

Government House, Auckland, 30th August, 1864.

My Responsible Advisers have requested me to transmit for your information the enclosed copy of a memorandum which they have drawn up in reply to your despatch No. 64, of the 26th of May, 1864.

2. I think the heat of controversy has in the enclosed memorandum led to some errors of judg-

ment, and to the too rapid drawing of conclusions. For example: the natives in a letter, an extract from which is enclosed, say:—"The war songs alone were Herewini's."

3. From this the following conclusion is drawn:—"The song in enigmatic language which conveyed the orders to commit the massacre of Oakura, and which became the tocsin of the rebellion, was composed by a Middle Waikato man, Herewini, who lived near Kohekohe, and afterwards was killed at the capture of Rangiriri."

4. In the year 1850, I printed this song in a collection of ancient New Zealand songs which I had made. The natives merely meant that Herewini had repeated the song to excite others to deeds of violence.

5. I trust that Mr. Gorst may have some opportunity given to him of replying to the serious accusations made against him. What I have known of him makes me think him incapable of part of the conduct attributed to him.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 41.

SIR,—

Government House, Auckland, 30th August, 1864.

I have the honor to transmit, for your information, the copy of a very interesting report, which has just been received from Mr. Mackay, the Civil Commissioner of the Thames district, from which you will be glad to learn that he believes that the natives of that district do not intend to be otherwise than friendly to the Government, unless some operations take place in the neighbourhood of Matamata or Peria; in which case if the hostile tribes are driven down into their country, he thinks that they would assist them, and retreat to the wooded spurs of the Aroha range, a position which, in Mr. Mackay's opinion, from its inaccessible and rugged nature, they could occupy and maintain with a very small force against highly superior numbers.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 42.

SIR,—

Government House, Auckland, 30th August, 1864.

In your despatch No. 64, of the 26th May, 1864, you transmitted to me the copy of a paper which had been drawn up by Mr. J. E. Gorst, entitled "Observations on the Native Inhabitants of Rangiaohia and Kihikihi," which contains the following passage:—"The message sent down to Taranaki to instigate an attack on the troops, which occasioned the murder of Lieutenant Tragett and his men, was the act of Rewi alone; the Waikatos had no share in it."

2. I am very anxious that correct knowledge should exist regarding events now passing in New Zealand. I beg, therefore, to state that I believe that Mr. Gorst is incorrect in the statement I have above quoted. I believe the message alluded to as having been sent down to Taranaki, was sent in the name of three persons, one of whom was Herewini, a Lower Waikato man, who on this occasion acted as the representative of a number of Waikato chiefs. He lived generally nearly opposite to Rangiriri. Immediately the message was sent, the construction of the works at Rangiriri was commenced. These works caused us afterwards so large a loss of life.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 43.

SIR,—

Government House, Auckland, 3rd September, 1864.

Adverting to my Despatch, No. 71, of the 7th of May last, in which I transmitted copies of Memoranda which had passed between myself and my Responsible Advisers, in reference to the confiscation of Native lands, I have now the honor to enclose for your information the copies, noted in the margin, of a further correspondence in relation to the same subject; as also the copy of a Map, shewing the district of country which they wished to be embraced in an Order in Council, which would bring it within the operation of the New Zealand Settlements Act, and enable the Government to confiscate the landed property of all persons who had been directly or remotely connected with the present disturbances, as specified in that Act.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 44.

SIR,—

Government House, Auckland, 7th September, 1864.

I have the honor to transmit for your information the copy of a letter from Mr. Reader Wood to my Responsible Advisers, which they have transmitted to me, in which he informs them that at an interview upon the 9th June, you had informed him in reference to the "New Zealand Settlements Act" as follows:—

"Two years are given, during which time the Crown has the power of disallowing any Act passed by the New Zealand Legislature: if within that time I find that the Parliament will agree to carry out the Act in the manner I have suggested, and to limit its operation to a definite period, the power of disallowance will not be exercised; but if not, it will."

2. As no difficulty exists in the way of carrying out these views, I shall continue to act upon them, until your further instructions reach me.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 45.

SIR,—

Government House, Auckland, 11th September, 1864.

I have the honor to transmit for your information the copy of a report by Mr. Mackay, the Civil Commissioner of the Waihou district, dated 10th September, 1864.

2. Mr. Mackay has just returned from travelling through his district, and amongst other important particulars reports as follows:—

I. "The impression left on my mind by the whole proceedings is, that the Natives are inclined to make peace, and that whatever influence Tamehana Tarapipi may or may not possess over the Waikato tribes, with him rests the question about the Natives of the Upper Thames. The Natives on the immediate shores of the Hauraki Gulf are quiet and contented, as far as I can learn, and I have been unable to discover that any of those residing in that district, who surrendered their arms in March and April last, have again joined the rebels.

II. "It is highly probable that if I had received instructions to enter into preliminary negotiations with William Thompson, my mission would have been very successful. I, however, felt diffident at entering on so momentous a question without special authority, and therefore confined myself strictly to such a line of policy as would leave the Government unfettered as to any after proceedings which might be deemed necessary. It is apparent that Thompson is not disinclined to come to terms.

III. "I would not certainly recommend that any military operations should take place in the Thames district if it can possibly be avoided. Any such movement would immediately raise up the whole of the people there, as they would look at it as a war for the possession of their land.

IV. "I would most respectfully beg to recommend that as Wiremu Tamehana has expressed a willingness to visit his people with the intention of ascertaining their feelings relative to the war, that he should be distinctly told the terms on which the Government are willing to make peace, and that a reasonable time (perhaps a month) should be allowed him for the consideration of the proposals. The Natives look on the present cessation of hostilities as a sort of peace, and any sudden renewal of the war on our part, without some preliminary notice, would be looked on as an act of treachery, and would do an incalculable amount of mischief among the friendly tribes. The tenor of the Native speeches at all the meetings I have lately attended is to that effect, and it has been frequently stated that 'it is for the Pakeha to begin again.'

V. "With reference to the confiscation of land at Waikato, an objection is raised to the Government taking possession of the Eastern bank of the Waikato above Ngaruawahia. The general opinion is that the land is only confiscated where the troops actually occupy it. Any occupation whatsoever is looked upon as a thorough confiscation, and the Governor is considered very foolish to pay Wiremu Nero for land which has been taken by force of arms. I explained that the Governor paid loyal natives because at the commencement of the war he said 'he would protect all loyal Natives in possession of their lands and property.'

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 46.

SIR,—

Government House, Auckland, 30th September, 1864.

I have the honor to transmit for your information, the copy of a letter I have received from the Senior Naval Officer on this station, covering a report made by Mr. Bishop, Chief Engineer of H.M.S. "Miranda," of the measurements of the deck of the "Marion" Hulk, on board which the native prisoners were confined.

2. From these measurements it appears that, for the first nine weeks of their confinement, when the main-deck alone was allotted to them, the surface-space allowed for each of the 182 prisoners then confined there, was only a little more than three feet by three feet per man, and the cubic space was less than 48 feet per man, including the hospital for the sick; during this time the ship was used as a coal-hulk.

3. For the remaining portion of the time they were imprisoned on board the hulk—being about five months—the cubic space allowed for each prisoner was somewhere about 99 cubic feet per man.

4. For the nature of the ventilation and light provided for this limited space, I beg to refer you to Dr. Mackinnon's report of the 4th of June last, enclosed in my Despatch, No. 131, of the 7th instant.

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 47.

SIR,—

Government House, Auckland, 7th October, 1864.

I have the honor to report, for your information, that upon the 6th ultimo, I transmitted to my Responsible Advisers a Draft of a Proclamation, drawn in compliance with the instructions conveyed to me in your Despatch of the 26th of April last, offering a pardon to those persons implicated in the rebellion, who might come in on or before the 22nd day of October, 1864, take the oath of allegiance, and make the cession of such territory as might in each instance be fixed by the Governor and Lieutenant-General. My object was to afford to the natives an opportunity of coming in and making their submission, before further operations were actively carried on. This Proclamation was to be accompanied by a notice, that no person would hereafter be permitted to carry or possess arms within the lines now occupied by the troops, unless licensed to do so.

2. My Responsible Advisers objected to this Proclamation, unless I gave them an assurance with reference to the extent of the cessions of territory that would be taken, of so vague a nature, that I could not venture to comply with their wishes. They also wished to fetter me by other conditions, in which I thought I ought not to acquiesce.

3. The correspondence continued between us without any satisfactory conclusion being arrived

at regarding the question at issue, until the 14th of September, when the native prisoners, having • quitted the Island of Kawau, and taken up a position on the mainland, a new complication arose.

4. I still thought it my duty, however, to adhere to my determination of issuing the Proclamation, so soon as a fitting state of things might exist for my doing so.

5. I therefore wrote on the 14th September to my Responsible Advisers, informing them if they still refused to acquiesce in the issue of the Proclamation, I ought to let them know that, sorry as I was to differ in opinion with them, I intended to adhere to my intention of publishing it, and I begged to be informed what course they intended to pursue; that I trusted that they would, as soon as they conveniently could, answer my question, in order that I might have the means of determining what line of conduct I ought to adopt.

6. My Responsible Advisers did not give any immediate reply, and on the 20th the English Mail arrived, and the news was received that the Hon. Mr. Wood had failed to negotiate the New Zealand Loan in England, and it was evident that serious financial difficulties were impending over the Colony.

7. On the 22nd of September, Ministers answered my Memorandum of the 14th of September, informing me that they were anxious, as far as lay in their power, to remove all difficulty out of my way, and that if, therefore, I adhered to my intention of issuing the objectionable Proclamation, they begged most respectfully to state that they wished to be relieved, before that was done, of the offices they held as my Responsible Advisers.

8. A very grave question then presented itself for my consideration, which was, whether I had any chance, in the financial state of the Colony, of forming rapidly a new Ministry—a task always most difficult in New Zealand—or whether it was my duty at once to call the General Assembly together.

9. I found it impossible to decide this question, unless I was furnished with a statement of the real financial condition of the Colony, with which I endeavoured to acquaint myself.

10. Whilst still undecided what course to adopt, the Hon. Mr. Wood called upon me on the 28th ultimo, and, in conversation, stated that “Ministers could not be accused of prolonging the war, and closing the avenues to peace.” I replied that I considered, in standing in the way of my issuing the Proclamation I wished to do, they were, in my opinion, doing that which produced those effects. Mr. Wood, having informed his colleagues that such was my opinion, my Responsible Advisers wrote to me on the 30th September, placing in my hands their resignations of their offices in the Government of New Zealand.

11. Up to the present time, I have not received all the information regarding the present financial condition of the Colony, as would enable me to decide upon the course I ought to adopt; and I fear that the difficulties in the way of my forming a Ministry will be considerably increased, from Ministers having advised me, as you will see from the enclosures to this Despatch, that they do not think, in the present state of things, I ought to supply information as to the financial condition of the Colony, to any person who may profess a willingness to accept office, as they foresee probable evil consequences as to the result of such a communication to persons not under responsibility. They also advised me on the fifth instant that, had they remained in office, it was their intention to advise the reduction of all war expenditure, except so much as was actually indispensable.

12. I am afraid that I should get no one to agree to accept office, who was not first made fully acquainted with the financial difficulties he would have to meet, and as no returns of Revenue and Expenditure have recently been published, except from the Returns and Statements I have now collected, there is no means of acquiring such information.

I have, &c.,

The Right Honorable Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 48.

SIR,—

Government House, Auckland, 8th October, 1864.

From my correspondence with my Responsible Advisers regarding the resignation of their offices, transmitted in my Despatch, No. 143, of the 7th instant, you will find that, before they would assent to my issuing the Proclamation I wished to put forth, offering to receive the submission of such tribes who had been engaged in the rebellion as would take the Oath of Allegiance, and make the cession of such territory as might be fixed by the Lieutenant-General and myself, which we would only have done in each case after hearing and considering the opinion of Ministers, they required me to give a vague assurance that the cession taken should be to the extent required for the purposes of settlement, and of defraying part of the expenses of the war. I could not give the assurance asked for in the vague terms in which it was put to me.

2. I thought it, however, desirable to ascertain, if their wishes could be met, what was the quantity of land they required to be taken, and in what localities, and therefore, in the correspondence now enclosed, tried to obtain information upon these points, for I had never obtained a statement on this subject which I regarded as of a sufficiently definite character.

3. In their memorandum of the 3rd instant, I for the first time received a statement of the quantities of land to be taken, in cession or otherwise, which they would now deem sufficient—namely, 1,600,000 acres; although it appears that this quantity falls very far short of what was proposed by the General Assembly, and that they only made this modification for the purpose of avoiding any imputation even of prolonging the war for the acquisition of territory. Out of this quantity they required 600,000 acres to be taken at Taranaki or Whanganui—that is, more than 900 square miles. As I thought that hardly 100 miles length of territory between those places still remained in the hands of the natives, and that that country was probably on the whole of no immediate value for settlement for an average distance of 9 miles inland, it appeared, if I was right in thus thinking, that the result would be that I should have to take the entire native territory of friendly natives, and all others in that district. I therefore asked my Responsible Advisers to furnish me with tracings which would shew approximately the boundaries of the territory it would be necessary for me to confiscate in the Waikato country, and in the Province of Taranaki, and near Whanganui.

4. You will find, from their memorandum of the 4th inst., that they were even at that date unable to supply tracings which would shew, even approximately, the boundaries of the territory that they proposed to confiscate, and that they had not sufficient information to determine even the precise localities.

5. It was impossible to act on such vague statements. It seemed wrong that Her Majesty's Forces should be sent to conquer land anywhere, with no direct and certain object aimed at. It seemed due, equally to the European inhabitants of this country and the natives, that the aim and scope of the war should be determined, and that it should be known what we required, and the acquisition of what territory would bring the war to a close.

6. I therefore again requested definite information upon this subject, and in reply received the tracings I have the honour to enclose, regarding which I will address you in a despatch by the next Mail.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 49.

Government House, Auckland, 10th October, 1864.

SIR,—

I have the honour to transmit for your information the copy of a translation of a letter from William Thompson to Bishop Pompallier, dated the 9th of August, which the Bishop forwarded to me yesterday.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 50.

Government House, Auckland, 11th October, 1864.

SIR,—

I have the honor to transmit the copy of a Memorandum my Responsible Advisers have asked me to transmit to you, in reference to my Despatch No. 124, of the 26th of August last.

2. At the close of this Memorandum my Responsible Advisers complain that I would not permit them to see the despatches I received from you by the last mail; and that I did not consider it necessary to communicate to them any information relative to military movements, and that at the very time they wrote their Memorandum it was only through the newspapers that they had become aware that some expedition was about to be despatched, either to Taranaki or to Wanganui, or to both.

3. I have thought it due to you to shew that these complaints originated in error on the part of my Responsible Advisers, and I think that the enclosed correspondence will entirely satisfy you that such was the case.

4. I do not think it necessary to trouble you with any further remarks upon the enclosed Memorandum. My Despatch No. 124, of the 26th of August, is before you; in it I tried carefully to impart to you information which I thought you ought to be in possession of; I tried to do this in a way which might give offence to no one; I am very sorry indeed that I failed in attaining this end; and I shall most sincerely lament if, from the pressure of business upon me, or from inadvertence, I should have used any expression I ought not to have done; but I am still not aware that I have done so. You will now also have before you the opinion of my Responsible Advisers upon that despatch. A consideration of the two papers will, I trust, enable you to form a complete judgment upon the subject.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 51.

Government House, Auckland, 27th October, 1864.

SIR,—

I have the honor to transmit, for your information, the copy of a proclamation I yesterday issued, in which, in conformity with your instructions, as contained in your Despatch No. 43, of the 26th of April last, I notified to those tribes and persons who had been engaged in the present unhappy rebellion, that Her Majesty's clemency would be extended to all those who would come in on or before the 10th day of December next, take the oath of allegiance, and make the cession of such territory as might be in each instance fixed by the Governor and Lieutenant-General.

2. You will find from my correspondence with my Responsible Advisers, copies of which are enclosed (see Mem. 10th inst.) that I undertook that care should be exercised to take any cessions of land in a manner which should unequivocally exhibit the natives who made them in the position of defeated rebels, and further, that no arrangement for the cession of any land should be concluded until the advice tendered by my Responsible Advisers had been fully considered.

3. None of my Responsible Advisers, however, countersigned the proclamation. I nevertheless deemed it to be my duty to issue it. It is in strict conformity with your instructions, and I consulted Sir D. Cameron and Commodore Sir W. Wiseman, and they both concurred with me in thinking that the proclamation was a wise and proper one, and that it was my duty to issue it, and that the great matter for regret was, that from the obstacles thrown in my way, its issue had been so long delayed.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 52.

Government House, Auckland, 31st October, 1864.

SIR,—

I have the honor to transmit, for your information, the copy of a Memorandum, prepared by my Responsible Advisers, upon the subject of the native prisoners captured by our troops.

2. The voluminous nature of this Memorandum has hitherto prevented me from perusing it with sufficient care to make the remarks upon it which I should desire to do; nor, indeed, am I yet in possession of the information I should want to enable me to do this in the manner I should think right.

3. But you will find from some enclosures, put up with this Memorandum, that my Responsible Advisers have expressed such extreme anger at my not sending it by the last mail, that I have not ventured to detain it longer. I can assure you that from the length of this Memorandum, and the late date at which it was forwarded to me, I had not time to send it before the last mail left.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 53.

SIR,—

Government House, Auckland, 31st October, 1864.

I have the honour to transmit for your information the copy of a memorandum which my Responsible Advisers have drawn up, in relation to my Despatch to you, No. 143, of the 7th of October, and which they have requested me to transmit to you.

2. With regard to their observations upon my wishing to be able to supply information on the financial state of the Colony to any gentleman I might ask to take office, I beg to state, that I believe in all previous cases of the resignation of a Ministry in this Colony the Assembly was sitting, and the financial condition of the Colony was well known. In the present case the Assembly was not sitting, and had not met since the 14th day of December last—that is, for nearly ten months; no quarterly returns of revenue and expenditure had, I believe, been published; and the financial condition of the Colony was not only unknown, but was, by the admission of Ministers, such as they thought ought not to be made known (although on this point I differed in opinion with them). I thought I should have to proceed to the South of New Zealand, to try to form a Ministry. Under these circumstances, I believed that any reasonable man whom I asked to form a Ministry, with the members of which he would have to agree on some line of policy, would have asked me what was the financial state of the Colony; and I thought, not unnaturally, that in asking him to undertake so great a charge I should have been prepared to tell him this. My Ministers, however, distinctly advised me as follows:—“Ministers do not understand that it is the duty of either His Excellency or themselves to supply information as to the financial position of the Colony to any person who may profess a willingness to accept office; indeed, they foresee probable evil consequences as the result of such a communication to persons not under responsibility.”

3. With regard to the complaints made upon the subject of my not taking the advice of Ministers upon the subject of the confiscation of Native Lands, I feel quite confident that it will, upon inquiry, be admitted that I am not to blame in this matter, and that the papers already before you fully show that such is the case.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 54.

SIR,—

Government House, Auckland, 5th November, 1864.

My Responsible Advisers have not requested me to transmit to you the enclosed memorandum, dated the 2nd inst.; but as I should regret extremely that any injustice should be done to them, I have thought it right to enclose a copy of it to you for your information. I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 55.

SIR,—

Government House, Auckland, 6th November, 1864.

My Responsible Advisers have requested me to transmit to you the enclosed Memorandum on my Despatch to you, No. 144, of the 8th of October last.

2. I have written a short memorandum in reply, a copy of which is herewith enclosed, of which I have the honour to request your consideration.

3. In it you will find that I have called attention to the fact that, when your instructions regarding the cession of lands by the natives were issued to me on the 26th of April last, one of the New Zealand Ministers, then in England, made the following promises to you on behalf of his colleagues:—

“I take this opportunity of stating formally and officially that which I have previously had the honour of stating to Mr. Secretary Cardwell verbally, that there is nothing in the instructions of April 26th to Sir George Grey that does not represent the views of the Colonial Government in practically carrying into effect the policy of confiscation authorised by the Legislature in ‘The New Zealand Settlements Act.’

* * * * *

“The Government never had any intention whatever of confiscating land in districts about which there could be any doubt as to the native inhabitants being in a state of rebellion. On my own behalf, therefore, and that of my colleagues, I can give to Mr. Cardwell a full assurance that the local Government will cordially co-operate with Sir G. Grey in carrying out that just and temperate policy toward the native race embodied in ‘The New Zealand Settlements Act,’ as limited in its operation by his instructions of April 26th.”

4. The members of the Colonial Ministry who were in New Zealand at the time your instructions of the 26th of April reached me also published them in the New Zealand Government Gazette on the 30th of June last, thus notifying to all the inhabitants of New Zealand what were the instructions to which the Governor was bound to give effect.

5. On the 14th of October last, however, my Responsible Advisers informed me as follows:—
 “Ministers have been of opinion all along, that any delay caused by attempting to obtain land from the natives by cession would be regarded as an act of weakness and indecision on our part, and would be attended not only with no good results, but would be productive of evil in two ways—first by retarding the settlement of the country, and continuing expenses which press heavily on the Colony; secondly, by affording the natives time, after the defeats they have sustained, to regain strength and hope, and so prolong the war indefinitely.”

6. And again, on the 17th of October, they informed me that “they did not believe that it was possible to give effect to Mr. Cardwell’s instructions respecting cession, even if it had been expedient to attempt it.”

7. I think, as Ministers now state that they all along believed this, it is greatly to be regretted that you were not told so in England before you issued your instructions to me, that you might be warned they could not aid in carrying out what was so opposed to their views,—and that your Despatch should have been published after it was received in the Colony, and that Ministers did not then, before doing so, tender their resignations.

8. I submit, however, I could not, after all that had taken place, and believing that your instructions were judicious and good, act otherwise than I did, although such action may be much neutralised by the opposition it has met with.

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

I have, &c.,

G. GREY.

No. 56.

SIR,—

Government House, Auckland, November 7th, 1864.

My Responsible Advisers have transmitted to me the enclosed Memorandum, dated the 1st instant, which they have requested me to forward to you by the first opportunity.

2. Its object is to complain that a Memorandum which they wrote to me on the 30th of May was not transmitted to you till the 3rd of September, and it is stated that in the Memorandum of the 30th of May they deferred to my opinion and accepted my views.

3. I beg to state that I did not understand my Responsible Advisers as having accepted my views in their Memorandum of the 30th of May, for they had, on the 28th of May, at an Executive Council, declined to give me any information regarding their views and intentions upon some of the most important questions connected with the confiscation of native lands, and without which information I conceived it incompatible with my duty to allow the Orders in Council to which they allude to be issued. These circumstances were all stated in some detail in a Memorandum to the Colonial Ministers of the 17th of June in reply to theirs of the 30th of May, which I transmitted as an enclosure to my Despatch No. 130, of the 30th of September.

4. With regard to the general complaint made by my Responsible Advisers of the delay in the transmission of documents to your department, I beg to state that every effort has been made by the very limited establishment allowed me to copy for transmission all documents which it appeared necessary to send home. But the office accommodation allowed me is too limited.

5. There is now an army of nearly ten thousand men here, a large squadron, and consequently a vast correspondence to conduct, besides the ordinary business of an important Government, within the limits of which a civil war prevails. I am allowed for office accommodation a small office for myself, a writing room of 12 feet by 16 feet, and one other room of the same size as a general office.

The assistance allowed me is miserably inadequate for the work to be performed, and has not been increased at the time that all the other departments have been largely augmented, whilst at the very time my Responsible Advisers complain I was not transmitting documents to England, they were refusing, as will be seen from the enclosed statement of the Despatch Clerk in my office, to furnish me with copies of documents in their office which I required for transmission to you, on the plea that any documents that they wished to have sent home should be copied in duplicate, but that they could not order copies of any documents to be made which the Governor desired should be sent, but which they did not care about sending.

6. I can only say that under the difficulties thus thrown in the way of my department, every effort has been made to transmit copies of all important papers to you as speedily as possible.

7. In the very instance under consideration I was quite as anxious that my Memorandum of the 17th of June should reach you at an early date as they could have been that theirs of the 30th of May, to which it was a reply, should reach you.

8. I beg also to add that a mail for England only leaves this once a month, that the last paper enclosed in my despatch of the 3rd September was only dated the 5th of July, and that even if copies of the map and all the enclosures transmitted in that despatch had been completed by the 9th of August, they could not have been sent on to you until early in September.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

No. 57.

SIR,—

Government House, Auckland, 7th November, 1864.

I have been requested by my Responsible Advisers to transmit for your information a memorandum they have prepared upon a letter which I addressed to General Sir D. Cameron upon the 28th of June, and upon the General’s reply to me of the 2nd of July.

Also a memorandum upon a Report from Mr Commissioner Mackay.

Also another memorandum upon another Report from Mr Commissioner Mackay, which I transmitted in my Despatch, No. 133, of the 11th of September last.

2. I have also the honour to transmit the copy of a further Report from Mr Commissioner Mackay, dated the 18th October, from which you will find that, notwithstanding the views expressed by

my Responsible Advisers, he still reports that he has received information that the Chief William Thompson has, since his visit to him on the 30th of August, and in accordance with his intention then expressed, visited several of the Waikato tribes, with a view to learning their sentiments and inducing them to make peace.

Mr Mackay further adds, that, in as far as William Thomson is concerned, the natives state he is still inclined to make peace; and in their opinion, if he did so, it would have the effect of drawing a considerable number of natives from the rebel party.

3. You will be glad to learn from the enclosed letter from Sir D. Cameron, and the accompanying enclosed telegrams, that William Thompson's son has just come in, given up his gun, and taken the oath of allegiance.

4. I regret the tone of anger in which my Responsible Advisers wrote to me in their memorandum of the 4th ulto., a copy of which is enclosed, upon the subject of William Thompson. I can only say, that I do my best to arrive at just conclusions under circumstances of extreme difficulty,—and I think in this particular case I was right.

5. It will be found that, in their memorandum of the 4th of October, they state:—

“Ministers should add, that they have received information from Tauranga that Thompson is reported to have become a convert to the new superstition that forms the bond of union between the rebels on the West Coast, and they have reason to believe that he has gone down to Taranaki to join that party.

6. On the contrary, Mr. Commissioner Mackay reports on the 18th of October as follows:—“During his (William Thompson's) stay at Hangatiki, a letter was received from the Native Angel (Horapapera) of Taranaki, offering to attack Ngaruwahia with forty men in December next, and expressing his ability to take it with that number, William Thompson is reported to have answered to the effect—‘The Angel can remain at home.’ I may mention that William Thompson has a great contempt for the ‘Pai Marire’ superstition; he voluntarily entered into a discussion with me about it, and spoke strongly against it.”

I have, &c., G. GREY.

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

No. 58.

Government House, Auckland, 7th November, 1864.

SIR,—

I have been requested by my Responsible Advisers to transmit to you the enclosed Memorandum regarding the native prisoners having left the Island of Kawau.

2. My Responsible Advisers express their regret that I have not furnished you with a fuller account of the circumstances attending that transaction, and that I appear to attribute the fact to a neglect on the part of the Colonial Government in not furnishing me with a report upon the subject.

3. I can only say that I am not yet in possession of all the information which I think necessary to enable me to forward a full and satisfactory report upon the subject, and that, until I can do so, I think it inexpedient to attempt to make such a report.

4. In the Ministerial memorandum enclosed it is stated as follows:—

“The Colonial Secretary begs to remind His Excellency, that immediately after the news of the escape arrived in Auckland, His Excellency personally, without His Ministers, and without asking their advice, proceeded on board Her Majesty's ship ‘Miranda’ to the Kawau, and to the point on the Main where the escaped prisoners had landed. His Excellency took Mr. White, the superintendent of the prisoners, with him,” &c., &c.

5. The facts of this case are, that when the report of the escape of the prisoners reached Auckland I did not believe it, and thought it right to hurry to the spot to ascertain was the report true. Mr. White, the superintendent of the prisoners, was in Auckland, absent from his post with the permission of my Responsible Advisers, not with mine; and I thought it right, seeing him, to advise him to return at once to his post, taking him with me.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c., &c., &c.

G. GREY.

