

DESPATCHES

FROM THE

RIGHT HONORABLE SECRETARY OF STATE FOR THE COLONIES

TO THE

GOVERNOR OF NEW ZEALAND.

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

AUCKLAND:

1865.

DESPATCHES FROM THE RIGHT HON. EDWARD CARDWELL, M.P., TO HIS EXCELLENCY SIR GEORGE GREY, K.C.B.

No. 1.

SIR,—

Downing Street, 20th April, 1864.

I have the honour to inform you that Her Majesty will not be advised to exercise Her power of disallowance in respect of the following Acts of your Government which were forwarded in your Despatch No. 10 of the 6th of January last:—

- No. 1. An Act to annex Stewart's Island, in the Colony of New Zealand, to the Province of Southland. (3rd December, 1863.)
- No. 2. An Act to continue the "Arms Act, 1860" (Temporary). (3rd December, 1863.)
- No. 3. An Act to amend the "Nelson Trust Funds Act, 1854." (3rd December, 1863.)
- No. 4. An Act to amend the "Colonial Defence Force Act, 1862." (3rd December, 1863.)
- No. 6. An Act to enable Superintendents of Provinces to take and hold Land as Bodies Corporate. (3rd December, 1863.)
- No. 13. An Act to prescribe the mode in which Lands shall be taken for Works and Undertakings of a Public nature. (14th December, 1863.)
- No. 14. An Act to enable the Governors of Nelson College to sell or exchange certain Trust Property vested in them by an Act of the General Assembly of New Zealand, intituled "Nelson College Trust Act, 1858." (14th December, 1863.)
- No. 15. An Act to extend the operation of "The Religious, Charitable, and Educational Trusts Act, 1856," to Freehold and Leasehold Property held by way of Mortgage. (14th December, 1863.)
- No. 16. An Act to amend "The Native Purposes Appropriation Act, 1862." (14th December, 1863.)
- No. 17. An Act to amend "The Miners' Representation Act, 1862." (14th December, 1863.)
- No. 18. An Act to amend "The Secondary Punishment Act, 1854." (14th December, 1863.)
- No. 19. An Act to amend "The Sheriffs Act, 1858." (14th December, 1863.)
- No. 20. An Act for the amendment of "The Regulation of Elections Act, 1858." (14th December, 1863.)
- No. 21. An Act to repeal an Act of the General Assembly of New Zealand, intituled "An Act for amending 'The Interpretation Act, 1858,' and for defining the time when Acts of the General Assembly shall come into operation." (14th December, 1863.)
- No. 22. An Act for the better Apprehension of Offenders who shall have escaped to parts within the Colony of New Zealand from any other of the Australasian Colonies. (14th December, 1863.)
- No. 23. An Act to enable the Governor to grant to the Superintendent of the Province of Auckland the Government-House Grounds in Auckland. (14th December, 1863.)
- No. 24. An Act to enable the Superintendent of Wellington to purchase a certain piece of Land near the City of Wellington as a Site for the erection of a Patent Slip. (14th December, 1863.)
- No. 25. An Act to amend the Law relating to Juries. (14th December, 1863.)
- No. 26. An Act to amend the Law relating to the Registration of Deeds and Titles to Land. (14th December, 1863.)
- No. 27. An Act to authorise the issue of Crown Grants of certain Land situate at Tikokino, in the Province of Hawke's Bay. (14th December, 1863.)
- No. 30. An Act to amend "The Gold Fields Act, 1862." (14th December, 1863.)
- No. 33. An Act to extend and make compulsory the practice of Vaccination. (14th December, 1863.)
- No. 35. An Act to apply certain sums out of the Ordinary Revenue, and other Monies, to the service of the year ending the 30th day of June, 1864. (14th December, 1863.)
- No. 36. An Act for the Naturalization of certain Persons in the Colony of New Zealand. (14th December, 1863.)

Private Acts.

- No. 1. An Act to amend an Act intituled "An Act to enable the Superintendent of the Province of Auckland to raise Money by the way of Debentures on security of the Harbour Endowments of the City and Port of Auckland." (14th December, 1863.)
- No. 2. An Act to enable the Superintendent of the Province of Auckland to construct a Railway between the Towns of Auckland and Drury, with a Branch to Onehunga in the said Province. (14th December, 1863.)
- No. 3. An Act to enable the Superintendent of the Province of Southland to make and maintain Branches or Extensions of the Bluff Harbour and Invercargill Railway, and for other purposes. (14th December, 1863.)

I have, &c.,

EDWARD CARDWELL.

Governor Sir G. Grey, K.C.B., &c., &c.

No. 2.

SIR,—

Downing Street, 22nd April, 1864.

The Lords Commissioners of the Admiralty having made application for the sums of £8, 8s. as due to the Captain, and £22, 1s. to the Wardroom Officers of Her Majesty's Ship "Esk" for the

entertainment of certain officers of the Waikato Militia on board that vessel from the 16th to the 22nd of November last, I have the honour to request that you will take the necessary steps for the payment of the amount into the Commissariat chest to the credit of Naval Funds in the hands of Her Majesty's Paymaster-General.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.

EDWARD CARDWELL.

No. 3.

SIR,—

Downing Street, 26th April, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 21, of the 5th of February, transmitting a Memorial from the Citizens of Auckland praying that the Queen will be pleased to interfere Her Royal Authority to prevent the removal of the Seat of the Government of New Zealand from that town. This memorial has been laid before the Queen, and Her Majesty was pleased to receive it very graciously.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 4.

SIR,—

Downing Street, 6th May, 1864.

I have the honor to transmit to you the accompanying Order of the Queen in Council, confirming the reserved Act of the Legislature of New Zealand, No. 34, of 27 Vict., intituled "An Act to alter the Civil List."

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure to No. 4.

At the Court at Osborne House, Isle of Wight, the 26th day of April, 1864. Present:—The Queen's Most Excellent Majesty, Duke of Somerset, Earl de Grey and Ripon, Lord Stanley of Alderley, Sir James Wilde, and Mr. Henry A. Bruce.

Whereas by an Act passed in the fifteenth and sixteenth years of Her Majesty's reign, entitled "An Act to grant a Representative Constitution to the Colony of New Zealand," it is amongst other things declared that no Bill which shall be reserved for the signification of Her Majesty's pleasure thereon shall have any force or authority within the Colony of New Zealand until the Governor of the said Colony shall signify either by speech or message to the Legislative Council and House of Representatives of the said Colony, or by proclamation, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same: And whereas a certain Bill passed by the Legislative Council and House of Representatives of the said Colony, entitled "An Act to alter the Civil List," was presented to the Officer administering the Government of the said Colony for Her Majesty's assent: And whereas the said Bill was reserved by the said Officer for the signification of Her Majesty's pleasure thereon: And whereas the said Bill, so reserved as aforesaid, has been laid before Her Majesty in Council, and it is expedient that the said Bill should be assented to by Her Majesty: Now, therefore, Her Majesty, in pursuance of the said Act, and in exercise of the power thereby reserved to Her Majesty as aforesaid, doth by this present Order, by and with the advice of Her Majesty's Privy Council, declare her assent to the said Bill.

And the Right Honorable Edward Cardwell, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

No. 5.

SIR,—

Downing Street, 7th May, 1864.

I have to acknowledge the receipt of your Despatch of the 6th January last, No. 9, in which you forward a paper of observations by Sir William Martin, on the proposal to take Native Lands under the Settlement Act, together with a minute upon it by Mr. Fox, the Colonial Secretary.

You will be good enough to convey to Sir William Martin my thanks for his able paper. You will have already perceived that my Despatch of the 26th ultimo, No. 43, was written after a very careful consideration of that and other documents bearing on the Native Question, which I have from time to time received from you.

I have, &c.,

Governor Sir George Grey, K.C.B., &c. &c., &c.

EDWARD CARDWELL.

No. 6.

SIR,—

Downing Street, 8th May, 1864.

I have the honor to acknowledge the receipt of your Despatch, No. 11, of the 11th of January, transmitting a Bill entitled "An Act to prevent the influx of Criminals into New Zealand," together with a Memorandum by your Responsible Advisers on this subject.

As Her Majesty's Government did not advise the disallowance of the Act passed to prevent the entrance into Victoria of persons formerly sentenced to transportation in the United Kingdom, but whose sentences had expired, so neither would they now advise the disallowance of a similar Act, if passed by the New Zealand Legislature. They would, however, see the passing of such an Act with much regret, and they certainly could not advise that Parliament should be invited to pass a Law for the express purpose of enabling a Colonial Legislature to enact a provision so little in accordance with Imperial policy, and which, in the opinion of their own Judges, is not called for by any proved necessity.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 7.

SIR,—

Downing Street, 9th May, 1864.

I have to acknowledge the receipt of your Despatch of the 6th February, No. 16, forwarding two interesting reports from the Civil Commissioner of the Napier District on the disposition of the natives there.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 8.

SIR,—

Downing Street, 10th May, 1864.

I have received your despatch of the 3rd February last, No. 17, and I have read with interest the report of the Civil Commissioner of the Bay of Islands District on the state of feeling amongst the natives there.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 9.

SIR,—

Downing Street, 12th May, 1864.

I have the honour to acknowledge receipt of your Despatch, No. 18, of the 3rd of February, enclosing a copy of a letter from Captain Rhodes, in which he recommends that Easter Island, off the West Coast of America, should be examined by some competent persons to ascertain its capabilities as a coaling station.

I caused a copy of your Despatch to be laid before the Lords Commissioners of the Admiralty, and their Lordships have informed me that Easter Island is not adapted, either in point of position or of shelter, for a coaling station between Panama and Australia.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 10.

SIR,—

Downing Street, 14th May, 1864.

I have the honour to acknowledge receipt of your Despatch, No. 19, of the 5th of February, informing me that General Cameron had advanced to a place named Te Rore, in close proximity to a strongly entrenched position occupied by the insurgent natives, which it appeared to be their intention to defend, and enclosing a tracing shewing the relative position of the rebel natives and of Her Majesty's forces.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 11.

SIR,—

Downing Street, 21st May, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 25, of the 12th February, transmitting a Sketch of Tauranga Harbour, accompanied by a Return shewing the total number of Adult Males inhabiting the shores of the harbour, and the number of those who have joined the Waikato insurgents.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 12.

SIR,—

Downing Street, 22nd May, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 26, of the 12th February, transmitting copies of two letters, one from the Bishop of Waiapu, the other from his son the Reverend Leonard Williams, describing the state of the native population on the East Coast of the Island. I trust that your interview with the deputation from these tribes will have the effect of reassuring their minds as to the intentions of Her Majesty's Government towards the native population.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 13.

SIR,—

Downing Street, 22nd May, 1864.

I have the honour to acknowledge receipt of your Despatches, Nos. 27, 28, and 33, of the 15th and 23rd of February, transmitting Despatches from Lieutenant-General Sir Duncan Cameron, and a letter from Mr Mainwaring, reporting the details of an action with the natives which took place on the Mangapiko River on the 11th of February.

I have received with much satisfaction these accounts of the gallantry displayed by the officers and men, both of the Regular and Colonial Forces, who were engaged on this occasion.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 14.

SIR,—

Downing Street, 23rd May, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 34, of the 27th of Febru-

ary, enclosing a copy of a Report from Lieutenant-General Sir Duncan Cameron of the operations of the force under his command upon the 21st and 22nd of February, which resulted in the complete rout of the rebel natives and the occupation of an important position.

I am fully sensible of the excellence of the arrangements which he made, and also of the admirable conduct of the officers and men under his command.

It affords me also much pleasure to notice the testimony which General Cameron has borne to the discipline and efficiency of the Colonial Defence Force, which he states is chiefly due to the example and exertions of Lieutenant-Colonel Nixon, who has the command of the force; and I trust that by your next despatch you will have been able to inform me that this gallant officer had recovered from his wounds.

I have also to request that you will convey to the Bishop of New Zealand an expression of my sincerest thanks for the invaluable services which, at great personal risk and inconvenience, he had rendered to General Cameron and the troops under his command.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 15.

SIR,—

Downing Street, 26th May, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 38, of the 29th of February, forwarding for my information a report by Mr. Featherston, the Superintendent of the Province of Wellington, respecting the feelings of the natives in that district.

I have read this clear and interesting report with much pleasure, and I trust that the exertions of Mr. Featherston to adjust the land dispute at Rangitikei between the different tribes, and to prevent them from making common cause with the rebel natives, will be successful.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 16.

SIR,—

Downing Street, 26th May, 1864.

I have the honour to inform you that I have received with much interest the account written by the Chief Wiremu Nero of his visit to the rebel natives after the occupation of Ngaruawahia, which was forwarded in your Despatch, No. 29, of the 17th of February last.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 17.

SIR,—

Downing Street, 26th May, 1864.

I have received your Despatch, No. 35, of the 29th of February, transmitting a Memorandum by your Responsible Advisers in relation to my predecessor's Despatch, No. 113, of the 26th of November last. It is very satisfactory to me to find that your Responsible Advisers adopt the principle expressed in that Despatch, and are resolved to carry into effect the measures which it has been decided to adopt in regard to the land of the rebel natives in a spirit of prudence and justice.

I have nothing to add to the expression of opinion on this subject conveyed to you in my Despatch, No. 43, of the 26th ultimo.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 18.

SIR,—

Downing Street, 26th May, 1864.

I have the honor to acknowledge the receipt of your Despatch, No. 40, of the 7th of March, transmitting a translation of a letter addressed by William Thompson to some chiefs on the East Coast of the Island in which he describes the recent actions with the troops.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 19.

SIR,—

Downing Street, 26th May, 1864.

I have the honor to acknowledge the receipt of your Despatch, No. 41, of the 8th March, transmitting a translation of a letter addressed to you by the chief of the Whakatohea tribe, which contains a declaration of war. I trust that the efforts to explain to this tribe the intentions of the British Government, and thus to dissuade them from joining the insurgents, may have proved successful.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 20.

SIR,—

Downing Street, 26th May, 1864.

I have the honor to inform you that Her Majesty will not be advised to exercise her power of disallowance in respect of the Act passed by the Legislature of New Zealand, intituled "An Act to incorporate the Shareholders of a certain Banking Company called the Bank of Otago Limited, and to enable the said Company to carry on its business, and to issue notes in New Zealand."

With reference, however, to the 14th section of this Act, I have to call your attention to the observations of the Lords Commissioners of the Treasury, contained in Mr. Peel's letter of the 13th September, 1862, which was transmitted to you in my predecessor's Despatch, No. 94, of the 20th September, 1862.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 21.

SIR,—

Downing Street, 26th May, 1864.

I have the honor to inform you that Her Majesty will not be advised to exercise her power of disallowance in respect to either of the two Acts of the Legislature of New Zealand, No. 5 and No. 28, entitled respectively "An Act to constitute Courts of Enquiry into the causes of Wrecks," and "An Act to establish a Marine Board and to provide for the general control and management of ports, pilots, lighthouses, and other matters relating to navigation and to regulate port charges and other rates," copies of which Acts were transmitted in your despatch No. of the

At the same time, I enclose for your information a copy of a letter from the Lords of the Committee of Privy Council for Trade calling attention to various sections of the Act No. 5, together with a copy of their previous letter on the subject of Courts of Enquiry at the Cape of Good Hope, to which reference is made.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure 1 to No. 21.

Mr. BOOTH to the UNDER SECRETARY OF STATE.

SIR,—

Board of Trade, Whitehall, 13th May, 1864.

I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 22nd ultimo, transmitting copies of two Acts of the Government of New Zealand, entitled respectively, "An Act to constitute Courts of Enquiry into the causes of Wrecks," and "An Act to establish a Marine Board, and to provide for the general control and management of ports, pilots, lighthouses, and other matters relating to navigation, and to regulate port charges and other rates."

In reply to the inquiry contained in your letter, I am to request that you will inform Mr. Secretary Cardwell that my Lords see no reason why these Acts should not be left to their operation.

I am at the same time to call attention to the following points on which Mr. Cardwell may perhaps see fit to communicate with the Governor:—

1. The Act No. 5 provides (sec. IX.) that the Justices or Magistrate who hear the case shall send a report to the Governor containing a full statement of the case, and of their opinion (sec. XII.) that the proceedings shall be transmitted to the Board of Trade. It appears doubtful whether the New Zealand Legislature contemplated that that tribunal should have the power to cancel or suspend a certificate. This power will, however, it appears to my Lords, be vested in that tribunal under the Imperial Act 25 and 26 Victoria, cap. 63, s. 23, without further legislation in the Colony; and it is important that the local court should bear in mind that under that Imperial enactment the power of dealing with the certificate cannot now in any such case be exercised by the Board of Trade, and that it should carefully observe the rules contained in sections 23 and 24 of the Imperial Act.

I am also to point out that it is requisite that the report of the local tribunal should be confirmed by the Governor pursuant to "The Merchant Shipping Act, 1854," s. 242, par. 5. The grounds on which it is considered that such confirmation is still requisite are stated in the letter of the 14th February, 1863, from this Department to the Colonial Office, on the subject of courts of enquiry at the Cape of Good Hope.

2. Section X. of the same New Zealand Act provides for the appointment of a *Nautical Assessor* only. My Lords would suggest that the attention of the Government of New Zealand should be called to the provisions for granting certificates to engineers in the merchant service, for cancelling or suspending such certificates, and for the appointment in some cases of an *Engineering Assessor*, which are contained in "The Merchant Shipping Act Amendment Act, 1862," with a view to its being considered by the New Zealand Government whether it would not be desirable that when an opportunity offers, section X. of the New Zealand Act No. 5 should be amended, in the same manner as the 434th section of "The Merchant Shipping Act, 1854," was amended by the 23rd section, par. 5, of "The Merchant Shipping Act of 1862."

I have, &c.,

The Under Secretary of State, Colonial Office.

JAMES BOOTH.

Enclosure 2 to No. 21.

Mr. FARRER to the UNDER SECRETARY OF STATE FOR THE COLONIES.

Office of Committee of Privy Council for Trade,

Marine Department, Whitehall, 14th February, 1863.

SIR,—

I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 3rd instant, transmitting for their consideration copy of a despatch from the Governor of the Cape of Good Hope, containing his observations in reply to the instructions submitted to the Secretary of State for the Colonies in this Board's letter of the 4th September last referring to those provisions of "The Merchant Shipping Act Amendment Act, 1862," which bear upon the powers and proceedings of courts of enquiry held in the British possessions for investigating the causes of wrecks and the conduct of masters, mates, and engineers in the merchant service.

I am to request that you will lay before the Duke of Newcastle the following observations on the questions raised by the Governor of the Cape:—

1. Sir P. E. Wodehouse, after consulting the Acting Attorney-General of the Colony, expresses his doubts whether Colonial Courts established for the purpose of giving effect to the provisions of

"The Merchant Shipping Act, 1854," can exercise the new powers vested in such Courts by "The Merchant Shipping Act Amendment Act, 1862," without further legislation.

2. The Governor asks if, supposing the Courts can legally exercise the new powers, it is still necessary (as would appear from this Board's letter to the Colonial Office above referred to) that the report of investigation should be confirmed by the Governor as required by sec. 242 of "The Merchant Shipping Act, 1854." And, further, whether that confirmation is to be made after the sentence of the Court has been pronounced, or simply upon the report of enquiry.

As regards the first question, my Lords are of opinion that there is nothing in the Imperial Act to lead them to suppose that further legislation is necessary. It may be, however, that the Colonial Act is so worded as to confine the power of the Court established at the Cape, and if so, further Colonial legislation would be desirable, as suggested by the Attorney-General.

With regard to the confirmation of the report of enquiry by the Governor, my lords desire me to observe that the object of the provisions in "The Merchant Shipping Act, 1854," sec. 242, par. 5, was no doubt to enable the Board of Trade to rely in the first place on the competency of the Court making the report; and, secondly, on the report being carefully revised by the Governor. My Lords are, therefore, strongly of opinion that the act of confirmation by the Governor should take place. But looking to par. 3 of the 23rd section of "The Merchant Shipping Act Amendment Act, 1862," my Lords think that it would be right for the Colonial Court, should they pronounce sentence in any case at the time of trial, to make the sentence provisional on the confirmation of the report by the Governor.

These reports should, of course, always be sent to the Board of Trade with the Governor's opinion.

I am to suggest that instructions to the above effect should, if the Duke of Newcastle see no objection, be addressed to Sir P. E. Wodehouse.

I have, &c.,

The Under Secretary of State, Colonial Office.

T. H. FARRER.

No. 22.

SIR,—

Downing Street, 26th May, 1864.

I have had under my consideration the following Act, passed by the General Assembly of New Zealand in their last Session :—

No. 10. "An Act to enable Provincial Legislatures to pass laws authorizing the compulsory taking of Land for Works of a public nature."

I observe that this Act applies to all land within the Province, without excepting those to which the native title has not been extinguished. This appears to me open to grave objection in point of policy. The Home Government has, I think, under present circumstances, a right to require that laws calculated to affect so seriously the relations between the European and native races, should be enacted on the responsibility and by the authority not of a Local Council (who from the nature of the case can only represent local interests), but of the General Assembly, whose decisions are adopted with reference to the interests of the whole Colony, and are brought under the cognizance of the Home Government.

I shall be unable, therefore to advise that the Act No. 10 should be confirmed by the Queen in its present shape. If native lands were excepted from its operation, it would be unobjectionable.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 23.

SIR,—

Downing Street, 26th May, 1864.

I transmit to you for your information copy of a paper which has been drawn up by Mr. J. E. Gorst, entitled, "Observations on the Native inhabitants of Rangiaowhia and Kihikihi."

I have already expressed my hope that the present war would not be made the occasion of throwing back into savage life any portions of tribes which appeared likely to emerge from it, and to attain that material prosperity which is the best guarantee against turbulent innovation; and I forward to you this representation of Mr. Gorst in the fullest confidence that, sharing in this view, you will give to any case which comes before you just and dispassionate consideration, and decide it upon grounds of equity and sound policy.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure to No. 23.

OBSERVATIONS ON THE NATIVE INHABITANTS OF RANGIAOWHIA AND KIHIKIHI.

The land around Rangiaowhia and Te Awamutu, extending to and including part of Kihikihi, belongs to natives of the great Waikato tribe. The territory of Ngatimaniapoto begins at Kihikihi, and extends thence to the South-west.

This country is not a barren waste. Besides the great villages at Rangiaowhia, Kihikihi, and Ruakotari, numerous little hamlets are dotted about the country, consisting of three or four native houses surrounded by their patches of cultivated land. Even those parts of the country which appear to be only a barren waste of heavy fern land, would be found on enquiry to have been once under cultivation, and to be now used as a pasturage for horses, cattle, or pigs. In a few years these parts would be again brought under cultivation in their turn, according to the sort of nomadic agriculture practised by the Maoris. The whole district is occupied and used; it bears marks of having been enriched and improved by the labour of the inhabitants. Good fences have been erected. Rangiaowhia, for instance, is surrounded by a fence many miles in circuit; roads are made in various directions; bridges have been thrown over impassible swamps, and a good many mill-dams have been constructed. A considerable part of the land was covered a generation ago with ancient forest, which the industry of the Waikatos has cleared.

The inhabitants of this district have been since 1857 adherents of the Maori King. In opposition

to their wishes, I was in December, 1861, stationed in the midst of them as Magistrate. An attempt was promptly made by their neighbours, the Maniapotos, to expel me by violence. It was entirely due to the opposition of the Waikatos, backed by W. Tamihana, that the attempt was abandoned, and that I was enabled to remain peaceably in the district until March, 1863.

During this period I was frequently indebted to the friendship and support of the Waikatos for protection against the hostility of Rewi and Maniapoto. I believe the leading chiefs of Rangiaowhia would have joined Sir George Grey's plans had they thought it safe to do so, but they dared not risk a quarrel with Maniapoto, against whose hostility the English Government could have afforded them no protection. Short of actually joining the Government, they did many acts in its support; they furnished timber in spite of Rewi for the Government buildings at Te Awamutu, and they supported Tamihana in his various efforts to get the Waitara affair settled, and in writing to recommend the quiet surrender of Tataraimaka.

On the occasion of Rewi's attack upon Te Awamutu in March, 1863, the Waikatos openly arrayed themselves against him, and threatened to resist force with force. It was through the interference of these men, and the firmness they displayed, that the Europeans employed at Te Awamutu owed their preservation from violence. The Waikatos afterwards, in conjunction with Tamihana, compelled Rewi to restore the Government property which he had seized, and from April, 1863, to February, 1864, they protected the Government buildings at Te Awamutu from destruction.

The message sent down to Taranaki to instigate an attack on the troops, which occasioned the massacre of Lieutenant Tragett and his men, was the act of Rewi alone. The Waikatos had no share in it. When war broke out at Taranaki, they united with Tamihana and Ngatihana in preventing Rewi from carrying out his design of attacking Te Ia and Auckland. There is no evidence of their having joined in any hostile schemes until the dread of an invasion drove Waikato and Ngatihana once more into an alliance with Maniapoto. I believe that in resisting the progress of General Cameron, the two former tribes imagined themselves to be carrying on a defensive war.

A considerable portion of the inhabitants of the Rangiaowhia district were industrious, inoffensive men, whose desires were directed more to the acquisition of wealth by agriculture and commerce than to the pleasures of political excitement. The tribe generally was less wild than Maniapoto, and less patriotic than Ngatihana, and would not, but for the mischievous nature of the former and the national aspirations of the latter, have given much trouble to the English Government. While the character of these people is in itself much less admirable than that of the Ngatihana, it must be confessed that they are likely to make better and quieter subjects of a foreign power. I believe that most of them would be only too glad to submit to any Government that would treat them justly and protect them against molestation from others in the enjoyment of their property. It is only their position and circumstances that has made them rebels and warriors, and I believe nothing but the desperation which the entire confiscation of their territory would produce, can keep them permanently in arms against the British troops.

84, Eaton Place, London, May 21st, 1864.

J. E. GORST.

No. 24.

SIR,—

Downing Street, 26th May, 1864.

I informed you in my despatch No. 43, of 26th April last, that I should request the Law Officers of the Crown to furnish me with their opinion respecting the competency of the New Zealand Legislature to pass the two Acts, No. 7, "The Suppression of Rebellion Act, 1863," and No. 8, "The New Zealand Settlements' Act, 1863."

This I have done, and I am advised that there is in their judgment no reason to doubt the legality of the former of the two Acts, and that the only reason for questioning the legality of the latter arises from its repugnancy to the third section of the Imperial Loan Guarantee Act, 20 and 21 Victoria, c. 51. I intend to submit to Parliament, in connection with the contemplated Loan, a provision calculated to remove this doubt.

I enclose to you the copy of a letter which by my desire, has been addressed to Mr. Reader Wood, and which will explain to you the views of Her Majesty's Government in respect to the proposed Guaranteed Loan.

I am only induced to make this offer to Mr. Reader Wood in the full conviction that the recent military successes, improved by a just and temperate policy on your part, will lead to a speedy and permanent pacification of the Northern Island.

I have stated to Mr. Reader Wood that his acceptance of this proposal will be regarded by Her Majesty's Government as conveying on his part and that of his colleagues an assurance of their desire cordially to co-operate with you in a just and temperate policy towards the native race on the part of Her Majesty's Government. I need not repeat the instructions which were fully conveyed to you in my despatch No. 43, of 26th April last.

I entirely anticipate that your Ministers will be animated by a just sense of the exertions and sacrifices which have already been made by the Mother Country for the Colony, and that on Colonial grounds they will be as anxious as you can be yourself to terminate the present hostilities. But it is my duty to say to you plainly that, if unfortunately their opinion should be different from your own as to the terms of peace, Her Majesty's Government expect you to act upon your own judgment, and to state to your Ministers explicitly that an army of 10,000 English troops has been placed at your disposal for objects of great Imperial concern, and not for the attainment of any merely local object, that your responsibility to the Crown is paramount, and that you will not continue the expenditure of blood and treasure longer than is absolutely necessary for the establishment of a just and enduring peace.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c.

EDWARD CARDWELL.

Enclosure to No. 24.

SIR,—

Downing Street, 26th May, 1864.

I have the honor to inform you that Mr. Secretary Cardwell has considered the application which, as Finance Minister of the New Zealand Government, you have made to him, viz., that he will propose to Parliament that the intended Loan of Three Millions authorised by the recent Act of the New Zealand Assembly should be raised with the assistance of an Imperial guarantee.

Mr. Cardwell has desired me to express his regret that he cannot undertake to make to Parliament any such proposal; nor does he think that such a proposal could be made with any prospect of its being approved and adopted by Parliament. He is fully prepared, however, to consider the claims of the Colony to a guarantee of less amount.

In a despatch addressed to Sir George Grey, on the 26th of December last, the Duke of Newcastle expressed his readiness, on the conditions there set forth, to submit again to Parliament the proposal for a guaranteed loan of £500,000, which had been already submitted towards the close of the previous session, but had been withdrawn because Mr. Crosbie Ward, then acting for the Colony, had not determined on accepting the terms offered till the opportunity for legislation had been lost. Since it appears to be the wish of the Colony that this arrangement should proceed, and certainly the altered circumstances do not enable the Colony to dispense with any assistance which it required when that Bill was introduced into the House of Commons, the Secretary of State is still ready to proceed with it at your request.

The arrangement as then made provided for a payment to the Treasury of a sum of £200,000, which was to cover the amount of debt then due to the Home Government. But the terms on which the Lords of the Treasury were prepared to concur comprised a stipulation that provision should be at once made for repaying all advances from the treasury chest, with interest at the rate of four per cent. on such as had remained unliquidated for more than three months. It now appears that advances have been made, either in money or in arms and stores, amounting to somewhat short of £300,000, and thus raising the total debt to the Treasury to a sum approaching £500,000.

If Her Majesty's Government are to submit to Parliament a proposal for aiding the Colony by an Imperial guarantee, the first condition will be that out of the money so borrowed by the Colony, the whole debt due to the Mother Country shall in the first instance be discharged. It is evident, therefore, that if the guarantee be limited to £500,000 so large a portion will be absorbed by the debt to the Treasury, that scarcely anything will remain to be applied either to the other purposes contemplated in the original Bill, or to the liquidation of the great subsequent expenses which have been or will be incurred by the Colony. It is estimated by you that those expenses up to the end of the present year will amount to nearly eleven hundred thousand pounds (£1,097,172), or, excluding the debt to the Home Government, to nearly £800,000.

Mr. Cardwell acknowledges the force and weight of many of the considerations which have been urged by you as reasons why the Colony should resort to a Loan for expenses which, in the Mother Country, would be discharged in part at least from current revenue: such as the fact that the whole population of the Province of Auckland, from 16 to 55, has been drawn away by the war from industrial pursuits; that the Southern Island, having a less immediate interest in the suppression of the rebellion, would feel the charge upon the annual revenue as a serious hardship; that the Colony is compelled, on the return of peace, to make large payments, both for military purposes requiring to be wound up and discharged, and also for prospective measures of improvement consequent upon the return of peace, without being able to apportion that expenditure to its present means, or to wait for the most favorable state of the market to bring out a Loan. Mr. Cardwell also feels that the prospect of avoiding future disturbances, with all the accompanying evils and expenses both to the Colony and to the Mother Country, will much depend upon judicious and comprehensive measures to be taken at the time of the restoration of peace, and that an embarrassment in the finances of the Colony at that juncture would tend to prevent the accomplishment of those measures and to cloud that prospect. Yet, notwithstanding these considerations, he is not prepared to recommend to Parliament a guaranteed loan to any such amount as that which you have requested of Her Majesty's Government.

Upon the whole, Mr. Cardwell concludes that the guarantee originally promised by the Duke of Newcastle may again be submitted to Parliament, and that the amount may be increased by the sum due, and to be repaid to the Imperial Treasury, and by a further sum of about £200,000 to be applicable to the general purposes of the New Zealand Government. The whole sum, therefore, to be guaranteed will amount to £1,000,000, of which, as far as at present appears, somewhat less than half will at once be repaid to the Imperial exchequer, and somewhat more than half will be applied to purposes of the Colony for the pacification of the North Island and liquidating the expenses of the war. This should be raised at a rate of interest not exceeding 4 per cent. with 2 per cent. for sinking fund.

The actual ordinary revenue of the year 1862-3 amounted to £549,963, which exceeded by £259,296 the necessary expenses of the General Government; the revenue of the Colony has hitherto rapidly increased, and is estimated for the current year at £691,600, and the whole of this revenue with its prospective increase is to be the security for the Loan.

Mr. Cardwell thinks that this security is sufficient, and excludes the risk that any actual payment will fall to be discharged by the Imperial Treasury. He leaves out of consideration the land pledged by the Act of the Assembly, which he cannot regard as adding anything definite or certainly and immediately available in the way of security.

I am directed to observe that Mr. Cardwell makes this offer to you as the Finance Minister of New Zealand, in the confident expectation and belief that the recent successes of the Queen's forces and of the Colonial militia and volunteers will have placed in the Governor's hands the power of securing a just and permanent peace; and that his own disposition and the instructions which have been addressed to him from this Department will ensure his using that power for the early termination of the war. It is only under this conviction that the Secretary of State can undertake to submit this proposal to Parliament; and if the proposal be accepted by you, your acceptance must be understood as conveying on your part and that of your colleagues in the Government of New Zealand an assurance

of their desire cordially to co-operate with the Governor in this just and temperate policy towards the native race.

It only remains that, at Mr. Cardwell's direction, I should state the views of Her Majesty's Government with respect to the future relations between the Mother Country and the Colony in respect of military expenditure. Hitherto the contribution of the Colony has been merely nominal, being £5 per man, which recently has not been paid into the Imperial Exchequer, but almost entirely employed for native purposes in New Zealand. Her Majesty's Government feel themselves imperatively called upon to provide that if under the New Zealand Government, to whom in ordinary times the management of native affairs now almost exclusively belongs, the Colony shall again be involved in a civil war, the whole expense of the troops engaged in that war shall not fall upon the Mother Country. They acknowledge that New Zealand differs from the Australian Colonies in this respect, viz.: that the presence of a large native population renders necessary the presence of some military force even in times of peace. This force they propose to fix at one regiment; and for that one regiment they do not propose to charge the Colony of New Zealand with the amount which it is proposed to charge upon the Australian Colonies. They will expect that in consideration of this one regiment being maintained at the charge of the Imperial Treasury, the Colony will continue to devote the sum of £50,000 per annum to native purposes of the nature indicated in Sir G. Grey's despatch of the 6th December, 1861, including the government of native districts and the moral and material advancement of the native race, but excluding the maintenance of any military or semi-military force for the suppression of disturbance. For every soldier over and above this one regiment Her Majesty's Government will expect the Colony to pay in future the same amount which has been proposed to the Australian Colonies, viz.: the sum of £40 for every infantry soldier, and £55 for every artilleryman. These measures they regard as just measures of security against the risk of war being incurred by Colonial policy, while the principal expenses would fall to be discharged, not by the Colonial, but by the Imperial Treasury.

This arrangement should commence at the termination of the present arrangement, viz.: at the close of the present year; but as it is not possible that the large army now in New Zealand can be altogether removed from the Island before the 1st January, 1865, they will so far delay the period of its application as to agree that in the year 1865 it shall not be applicable to any force beyond four thousand men, in addition to the one regiment which is to be maintained at the exclusive cost of the Home Government.

Arrangements of this kind must of course be subject to revision hereafter, especially in a Colony like New Zealand where a few years may bring with them a very altered state of circumstances.

The whole arrangement, therefore, may be thus summed up:

1. That the original guarantee be extended from half a million to one million, of which probably rather less than half will be paid into the Imperial Treasury, and the remainder will be applicable to the purposes of the Colony.

2. That after allowing for one regiment, New Zealand shall pay to the Imperial Treasury the same contribution as that which it is proposed that the Australian Colonies shall pay.

3. That inasmuch as the Mother Country furnishes one regiment, in consideration of the many circumstances connected with the presence in New Zealand of a large native population, the sum now paid out of Colonial funds for the especial benefit of that population, viz., £50,000, shall continue undiminished.

4. That New Zealand shall not pay upon more than four thousand men in the year 1865.

I am, &c.,

Reader Wood, Esq.

F. ROGERS.

No. 25.

SIR,—

Downing Street, 12th June, 1864.

I have the honor to acknowledge the receipt of your Despatch, No 36, of the 29th of February, forwarding, with an explanatory Memorandum on the subject, a Return, shewing the number and composition of the Colonial Forces on the 31st of December, 1863.

I notice with much pleasure the efforts which have been made by your Government in the Northern Island, to provide for the security of the inhabitants of the Colony, and to aid in the active operations which are now being carried on against the rebel natives.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 26.

SIR,—

Downing Street, 18th June, 1864.

I have the honor to acknowledge the receipt of your Despatch, No. 43, of the 14th of March, transmitting Reports from Mr. Barstow and Mr. E. M. Williams, Resident Magistrates, in the Northern District of the North Island of New Zealand, respecting the improved state of feeling on the part of the Native population in their Hundreds.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 27.

SIR,—

Downing Street, 21st June, 1864.

I have the honor to transmit to you the accompanying Orders of the Queen in Council, confirming the following reserved Acts of your Government:—

No. 9. An Act to enable Provincial Councils to make Laws affecting Public Roads and Watercourses.

- No. 29. An Act to repeal clause 15 "Waste Lands Act, 1858"; section VII, clause 28, of the General Land Regulations for the Sale of Waste Lands in New Zealand, proclaimed 4th March, 1853, and the "Hawke's Bay Naval and Military Settlers Act, 1861," so far as they affect the Provinces of Wellington and Hawke's Bay."
- No. 31. An Act to amend the Laws now in force for the Sale, Letting, Occupation, and Disposal of Waste Lands of the Crown, within the Province of Otago.
- No. 32. An Act to impose a Tax upon all Rural Lands in the Province of Otago to be sold under the "Otago Waste Lands Act, 1863," and to make certain provisions respecting Lands heretofore sold under conditions for the improvement thereof.
- No. 37. An Act to amend the Regulations in force in the Province of Marlborough for the Sale and Disposal of the Waste Lands of the Crown within the said Province.
- No. 38. An Act to amend the "Waste Lands Act" of the Province of Auckland.
- No. 39. An Act to regulate the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown, within the Province of Nelson.
- No. 40. An Act to amend the Laws now in force for the Sale, Letting, Occupation, and Disposal of Waste Lands of the Crown within the Province of Southland.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 28.

SIR,—

Downing Street, 21st June, 1864.

With reference to the suggestion contained in your Despatch, No. 31, of the 19th of February, for preventing delay in the settlement of claims for passages provided for the Governor and his suite, or for members of the Government of New Zealand, on board any of Her Majesty's ships, I have the honour to transmit for your information, and for that of your Responsible Advisers, the copy of a communication which has been received from the Secretary to the Admiralty in reply to the reference which was made on the subject to that Department.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure to No. 28.

Mr PENNELL to the UNDER-SECRETARY OF STATE, Colonial Office.

SIR,—

Admiralty, 15th June, 1864.

In reference to your letter of 27th ultimo, enclosing a copy of a Despatch from the Governor of New Zealand suggesting that in future, when passages are afforded to members of the Colonial Government in any of Her Majesty's ships, the claim for payment to the officers should be communicated by the senior Naval Officer to the Governor, in order that the Colonial Government should send instructions to their agent in London to pay the amount by the same mail which takes the claim to this Office, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of Mr. Secretary Cardwell, that there are difficulties in carrying out the arrangement proposed, as the claims of officers are usually checked at this Office before application is made to other Departments for payment; that course in question might in some cases involve explanation and unnecessary correspondence, which would outweigh any advantage which might occasionally be derived from a saving of time in the settlement of such claims. All these circumstances being taken into consideration, my Lords do not consider it desirable to adopt the plan projected.

I am, &c.,

C. H. PENNELL,

The Under-Secretary of State, &c., Colonial Office.

pro Secy.

No. 29.

SIR,—

Downing Street, 22nd June, 1864.

I have received your Despatch, No. 48, of the 5th of April, transmitting, with other documents, a Petition to the Queen from the Provincial Council of Southland, praying that Her Majesty would withhold her assent from "The Southland Waste Lands Act, 1863," of which a copy accompanied your Despatch, No. 10, of the 6th of January last, and which was reserved by you for the signification of Her Majesty's pleasure.

I request that you will inform the Speaker and the Members of the Council, that this Act was confirmed by an Order of Her Majesty in Council prior to the receipt of your Despatch.

I have, &c.,

EDWARD CARDWELL.

Governor Sir George Grey, K.C.B., &c., &c., &c.

No. 30.

SIR,—

Downing Street, 23rd June, 1864.

I have the honor to transmit to you the two accompanying Silver Medals and Resolutions which have been received from the Royal Humane Society for presentation, one to Maori Jack for his courage and humanity in having rescued Mr. Mitchell, and tried to save Mr. Rogers, whose boat upset in Lake Wakatip, New Zealand, on the 9th of August, 1862, and the other to Lieutenant G. H. Turner, of Her Majesty's 50th Regiment, now stationed in New Zealand, for his courage and humanity in having rescued Lieutenant W. R. White, whose boat upset in Tumblijam Lake, Trincomalie, on the 19th of February, 1863.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 31.

SIR,—

Downing Street, 24th June, 1864.

In my Despatch, No. 65, of the 26th ultimo, I forwarded you a copy of the letter addressed by my desire to Mr. Reader Wood, setting forth the conditions upon which I am prepared to recommend that a loan of £1,000,000 for the Government of New Zealand should be guaranteed by Parliament.

I now transmit to you for your information a copy of a Parliamentary Paper, in which you will find a copy of the letter addressed by my desire to the Lords Commissioners of the Treasury on the subject, as well as of their Lordship's answer, in which they signify their assent to the proposal for guaranteeing such a loan to the extent of £1,000,000.

I also send for your information a copy of the Bill introduced into the House of Commons for this purpose.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure to No. 31.

A Bill to guarantee the Liquidation of a Loan for the Service of the Colony of New Zealand.

Whereas by an Act of the General Assembly of New Zealand passed in the twenty-seventh year of Her Majesty, intituled "An Act for raising a Loan of Three Million Pounds Sterling for the Public Service of the Colony of New Zealand," it was enacted, that it should be lawful for the Governor of New Zealand to appoint the Agent or Agents therein mentioned, with authority to borrow and raise on behalf of the said Colony such sum or sums of money not exceeding in all three million pounds sterling, as the said Governor might direct: And whereas it is expedient that the Commissioners of Her Majesty's Treasury should be authorised to guarantee the payment of Interest and repayment of the Principal of part of the sum so to be borrowed, not exceeding the amount of One million pounds sterling, upon the conditions hereinafter mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The liquidation of all such sums, not exceeding in the whole the sum of One million pounds, as shall be borrowed and raised in Great Britain, with the approbation of the Commissioners of Her Majesty's Treasury, under the said first-recited Act of the General Assembly of New Zealand, or of any Act passed in amendment of the same, together with the interest thereon not exceeding the yearly rate of four pounds for one hundred pounds, shall be guaranteed under this Act; and for giving effect to such guarantee, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct and cause to be issued and paid out of the growing produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland such sums as shall be required to make good any deficiency which shall happen in the regular payment, on the part of New Zealand, of the interest accruing due upon such sums as shall be borrowed as aforesaid, or in the liquidation of the principal sums when the same shall become payable.

2. Provided, nevertheless, that it shall not be lawful for the Commissioners of Her Majesty's Treasury to approve the borrowing and raising of the hereinbefore mentioned principal sum of One million pounds, or any part thereof, until provision shall have been made by the General Assembly of New Zealand to the following effect, that is to say:

- (1.) That every part of the said principal sum shall be repayable and repaid at the expiration of thirty years at the furthest from the day on which such part shall have been borrowed and raised:
- (2.) That for the purpose of providing a Sinking Fund for the liquidation of the said principal sums, a sum equal at the least to two per cent. per annum on the total of such principal sums shall be paid yearly, and invested and increased by way of accumulation in the manner directed by the said first-recited Act in respect of the Sinking Fund therein provided for:
- (3.) That the said principal sums and all interest thereon shall be a charge on the general revenue of New Zealand, having priority over all other charges upon the said revenue, except charges created in virtue of an Act passed by the said General Assembly, intituled "The New Zealand Loan Act, 1856," and of an Act of Parliament passed in the twenty-first year of Her Majesty, intituled "An Act to guarantee a Loan for the Service of New Zealand," or either of them, and that the said general revenue shall for the purposes of this Act be deemed to include all the revenue which shall arise from duties of import and export, from Post Office receipts, and Supreme Court fees, from the disposal of Waste Lands of the Crown, and from all taxes, duties, rates, and imposts levied or to be levied by virtue of any Act of the General Assembly of New Zealand.

3. All the sums which shall be so issued and paid out of the said Consolidated Fund in respect of the interest of the sums borrowed as aforesaid, or the liquidation of the principal sums, with interest upon the sums so issued after the yearly rate of five pounds for one hundred pounds, to be computed from the several times of issuing the same, shall be charged upon the general revenue of the Colony of New Zealand as hereinbefore defined.

4. No Act passed by the Legislature of New Zealand in anywise discharging or varying the security to be given in accordance with this Act, upon the revenue arising from the duties of import and export, and from the disposal of Waste Lands of the Crown, for the repayment of the sums of money borrowed as aforesaid, and the interest thereon, shall be valid, unless such Act contain a clause suspending the operation of the same until Her Majesty's pleasure shall have been taken thereon, and the same shall have been confirmed by Her Majesty, with the advice of Her Privy Council, and a Proclamation of such confirmation having been given shall have been made by the Governor or person administering the Government of the said Colony.

5. The Commissioners of Her Majesty's Treasury shall from time to time certify to one of Her Majesty's Principal Secretaries of State the amount so paid from time to time on account of the interest or principal of the sums borrowed as aforesaid; and such certificate shall be communicated to the Governor or person administering the Government of New Zealand, and shall be by him communi-

cated to the General Assembly of the said Colony; and such certificate shall be conclusive evidence of the amount so paid out of the Consolidated Fund of the said United Kingdom, and of the time when the same was paid on account of the interest or principal of the sum so borrowed.

6. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within fourteen days next after the beginning of every Session, an account of all sums from time to time issued out of the Consolidated Fund of the said United Kingdom by virtue of this Act towards making good any such deficiency as aforesaid, and also an account of all sums repaid by or recovered from New Zealand by reason of such advance, with the interest paid or recovered thereon.

7. And whereas by an Act of the General Assembly of New Zealand, passed in the twenty-seventh year of Her Majesty, intituled "An Act to enable the Governor to establish Settlements for Colonization in the Northern Island of New Zealand," provision was made for the proclamation of certain Districts within the said Colony, and for setting apart within such Districts eligible sites for settlements for colonization, and for other matters therein mentioned: And whereas doubts are entertained whether the provisions of the said Act, or some of them, may not be void by reason of their repugnancy to the third section of an Act of Parliament of the twentieth and twenty-first years of Her Majesty, intituled "An Act to guarantee a Loan for the service of New Zealand:" Be it enacted as follows:—

Nothing in the said Act to enable the Governor to establish settlements for colonization in the Northern Island of New Zealand shall be or be deemed to have been void or inoperative on account of any repugnancy to any of the provisions of the last-mentioned Act of Parliament.

No. 32.

SIR,—

Downing Street, 25th June, 1864.

I have to acknowledge the receipt of your Despatch, No. 46, of the 31st March last, and to inform you that the draft for £11,287 10s., on account of interest and Sinking Fund of the Guaranteed Loan to New Zealand, due on the 30th instant, has been duly forwarded to the Lords Commissioners of the Treasury.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 33.

SIR,—

Downing Street, 25th June, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 50, of the 5th of April.

I am glad to learn from your Despatch—what, indeed, is also to be collected from the recent history of the war—that the practice of carrying on hostilities by the murder of unarmed persons is not to be viewed as generally adopted by the natives.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 34.

SIR,—

Downing Street, 27th June, 1864.

From your Despatch, No. 53, of the 6th of April last, I collect that some difference has arisen between yourself and your Ministers respecting the proper mode of dealing with the 183 Maori prisoners taken at Rangiriri, and the tone of your Despatch leads me to conjecture that, if your Advisers had concurred with you in adopting a definite and generous course of action with regard to these persons, the resistance to Sir Duncan Cameron by the natives at Orakau might, in your opinion, have been less desperate, some loss of life avoided, and the completeness of the success enhanced.

On this I think it necessary to observe, that while I fully recognise the general right and duty of the Colonial Government to deal with matters of native policy properly so called, I consider that while active operations are being carried on under the conduct of Her Majesty's officers, and in the main by Her Majesty's military and naval forces, it is for the Governor personally, as representative of the Imperial Government, to decide upon the fate of persons who are taken prisoners in the course of these military operations, and although, before adopting any such decision, I should wish you to obtain the advice, and if possible the concurrence of your Ministers, I do not consider that concurrence indispensable. But, subject always to the positive law of the Colony, I hold you entitled to determine, and I look to you for determining, whether such prisoners, or any of them, shall be released on parole or otherwise, or whether they will be kept under such control as may legally be applied to them as prisoners of war, or whether they shall be handed over to the civil authorities to be dealt with as criminals.

I shall therefore be fully prepared to support you in case you should have thought it necessary, with or without the consent of your Ministers, so to deal with these prisoners as in your opinion the public interest may have required.

As I understand that your opinion has an especial reference to the good effect which measures of generosity would have upon the military operations of Sir Duncan Cameron, I make no doubt that, in forming that opinion, you have been fully acquainted with the views of Sir Duncan Cameron, and of the grounds on which those views have been arrived at.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 35.

SIR,—

Downing Street, 27th June, 1864.

I have the honour to acknowledge the receipt of your despatches, Nos. 47 and 52, of the 5th and 6th April, the former enclosing a letter from Sir Duncan Cameron containing a report of opera-

tions which had been successfully conducted by Colonel Warre at New Plymouth, resulting in the capture of the rebel position, and the latter enclosing copies of letters and communications which had reached you relating to an important engagement which had taken place with the rebel natives at Orakau, on the upper Waipa.

I have to express to you the satisfaction with which I have read these accounts, and I notice with great pleasure the high terms in which Sir D. Cameron speaks of the gallant conduct of the officers and men under his command, and your own expectation that this engagement may aid materially in bringing this lamentable war to a conclusion.

I take this opportunity of observing, that the inconveniences to which the Australian Colonies are exposed from the continued absence of the small detachments of troops allotted to them have been strongly urged upon my attention; and I must express my earnest hope, that, in case your anticipations should be realised, you will not fail to take the earliest possible opportunity of restoring to New South Wales, Victoria, South Australia, and Van Dieman's Land the troops who have been withdrawn from those Colonies.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 36.

SIR,—

Downing Street, 27th June, 1864.

I enclose the copy of a letter which I have received from the War Department. I do not at all doubt the wisdom of the measures which have been adopted on the recommendation of the Deputy Commissary-General; but I regret to infer from it that some months may elapse before General Cameron is able to withdraw his troops from the advanced position which they now occupy.

I take this opportunity of repeating the earnest hope which I have elsewhere expressed, that the recent successes of Her Majesty's troops may lead to an early termination of this unhappy conflict.

I have, &c.,

EDWARD CARDWELL.

Governor Sir George Grey, K.C.B., &c., &c., &c.

Enclosure to No. 36.

The MARQUIS OF HARTINGTON to the UNDER-SECRETARY OF STATE, Colonial Office.

SIR,—

War Office, 27th June, 1864.

I am directed by the Secretary of State for War to transmit, for the information of the Secretary of State for the Colonies, a copy of a letter from the Controller of Army Expenditure in New Zealand, relative to arrangements to provide forage for the use of the Forces engaged in active operations at so great a distance from the base of operations that it is deemed advisable to cultivate land for future supply in the vicinity of the most advanced military posts.

Such an arrangement would appear to imply not only a continuance of hostilities for a considerable period, but also the prolonged occupation by the troops of the advanced posts, with all the attendant extraordinary expense for transport and supplies. This view of the case is the more important since each monthly mail brings reports of progressive augmentation of the Commissariat Transport establishment, with a corresponding increase in its cost, amounting in February, the last month reported on, to £30,000.

The cost of supplies for the troops are also continuously augmenting, owing to the distance at which the operations are being carried into a country which furnishes nothing whatever except fuel for the wants of the Forces—and which involves not only heavy expense for transport by land and water, but also very great loss and waste of supplies from the want of ordinary facilities for communication, and from other local causes incidental to the climate and country.

Under these circumstances, Lord de Grey deems it expedient that Mr Cardwell should be kept fully informed not only of the progressively augmenting expense of the military operations, but also of any step which appears to indicate that, in the opinion of the military authorities, the war is likely to be prolonged, under circumstances which involve a large and increasing Imperial expenditure.

I have, &c.,

HARTINGTON.

The Under-Secretary of State, Colonial Office.

Enclosure 2 to No. 36.

Deputy Commissary-General JONES to UNDER-SECRETARY OF STATE, War Office.

SIR,—

Commissariat, New Zealand, Auckland, 1st April, 1864.

I have the honour to acquaint you, for the information of the Secretary of State for War, that on my recommendation, the Lieutenant-General commanding in New Zealand has been pleased to approve of such land as may be found suitable for the purpose at those places where troops are stationed farthest from Auckland, being cultivated, in order that the Transport animals may be supplied with green fodder in about five months' time, and thereby diminish the transport required for troops at a period of the year when, from bad roads, the greatest difficulty will be experienced in supplying the troops where land transport may be necessary.

For this service the Lieutenant-General has approved of men of the Commissariat Transport Corps being employed to prepare the land and sow the grain, and the additional expense, over and above the value of the labour, for seed and farming implements, will be about £100.

I have, &c.

H. STANLEY JONES, Dep. Com.-Gen.

The Under-Secretary of State for War.

No. 37.

SIR,—

Downing Street, 22nd July, 1864.

I have the honor to transmit to you, for your information, a copy of a letter from the Lords

Commissioners of the Admiralty enclosing a copy of the instructions issued by their Lordships to Commodore Sir William Wiseman relative to the employment of the officers and men of Her Majesty's ships in operations on shore.

I have, &c.,
Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure 1 to No. 37.

Lord C. PAGET to Sir F. ROGERS.

SIR,—

Admiralty, 15th July, 1864.

I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Mr. Secretary Cardwell, a copy of a letter this day addressed to Commodore Sir W. Wiseman, the senior officer of Her Majesty's ships in New Zealand, relative to the employment of the officers and men of Her Majesty's ships in operations on shore.

I am, &c.,

Sir F. Rogers, Bart, &c., Colonial Office.

C. PAGET.

Enclosure 2 to No. 37.

Lord C. PAGET to Commodore Sir WILLIAM WISEMAN.

SIR,—

Admiralty, 15th July, 1864.

With reference to my letter of this day's date, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that while they have conveyed to you the expression of their approbation of your own conduct and that of the force under your orders, they would view with concern the continued employment of the officers and men of your small squadron in operations on shore.

My Lords are aware that in all the operations on the Waikato, and in the rivers and creeks in the neighbourhood of Auckland, the co-operation of the navy was essential to the success of the army, and that, as at Rangariri, when combined attacks are made, the officers and men of the navy might properly be employed in the assault of works, and it would obviously be impossible for them under such circumstances to remain passive spectators of the struggles of their comrades of the army, and to withhold any assistance they were able to afford, but my Lords must again impress upon you the serious inconvenience which may arise from having Her Majesty's ships rendered inefficient by the loss of so many of their best officers and men.

Their Lordships trust that you will not lose sight of this consideration, and that while co-operating with the army you will confine such co-operation to matters immediately connected with the naval service, such as keeping up the communications by water, conveyance of stores and provisions, landing and working heavy guns, &c., and, except under the most pressing circumstances, you will not detach officers and men to take part in operations on shore, which should, more properly, be left to the land forces.

I am, &c.,

Commodore Sir William Wiseman, Bart., C.B., &c.

C. PAGET.

No. 38.

SIR,—

Downing Street, 26th July, 1864.

I have received your despatches of the numbers and dates noted in the margin.

I have read with deep regret the account which you give of the attack upon the Pah at Tauranga. It is indeed painful to reflect that so many brave officers and men should have perished in the attack; and that the brilliant example of Lieutenant-Colonel Booth, and the heroism and devotion of Captain Hamilton and Commander Hay, and the other officers to which Sir Duncan Cameron so feelingly does justice in his despatch, should not have been attended with success. It will greatly add to the concern which such a result is but too well calculated to produce, if any encouragement shall have been drawn from the circumstances of this attack by the Natives in arms against Her Majesty's authority to persist in their rebellion: or if Natives hesitating and uncertain shall have been induced to join the rebels.

I have also read with great concern the report of Colonel Warre, C.B., stating that a reconnoitring party, under the command of Captain Lloyd, of the 57th Regiment, fell into a strong Native ambush, about ten miles from New Plymouth, on the morning of the 6th, and being completely surprised were attacked at a great disadvantage; and that Captain Lloyd, and six of the 57th Regiment and Taranaki Militia (Military Settlers), were unfortunately killed, and twelve of the same corps wounded; and further, that in this instance the Natives had mutilated the dead and carried away the heads of Captain Lloyd and five of his companions who were slain.

On the other hand, it is a source of sincere satisfaction to receive your report of the action at Maketu, in which the friendly Natives rendered so great a service to the cause of loyalty and order; and the brilliant affair in which Captain Shortt, with the small force under his orders at the time inflicted so signal a repulse upon the Natives who attacked him at Sentry Hill in the Taranaki district.

I have now received the full account of that difference which I am much concerned to see has arisen between yourself and your Responsible Advisers with respect to the treatment of Ti Oriori and the other prisoners detained in the hulk "Marion."

I have also read and considered the despatch of Brigadier General Carey, and the enclosed letters of Mr. Mair, informing you that Rewi had expressed his desire to make peace and live quietly by the side of the white people, but that he is afraid he would place himself too much at the General's mercy by giving up his arms; together with the Memorandum of your Ministers, giving their reasons for attaching very little weight to the information so conveyed to you.

It appears that you are desirous of releasing Te Oriori and some other of the prisoners upon their parole, in the firm conviction "that any captive New Zealand Chiefs, generously treated, would never break conditions as to residence, or otherwise, into which they had entered, to obtain freedom from actual imprisonment;" and that "their long imprisonment, without any announcement being made by the Government as to what their ultimate fate is to be, is exercising a very prejudicial effect upon the

country; that it tends to prolong the war, to cause an unnecessary loss of life, and to entail an useless expense on Great Britain and the Colony; whilst you do not consider it as forming a part of any settled line of policy."

Your Ministers, on the contrary, express the opinion that "it would be an unwise and dangerous experiment to permit any of them to have such liberty as would enable them, by a breach of parole only, to join their tribes and friends still engaged in active hostilities against the Queen's troops. Conditions as to residence," they proceed, "are easily made but as easily broken, and there would be no means in the hands of the Government of enforcing their observance nor of punishing their breach. Ministers are therefore of opinion that all, and not only some, of the prisoners should be brought to trial, and that none should at present be released."

Your Ministers further state that "it has appeared to them, up to the present time that to release the prisoners, or make an absolute promise and official declaration to do so, would be injudiciously to throw away a powerful check on both the prisoners and their friends;" and that "they feel assured that these men being in their power has had the effect of checking the barbarous system of murdering unarmed men and women, which had previously disgraced the rebel Natives. Since the prisoners have been in custody no murder has been committed; their friends, Ministers are informed on excellent authority, being restrained by the fear of reprisal." And finally, in regard to the reports made to you by Mr. Mair. Your Ministers observe that "no doubt the statements are not to be disregarded, but on the other hand, too much weight should not be attached to them. Mr. Mair received his information from one Native, who was told by another Native who had communicated with the rebels. The unreliable character of the information generally derived through Native sources, might be illustrated by a statement of some of the reports constantly put into circulation."

In conclusion, the arrangement finally made and about, as I understand, to be made known by Proclamation to the Natives generally, was as follows:—That the prisoners should not be brought to trial; that it should be announced to them at once that no personal punishment, beyond restraint of liberty, would be inflicted; and that when peace should have been re-established, they would be liberated and land allotted to them to settle on; that an opportunity of communicating with their friends on the subject of their position should be afforded them, and for this purpose writing materials supplied to them; and that two of their number, not being influential Chiefs, and to be approved by the Government, should be permitted to be the bearers of their letters, taking their parole to return.

You have stated to your Ministers that you "have not only to issue orders on the advice of your Responsible Advisers, for the suppression of the Rebellion, the punishment of prisoners, &c., to the Colonial forces, but also to the Senior Naval and Military Officers of the forces of Great Britain, and that there can be no doubt that you will be held responsible by the Home Government for any acts of which you may order the execution by their forces, or for the ultimate attainment of which you direct the employment of their forces, if such acts appear to the Government and people of England to be unnecessarily severe or unjust, or even if such acts would have a tendency to prolong, without sufficient object, a civil war."

On this subject it will be sufficient for me now to remind you that in my despatch of 26th May I had stated to you plainly that "an army of 10,000 English troops has been placed at your disposal for objects of great Imperial concern, and not for the attainment of any merely local object: that your responsibility to the Crown is paramount, and that you will not continue the expenditure of blood and treasure longer than is absolutely necessary for the establishment of a just and enduring peace;" and also that in my despatch of 27th June, when I had received an intimation of this unfortunate difference between yourself and your Advisers, but without the full particulars which have reached me by the present mail, I again stated that while I fully "recognized the general right and duty of the Colonial Government to deal with matters of Native policy properly so called, I considered that while active operations are being carried on under the conduct of Her Majesty's Officers, and in the main by Her Majesty's military and naval forces, it was for the Governor personally, as representative of the Imperial Government, to decide upon the fate of persons who were taken prisoners in the course of these military operations."

The question of Responsible Government in a colony where in ordinary times the civil and internal policy is directed by the Ministers, but where in case of emergency the safety of the inhabitants is secured, and peace and order are restored by the aid of the naval and military forces of Her Majesty, is not a question to be discussed in argument at a moment like the present. Whatever may be the precise limits of the authority vested in the Ministers, and of the power and responsibility of the Governor as the servant of the Crown of England, an army like that now operating in New Zealand has not been sent to the colony, and will not be maintained there, subject to any other authority than that of the Crown; and you appear to me rightly to interpret your position in the observations which you have addressed to your Ministers in the Minute to which I have referred. Your duty as the Representative of your Sovereign, is to take such measures as may in your judgment be best calculated to put down rebellion, to restore peace and order, and to stop the expenditure of blood and treasure. When you shall have accomplished these objects, and the army maintained at so great a sacrifice shall have been reduced to the moderate numbers suited for the times of regular and peaceful administration, Her Majesty's Government will not be desirous to withdraw from the Colonial Ministers any part of that authority in the conduct of Native affairs which has been already vested in their hands.

Of the policy of releasing Te Oriori, or of some, and if so, how many of the other prisoners; of the credence to be attached to the statements of Native messengers respecting Rewi, and of the effect which the detention of the prisoners as hostages may have had in preventing hostile operations, or murderous outrages on the part of any of their friends, it is not possible to judge without that knowledge of the circumstances which only presence on the spot can give, and even if I possessed that knowledge, I should feel that it was extremely hazardous to give you positive instructions from home to be carried into effect after an interval of five months from the time at which you had reported the circumstances to me, and when therefore the most material changes in those circumstances must have inevitably occurred.

What I do feel it to be my duty to say to you, plainly, is that the aid of the mother country in men and in money is given to the colony on the understanding that the military measures which have unhappily become necessary, shall be directed by you in concert with the distinguished General in command. I shall be perfectly ready to support you in any measures which, not breaking any positive law of the colony, and after consulting with the General, you may have thought it necessary to take on this subject.

I earnestly trust, however, that that sense of the consideration due to your position, to which in your Memorandum of 29th April you appeal, will have been manifested by your Advisers;—and that, more especially, when they shall have received the full and deliberate statement of the views of Her Majesty's Government, conveyed to you in my despatch of 26th April last, they will cordially co-operate with you in the measures which you may feel called upon to adopt in pursuance of your instructions. I am confirmed in this hope by the assurances which Mr. Reader Wood on the part of his colleagues and himself has given me, as you will have seen in his letter to Sir T. Rogers, and by the tone which Mr. Reader Wood has uniformly maintained in his frequent communications with me during his stay in England.

I cannot for one moment believe that your Ministers will be actuated by any other feeling than a patriotic desire to aid you to the utmost of their power; and I trust that, even when their opinions may differ from your own, a paramount sense of public duty will induce them to forget these differences and cordially to support your efforts and those of General Cameron to promote the cause which equally with yourself they have at heart.

I enclose to you a copy of the Bill which has passed the House of Commons, and been read a second time in the House of Lords, for guaranteeing to New Zealand a loan of one million sterling. I hope that by the next mail I may be able to inform you that it has received the Royal assent, and may convey to you the instructions under which it will be necessary for you to act in order to obtain by the Assembly of New Zealand, the adoption of the conditions on which that guarantee has been conceded by the Imperial Parliament.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

Enclosure to No. 38.

A Bill intituled "An Act to guarantee the Liquidation of a Loan for the Service of the Colony of New Zealand."

Whereas by an Act of the General Assembly of New Zealand, passed in the twenty-seventh year of Her Majesty, intituled, "An Act for raising a Loan of Three Million Pounds Sterling for the Public Service of the Colony of New Zealand," it was enacted, that it should be lawful for the Governor or New Zealand to appoint the Agent or Agents therein mentioned, with authority to borrow and raise on behalf of the said Colony such sum or sums of money not exceeding in all three million pounds sterling as the said Governor might direct: And whereas it is expedient that the Commissioners of Her Majesty's Treasury should be authorised to guarantee the payment of interest and repayment of the Principal of part of the sum so to be borrowed, not exceeding the amount of One million pounds sterling, upon the conditions hereinafter mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this Present Parliament assembled, and by the authority of the same, as follows:—

1. The liquidation of all such sums, not exceeding in the whole the sum of One million pounds, as shall be borrowed and raised in Great Britain, with the approbation of the Commissioners of Her Majesty's Treasury, under the said first-recited Act of the General Assembly of New Zealand, or of any Act passed in amendment of the same, together with the interest thereon, not exceeding the yearly rate of four pounds for one hundred pounds, shall be guaranteed under this Act; and for giving effect to such guarantee, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct and cause to be issued and paid out of the growing produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, such sums as shall be required to make good any deficiency which shall happen in the regular payment, on the part of New Zealand, of the interest accruing due upon such sums as shall be borrowed as aforesaid, or in the liquidation of the principal sums when the same shall become payable.

2. Provided nevertheless, that it shall not be lawful for the Commissioners of Her Majesty's Treasury to approve the borrowing and raising of the hereinbefore mentioned principal sum of One million pounds, or any part thereof, until provision shall have been made by the General Assembly of New Zealand to the following effect, that is to say:—

- (1.) That every part of the said principal sum shall be repayable and repaid at the expiration of thirty years at the furthest from the day on which such part shall have been borrowed and raised:
- (2.) That for the purpose of providing a Sinking Fund for the liquidation of the said principal sums, a sum equal at the least to two per cent. per annum on the total of such principal sums shall be paid yearly, and invested and increased by way of accumulation in the manner directed by the said first-recited Act in respect of the Sinking Fund therein provided for:
- (3.) That the said principal sums and all interest thereon, and the said annual sum of not less than two per cent. for Sinking Fund, shall be a charge on the general revenue of New Zealand, having priority over all other charges upon the said revenue, except charges created in virtue of an Act passed by the said General Assembly, intituled, "The New Zealand Loan Act, 1856," and of an Act of Parliament passed in the twenty-first year of Her Majesty, intituled, "An Act to guarantee a Loan for the Service of New Zealand," or either of them, and that the said general revenue shall for the purposes of this Act be deemed to include all the revenue which shall arise from duties of import and export, from Post Office receipts, and Supreme Court fees, from the disposal of Waste Lands of the Crown, and from all taxes, duties, rates, and imposts levied or to be levied by virtue of any Act of the General Assembly of New Zealand, and all revenues whatsoever which may be lawfully expended or disposed of by the authority of the said Assembly:

nor until the said Commissioners shall be satisfied by certificate under the hand of the Officer administering the Government of New Zealand, or otherwise, that the said General Assembly have adopted such proposals as shall have been made to them by authority of any of Her Majesty's Principal Secretaries of State respecting the repayment of any monies due to the Imperial Treasury from the Treasury of the Colony, and for the payments to be made from the Colonial revenue as well for the support of Her Majesty's troops employed in the said Colony as for the benefit of the native inhabitants thereof.

3. All the sums which shall be so issued and paid out of the said Consolidated Fund in respect of the interest of the sums borrowed as aforesaid, or the liquidation of the principal sums, with interest upon the sums so issued after the yearly rate of five pounds for one hundred pounds, to be computed from the several times of issuing the same, shall be charged upon the general revenue of the Colony of New Zealand as hereinbefore defined.

4. No Act passed by the Legislature of New Zealand in anywise discharging or varying the security to be given in accordance with this Act, upon the revenue arising from the duties of import and export, and from the disposal of Waste Lands of the Crown, for the repayment of the sums of money borrowed as aforesaid, and the interest thereon, shall be valid unless such Act contain a clause suspending the operation of the same until Her Majesty's pleasure shall have been taken thereon, and the same shall have been confirmed by Her Majesty, with the advice of Her Privy Council, and a Proclamation of such confirmation having been given shall have been made by the Governor or person administering the Government of the said Colony.

5. The Commissioners of Her Majesty's Treasury shall from time to time certify to one of Her Majesty's Principal Secretaries of State the amount so paid from time to time on account of the interest or principal of the sums borrowed as aforesaid; and such certificate shall be communicated to the Governor or person administering the Government of New Zealand, and shall be by him communicated to the General Assembly of the said Colony; and such certificate shall be conclusive evidence of the amount so paid out of the Consolidated Fund of the said United Kingdom and of the time when the same was paid on account of the interest or principal of the sum so borrowed.

6. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within fourteen days next after the beginning of every Session, an account of all sums from time to time issued out of the Consolidated Fund of the said United Kingdom by virtue of this Act towards making good any such deficiency as aforesaid, and also an account of all sums repaid by or recovered from New Zealand by reason of such advance, with the interest paid or recovered thereon.

7. And whereas by an Act of the General Assembly of New Zealand, passed in the twenty-seventh year of Her Majesty, intituled, "An Act to enable the Governor to establish Settlements for Colonization in the Northern Island of New Zealand," provision was made for the proclamation of certain Districts within the said Colony, and for setting apart within such Districts eligible sites for settlements for colonization, and for other matters therein mentioned: And whereas doubts are entertained whether the provisions of the said Act, or some of them, may not be void by reason of their repugnancy to the third section of an Act of Parliament of the twentieth and twenty-first years of Her Majesty, intituled, "An Act to guarantee a Loan for the Service of New Zealand:" Be it enacted as follows:—

Nothing in the said Act to enable the Governor to establish settlements for colonization in the Northern Island of New Zealand shall be or be deemed to have been void or inoperative on account of any repugnancy to any of the provisions of the last-mentioned Act of Parliament or of this Act.

No. 39.

SIR,—

Downing Street, 26th July, 1864.

I have to acknowledge the receipt of your Despatch of the 3rd May, No. 63, forwarding an account of the tour made by Mr. Fox, the Colonial Secretary, through the Kaipara District in March last.

I have read the account with much interest, and learn with much satisfaction that such a loyal spirit exists amongst the Natives in this District.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 40.

SIR,—

Downing Street, 4th August, 1864.

I have received your Despatch, No. 60, of the 26th of April, enclosing, with other papers, a copy of a letter from Lieutenant-Colonel Logan, giving further particulars respecting the death of Captain Lloyd, and the treatment to which his remains have been subjected.

I need hardly say that I have been greatly shocked at the perusal of this report.

It is widely at variance with the report given by Sir D. Cameron of the conduct of the natives to the officers wounded at Tauranga, and shows a marked distinction between those insurgents who have endeavoured to conform their practices to the usages of civilized life and those who have resumed the inhuman habits of their ancestors.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 41.

SIR,—

Downing Street, 5th August, 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 54, of the 8th of April, enclosing for the information of the Secretary of State a copy of an important address which you had received from this country in relation to the war in New Zealand, together with a copy of your reply, of which I entirely approve.

I have also received your Despatch, No. 67, of the 5th of May, forwarding copy of a Memorandum on the subject of the address, which had been drawn up by your Responsible Advisers.

I shall cause a copy of this Memorandum to be sent to Lord Chichester, whose name I find first appended to the address.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 42.

SIR,—

Downing Street, 15th August, 1864.

I enclose a copy of the Act passed during the last Session of Parliament to enable the Lords of the Treasury to guarantee a Loan of One Million Pounds for the service of New Zealand.

I also enclose a Parliamentary Paper, in which is printed the correspondence which preceded the passing of that Act, and from which, taken in connection with the Act itself, you will collect the conditions on which the proposed guarantee may be given.

Those conditions are contained or referred to in the 2nd section of the Act. The articles of that section, numbered 1, 2, and 3, require no explanation. It is only necessary that the provisions there set forth should be exactly made by the General Assembly in a new Loan Act.

But under the concluding clause of this section it will be necessary for you to furnish a certificate that the General Assembly "have adopted such proposals as shall have been made to them by authority of any of Her Majesty's Principal Secretaries of State respecting the repayment of any monies due to the Imperial Treasury from the Treasury of the Colony, and for the payments to be made from the Colonial Revenue, as well for the support of Her Majesty's Troops employed in the said Colony, as for the benefit of the native inhabitants thereof."

It therefore rests with me, first to authorize you to make to the General Assembly certain proposals on these heads, and next to instruct you under what circumstances, and in what form, you are to certify that these proposals have been adopted.

The proposals which were within the knowledge of Parliament, when it sanctioned the proposed Guarantee, were those contained in the correspondence which closes the Parliamentary Paper to which I have alluded. I should wish you therefore to lay before the New Zealand Assembly the letter, of the 2nd of June, addressed by my direction to Mr. Hamilton, by Sir F. Rogers, with the enclosures numbered 1, 2, and 3, and with Mr. Peel's answer of the 8th of June, informing the Assembly that the proposals which you are authorized to submit for their adoption, in pursuance of the Imperial Act, as to the repayment of Imperial advances, the Military Contribution, and the appropriation for Native purposes, are those contained in the letter addressed by Sir F. Rogers to Mr. Reader Wood on the 26th of May, and accepted by that gentleman—so far as he had authority to accept them—in his answer of 28th May, 1864.

These being the proposals of Her Majesty's Government, you are at liberty to certify that they have been adopted by the General Assembly, when the provision respecting the repayment of Imperial Advances shall have been enacted in the new Colonial Loan Act, and when the conditions respecting the Military Contribution and payment to Native purposes shall have been embodied in Resolutions of the Assembly, and the necessary appropriations for the year 1865 shall have been made by an Act of the Assembly reciting those resolutions.

The certificate itself should not enter into any details, but should be so worded that any lender may at once perceive that it satisfies the conditions of the Act of Parliament, and enables the Lords of the Treasury to guarantee the repayment of his money.

I annex the form which I should wish you to adopt.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure 1 to No. 42.

Copy of a LETTER from the Right Hon. F. PEEL, M.P., to Sir F. ROGERS, Bart.

SIR,—

Treasury Chambers, June 8, 1864.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letter, dated 2nd instant, on the subject of the proposal to submit to Parliament a Bill for guaranteeing a loan of £1,000,000 to the Colony of New Zealand, and I am to request you to state to Mr. Secretary Cardwell that their Lordships have given their best attention to his views, as expressed in your letter.

Their Lordships consider that any demand for the guarantee from this country on behalf of a loan to be contracted for a Colony ought to be scrutinised with jealousy, and ought, except under some rare and peculiar combination of circumstances, to be declined.

My Lords are prepared to admit that such a combination of circumstances may be justly said to exist in the present instance.

The strength of the case appears to depend upon the united force of several causes; such, for example as, the extreme pressure upon the Colony, the interest of the native races in the question, the opening afforded for securing the immediate repayment of a large debt due to the British Exchequer, and, most of all, the opportunity which this loan presents for securing a great improvement in the future arrangements as to charge for the military defence of the Colony.

With respect to the sufficiency of the New Zealand revenue to bear, prospectively and regularly, the charge of interest and sinking fund, my Lords rely entirely on the judgment of Mr. Secretary Cardwell, from which, however, they do not find in the case, so far as it is before them, any reason to dissent.

My Lords perceive with pleasure that the arrangements now proposed will be open to reconsideration after a reasonable time; and they hope that it will be clearly understood by the Colonial authorities that it will rest entirely with her Majesty's Government to judge at what period they should be further modified, with a view similar to that which has dictated the present change.

Meantime, in consideration of the provision made for native purposes, my Lords do not hesitate to assent to that particular portion of the plan (as well as to the rest) which provides for the supply of one regiment free of charge.

It would be desirable, in case the circumstances of the Colony should admit of an augmented payment to the sinking fund from a larger surplus revenue in any given year, that such a course of action should be facilitated and encouraged.

Their Lordships would commend this topic to such consideration as Mr. Secretary Cardwell may think it deserves.

I am, &c.,

Sir F. Rogers, Bart., &c., &c.

F. PEEL.

NOTE.—For the remainder of the Correspondence forming Enclosure No. 1 in Despatch No. 84, *vide* B, No. 2.

Enclosure 2 to No. 42.

I hereby certify that the General Assembly of New Zealand have adopted such proposals as I have made to them, by authority of the Right Honorable Edward Cardwell, one of Her Majesty's Principal Secretaries of State, respecting the repayment of any moneys due to the Imperial Treasury from the Treasury of the Colony, and for the payments to be made from the Colonial Revenue, as well for the support of Her Majesty's Troops employed in the said Colony, as for the benefit of the Native inhabitants thereof.

No. 43.

SIR,—

Downing Street, 20th August, 1864.

I have received your Despatches noted in the margin. That which is latest in date is also by far the most satisfactory in the information it conveys to me. I sincerely rejoice to learn that the confidence of the Europeans in the natives has been much restored, and that this most desirable result has been produced by very substantial services rendered by friendly natives to the cause of British supremacy and law. Above all, I am rejoiced that you feel justified in expressing your opinion that a rapid succession of events, in the main so disastrous to the rebel cause, has produced a great effect upon the native mind, and that there is a fair prospect of the war being soon brought to a close.

I have read with great regret the continuation which has reached me by this mail of the correspondence between yourself and your Responsible Advisers on the subject of terms of peace proposed, or to be proposed, to the natives, and of the extent to which the principle of confiscation ought to be carried. It is quite true, as stated in one of these minutes, that the principle of confiscation had been sanctioned by you, and that your sanction of it had been approved by the Duke of Newcastle. But the application of that principle is a question of degree, and in my Despatch of the 26th April, I conveyed to you as fully as I could the views which, after the most deliberate consideration of a subject so important, Her Majesty's Government desired you to adopt. Referring to that Despatch, which had then been printed by order of Parliament, I stated to Mr. Reader Wood that his acceptance of my proposal for a guaranteed Loan would be regarded by Her Majesty's Government as an assurance on his own part and that of his colleagues, of their desire cordially to co-operate with you in that just and temperate policy towards the native race; and his reply, which was also subsequently laid before Parliament, was perfectly satisfactory and complete in this respect.

I feel, therefore, that you are on every ground fully entitled to expect, and I trust you will have received from your Ministers, all possible assistance and support in carrying your instructions into effect. Nothing could be more calculated to excite a strong feeling of disappointment, and even of indignation in this country, than any well-founded belief that the war was unnecessarily protracted in consequence of any indisposition in New Zealand to give full effect to a just and generous policy towards the native race. I know that it is your own desire to carry such a policy into effect; and I have nothing now to add either to the instructions in which I have conveyed to you the views of Her Majesty's Government, or to the assurances I have given you that in using every legitimate means to give effect to those instructions, you may count upon my cordial support.

I do not recollect with certainty what Proclamations have been actually issued, and request that you will send to me by the next mail, for my information, a series of all the documents bearing that character which have been issued by your authority or that of your Government. I shall be glad if you are able to inform me that none which has been issued has tended to alienate returning feelings of allegiance, to check reviving confidence, or to awaken feelings of unnecessary distrust and animosity among the native population. I entirely agree with you that the interests of the races are inseparable, and earnestly hope that on the receipt of your instructions, you will have been enabled to publish terms of submission which the hostile natives have been able to accept, and which promise to secure a just and lasting settlement.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 44.

SIR,—

Downing Street, 21st August, 1864.

I transmit to you herewith, to be laid before your Responsible Advisers for their information, copy of a correspondence with the Lords Commissioners of the Admiralty with reference to the purchase by the Commissariat Department in New Zealand of the "Alexandra" steam vessel, for the conveyance of troops and stores between the Manukau and the ports on the Western Coast.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure 1 to No. 44.

Mr. ROMAINÉ to the UNDER SECRETARY OF STATE FOR THE COLONIES.

SIR,—

Admiralty, 18th July, 1864.

By a communication my Lords Commissioners of the Admiralty have received from the Secretary of State for War, it appears that the Commissariat department in New Zealand has, under the authority of the Lieutenant-General Commanding, purchased the "Alexandra" steam vessel, of 80 horse power, at a cost of £13,000, for the conveyance of troops and stores between the Manukau and the ports on the Western Coast. The War Department proposes that the cost of the vessel and a moiety of her working expenses should be defrayed from Naval Votes—the Colonial Government defraying the remaining moiety, and undertaking the working of the vessel, under the instructions of the Commissariat Department, independently of any control by the naval officer specially sent out from this country to superintend all matters on behalf of the Admiralty connected with the Transport Department.

My Lords are in communication with the Lords of the Treasury in regard to the charge of this expenditure for which no provision has been made in the Estimates of the present year, and as regards the portion of the working expenses proposed to be shared between the Imperial and Colonial Governments. But my Lords request you will state to Mr. Secretary Cardwell that they see grave objections to arrangements of this kind being entered into without the control of the Transport Officer on the spot, if any portion of the expense is to fall on Naval Votes.

To the Under Secretary of State, Colonial Office,
&c., &c., &c.

I have, &c.,

W. G. ROMAINÉ.

Enclosure 2 to No. 44.

Sir T. ROGERS to the SECRETARY TO THE ADMIRALTY.

SIR,—

Downing Street, 2nd August, 1864.

I am directed by Mr. Secretary Cardwell to acknowledge the receipt of your letter of the 18th ult., informing him of the purchase by the Commissariat Department in New Zealand of the "Alexandra" steam vessel, for the conveyance of troops and stores between the Manukau and the ports on the Western Coast, and stating that their Lordships entertain grave objections to the arrangements proposed by the War Department for defraying the cost and working expenses of this vessel.

Mr. Cardwell has no knowledge of this transaction except through your letter; but he will, if their Lordships desire it, convey their views to the Colonial Government.

I have, &c.,

The Secretary to the Admiralty.

T. ROGERS.

Enclosure 3 to No. 44.

Mr. ROMAINÉ to UNDER SECRETARY OF STATE FOR COLONIES.

SIR,—

Admiralty, August 13th, 1864.

With reference to your letter of the 2nd instant, I am commanded by my Lords Commissioners of the Admiralty to request you will state to the Secretary of State for the Colonies that my Lords would be glad if he would communicate with the Colonial Government of New Zealand on the subject of the purchase by the Commissariat Department of the steamer "Alexandra," for the conveyance of troops and stores between Manukau and the ports on the Western Coasts of New Zealand.

The Under Secretary of State for the Colonies,
&c., &c., &c.

I have, &c.,

W. G. ROMAINÉ.

No. 45.

SIR,—

Downing Street, 22nd August, 1864.

I have to acknowledge the receipt of your Despatch of the 9th May, No. 76, forwarding a Statement drawn up by Mr. Baker, containing the narrative of a friendly Native named Henri Taiwhanga, who was captured by the Rebels at Rangiaohia, but subsequently released.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 46.

SIR,—

Downing Street, 23rd August, 1864.

I have to acknowledge the receipt of your Despatches, Nos. 80 and 85, of the 26th and 30th May; the first giving me information as to the origin and opinions of a body of Fanatics, who had recently arisen in the neighbourhood of Waikanae; the second reporting that one party of them was nearly entirely destroyed by friendly Natives, in the attempt to descend the Whanganui River to attack the natives.

I have much pleasure in again expressing my satisfaction at the excellent conduct of the friendly Natives, and I trust that their conduct on the present occasion, together with the gallantry of Captain Shortt and his detachment of the 57th Regiment near Taranaki, to which you have referred in your Despatch No. 89, may have effectually suppressed the odious fanaticism which you have brought to my notice in these Despatches.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 47.

Downing Street, 23rd August, 1864.

SIR,—

I have to acknowledge the receipt of your Despatch of the 30th May last, No. 84, informing me that above 100 Rebel Natives were killed and wounded on the occasion of the attack on Sentry Hill Redoubt, on the 30th April last.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 48.

Downing Street, 23rd August, 1864.

SIR,—

I have to acknowledge the receipt of your Despatch of the 6th June, No. 86, forwarding a copy of a letter from the Bishop of Waiapu, in which he gives his reasons for believing that the War against Waikato was necessary, and could not be avoided.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 49.

Downing Street, 25th August, 1864.

SIR,—

I transmit to you a copy of a letter from the Treasury, having reference to the question of the present Packet Service between Australia and New Zealand, and I have to instruct you to guide yourself in accordance with the wishes of the Lords Commissioners, as shewn by their letter.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 50.

Downing Street, 6th April, 1864.

SIR,—

In the month of January, 1863, I caused to be transmitted to you, in common with other Governors of Colonies in which the Government is responsible to the Legislature, a copy of a circular despatch addressed on the 1st of the month to the Governors of all other colonies, requesting answers to one series of interrogations respecting public hospitals, and to another respecting lunatic asylums.

The circular despatch explained the object with which the information was sought, and the answers it was hoped would place me in a position to take a view of the state of the public hospitals and lunatic asylums in the Colonies, and to recommend such measures as might effect improvements in them, and promote the further alleviation of human suffering.

I did not require Governors of Colonies having Responsible Government that they should render an account of these institutions, which might very possibly be removed from their absolute and immediate control. I left it to these Governors to deal with the communication made to them as they might deem expedient, relying upon the interest which they would feel in the subjects of so much importance to the public welfare. But it would have been gratifying to me to have received from them any information they might be in a position to afford, and Governor Sir Henry Barkly, then administering the Government of Victoria, with his habitual alacrity and zeal in the promotion of public objects and of the interests of humanity, furnished me with information in respect to the hospitals and lunatic asylums of Victoria similar to that which had been required from the Governors of Colonies not having Governments responsible to the Legislature. I have received similar information from the Governors of Canada, Tasmania, and other important Colonies. From New Zealand I have not received any acknowledgment of the communication made to you. But I nevertheless transmit to you herewith a copy of a circular despatch which I have this day addressed to the Governors of Colonies not having Responsible Governments, and of its enclosure, from which you will learn the general tenor of the information concerning Colonial hospitals and lunatic asylums which has been received, and also the steps which I have thought it desirable to take in the endeavour to make that information available for inducing amendments in the manner of treating the indigent sick and lunatics in the Colonies.

Governor Sir George Grey, K.C.B., &c.

I have, &c.,

EDWARD CARDWELL.

No. 51.

Downing Street, 8th April, 1864.

SIR,—

I have the honor to inform you that Her Majesty has been pleased to entrust to my care, as one of the Principal Secretaries of State, the Seals of the Colonial Department.

Governor Sir George Grey, K.C.B., &c.

I have, &c.,

EDWARD CARDWELL.

No. 52.

Downing Street, 23rd April, 1864.

SIR,—

The following instructions have been drawn up by Her Majesty's Government for the guidance of Her Majesty's civil and naval authorities abroad, during the continuance of the present hostilities between Denmark and the German Powers, and it will be your duty to take care that these instructions are strictly observed within the Colony under your government.

I. During the continuance of the present hostilities between His Majesty the King of Denmark,

on the one side, and His Majesty the Emperor of Austria, His Majesty the King of Prussia, and the Germanic Confederation, or any of these Powers, on the other side, no prize captured or taken by any armed ship of any of the belligerent Powers, or by any officers or persons in the service of any of the said Powers, shall be permitted to be brought into any of the ports, harbours, roadstead, or waters belonging to Her Majesty, either in the United Kingdom or elsewhere.

2. All ships of war of any of the said belligerents are strictly prohibited from making use of any port or roadstead in the United Kingdom of Great Britain and Ireland, or in the Channel Islands, or in any of Her Majesty's Colonies or possessions abroad, as a station or place of resort for any warlike purpose, or for any purpose of warlike equipment; and no ship of war of any of the said belligerents shall hereafter be permitted to sail out of, or to leave any port, roadstead, or waters subject to British jurisdiction, from which any vessel of the Power or Powers with whom such belligerent is at war (whether the same shall be a ship of war or a merchant ship) shall have previously departed, until after the expiration of at least 24 hours from the departure of such last mentioned vessel beyond the territorial jurisdiction of Her Majesty.

3. These orders are to be in force, and to be strictly observed in every case until Her Majesty shall be pleased to make any further or other order to the contrary.

4. The word "privateer" is not used in these instructions, because by the Declaration respecting Maritime Law, signed at Paris on the 16th April, 1856, Austria and Prussia agreed that "privateering is and remains abolished," and Denmark adhered to the same Declaration, on the 25th of June, 1856.

I have, &c.,

Governor Sir George Grey, K.C.B., &c.

EDWARD CARDWELL.

No. 53.

SIR,—

Downing Street, 5th May, 1864.

At the instance of the Lords of the Committee of Privy Council for Trade, I forward herewith copies of the Quarterly Supplement to the Mercantile Navy List for 1864, for the use of Registrars of Shipping and Officers of Customs in the Colony under your Government.

I have, &c.,

EDWARD CARDWELL.

Governor Sir George Grey, K.C.B., &c., &c., &c.

No. 54.

SIR,—

Downing Street, 2nd June, 1864.

I think it well to communicate to you the decisions at which Her Majesty's Government have arrived on certain questions which have arisen respecting the treatment of prizes captured by Federal or Confederate cruisers, if brought into British waters.

1. If any prize, captured by a ship of war of either of the belligerent Powers, shall be brought by the captors within Her Majesty's jurisdiction, notice shall be given by the Governor to the captors immediately to depart and remove such prize.

2. A vessel which shall have been actually and *bona fide* converted into and used as a public vessel of war, shall not be deemed to be a prize, within the meaning of these rules.

3. If any prize shall be brought within Her Majesty's jurisdiction through mere stress of weather, or other extreme and unavoidable necessity, the Governor may allow for her removal such time as he may consider to be necessary.

4. If any prize shall not be removed at the time prescribed to the captors by the Governor, the Governor may detain such prize until Her Majesty's pleasure shall be made known.

5. If any prize shall have been captured by any violation of the territory or territorial waters of Her Majesty, the Governor may detain such prize until Her Majesty's pleasure shall be made known.

Her Majesty's Government have not thought it necessary to make any addition to the instructions already given with respect to cargoes—viz., that Her Majesty's orders apply as much to prize cargoes of every kind, which may be brought by any armed ships or privateers of either belligerent into British waters, as to the captured vessels themselves. They do not, however, apply to any article which may have formed part of any such cargoes if brought within British jurisdiction not by armed ships or privateers of either belligerent, but by other persons who may have acquired or may claim property in them by reason of any dealings with the captors.

These rules are for the guidance of the Executive Authority, and are not intended to interfere in any way with the process of any Court of Justice.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 55.

SIR,—

Downing Street, 20th June, 1864.

I transmit to you herewith a copy of a letter from the Secretary to the Royal National Life-Boat Institution, with copies of new Instructions which have been issued by that Institution, for the restoration of persons apparently drowned.

I have been informed by the Lords Commissioners of the Admiralty that the Medical Director-General of the Navy has given it as his opinion that the Instructions in question are valuable, and that they have been circulated in the Royal Navy; I have therefore no hesitation in giving to these Instructions the Circulation desired by the Committee of the Institution.

I have, &c.,

EDWARD CARDWELL.

Governor Sir George Grey, K.C.B., &c., &c., &c.

No. 56.

SIR,—

Downing Street, 27th June, 1864.

It has been represented to me through the Board of Trade, that it not unfrequently happens that the first notification of the establishment of a light for the guidance of ships in any of our own Colonies reaches that Department and the Admiralty through Foreign Governments.

It is highly important that the earliest and most authentic information should be received by Her Majesty's Government on the establishment of a new light in any Colony; and I have to request that, whenever any such new light shall be established in the Colony under your Government, you will not fail to give me the earliest information on the subject.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 57.

SIR,—

Downing Street, 30th June, 1864.

The Act 26th Victoria, cap. 24, which was transmitted to you with the Circular Despatch from this Department of the 30th June, 1863, provides that "in any British Possession where the office of Judge of a Vice-Admiralty Court is now or shall at any time hereafter become vacant, the Chief Justice, or the principal Judicial Officer of such Possession, or the person for the time being lawfully authorised to act as such, shall be ex-officio Judge of the Vice-Admiralty Court until a notification is received that a formal appointment to that Office has been made by the Admiralty.

In order that there may be no doubt as to creation of a vacancy in that Office, it will be desirable that you should take care that when any Chief Justice or Judge, holding a direct appointment from the Admiralty, may relinquish his Colonial Judicial appointment, he should also surrender his commission as Judge of the Vice-Admiralty Court.

The principle would apply under the 5th Section of the same Act to officers holding appointments from the Admiralty as Registrars and Marshals of that Court.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 58.

SIR,—

Downing Street, 30th June, 1864.

The Act 26th Victoria, cap. 24, "To facilitate the appointment of Vice-Admirals and of Officers in Vice-Admiralty Courts in Her Majesty's Possessions abroad, and to confirm the past proceedings, to extend the jurisdiction, and to amend the practice of the Courts," provides, amongst other things, that "in any British Possession where the Office of Vice-Admiral is now or shall at any time hereafter become vacant, the Governor of such possession shall be ex-officio Vice-Admiral thereof, until a notification is received in the possession that a formal appointment to the Office has been made by the Admiralty in the manner hereinafter mentioned."

The intention of that clause was to convey to every successive Governor, by Statute, the powers which had theretofore been conveyed to each Governor by his Vice-Admiral's commission, but as there are grounds for apprehending that some confusion might arise if the prior authority should remain outstanding, it will be desirable that you should resign the Commission under which you have hitherto acted, your powers as Vice-Admiral remaining vested in you under the provisions of the Statute.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 59.

SIR,—

Downing Street, 16th July, 1864.

In my predecessor's Circular Despatch of the 14th July, 1860, you were informed that no person was entitled to wear the uniform of any Colonial Office after having ceased to hold that office, unless with the consent of the Queen, which consent, however, might be applied for through the Governor.

It has recently happened that applications of this kind have been made, not through the Governor, but directly through the Secretary of State for the Colonies, and in some cases by Officers who, while in Her Majesty's Service, had not acquired the right to wear the uniform to which their application referred.

I have now been informed by the Lord Chamberlain, that the Queen is averse in principle to the continuance of the civil uniform generally beyond the tenor of office, and that it is Her Majesty's wish that all such applications from Colonial Officers should proceed in the first instance from the Governors of Colonies only; those cases alone being recommended for Her Majesty's sanction where length or merit of service would appear to render it desirable that the privilege should be continued. I am further to instruct you, that no Officer should be recommended for the privilege of wearing any uniform which was not attached to his office during his tenure of it. You will be guided strictly by these decisions in any recommendation which you may make on this subject on behalf of any Colonial Officer.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

No. 60.

SIR,—

Downing Street, 10th July, 1864.

I transmit to you a copy of a letter from the Secretary to the Dublin Exhibition Palace and Winter Garden Company, requesting that the Governors of the various British Colonies may be

apprised of this undertaking, and requested to afford the Company such assistance and encouragement as they may be able, in aid of their views.

I shall be very glad if you are able to do anything in furtherance of this enterprise, which appears to deserve the countenance of the Government.

Governor Sir George Grey, K.C.B., &c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

Enclosure to No. 60.

Mr. PARKINSON to the Right Hon. C. FORTESQUE.

The Dublin Exhibition Palace and Winter Garden Company (Limited) Office,
112, Grafton Street, June 18th, 1864.

SIR,—

I am directed by the Executive Committee of the International Exhibition to be held in Dublin in 1865, to transmit you a prospectus of the undertaking. You will observe that the list of Directors includes the Duke of Leinster, Mr. William Dargan, Mr. B. L. Guinness, and others, whose names offer a guarantee that the project will be carried out in a manner to render it truly national and of great importance to Ireland.

The Committee feels that Colonial contributions are peculiarly necessary to success and completeness, and wishes to enlist the co-operation of the Colonial Governments. They, therefore, hope that the Principal Secretary of State for the Colonies will not object to follow the precedent adopted in the Exhibitions of 1851 and 1862, and will address a circular letter to the several Colonial Governors, expressing the approval and sympathy of Her Majesty's Government with this International Exhibition, and requesting them to offer such assistance and encouragement as may be in their power.

I need hardly add, that the Committee does not seek for any pecuniary aid or guarantee; it merely looks for recognition.

I am further to observe, that a similar application made to the foreign Office has been acceded to by Earl Russell.

I have, &c.,

HENRY PARKINSON, Secretary.

The Right Honorable Chichester Fortescue, M.P., &c., &c., &c.

No. 61.

SIR,—

Downing Street, 23rd July, 1864.

With reference to the Duke of Newcastle's Circular Despatch of the 6th April, enclosing the digest which had been prepared of information respecting Hospitals and Lunatic Asylums, I transmit to you, for your information, the copy of a despatch from the Governor of Trinidad, and of the answer which I have returned to it.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

Enclosure 1 to No. 61.

GOVERNOR KEATE to the Right Honorable EDWARD CARDWELL.

SIR,—

Trinidad, 23rd May, 1864.

On perusing hastily, on the receipt of the Duke of Newcastle's Circular Despatch of the 6th April, the digest enclosed therein of the answers sent from this and other Colonies to the interrogatories addressed to the Governors of the West India Colonies, on the 1st January, 1863, respecting Public Hospitals and Lunatic Asylums, my attention has been arrested by an important error into which the framers of that digest have fallen, and to which I think it my duty to call your attention without delay. In the 64th paragraph of the digest occur the words, "There are no Lunatic Asylums in Trinidad." My Despatch, No. 64, of the 7th April, 1863, and its enclosures must, therefore, have escaped notice. I think this is the more to be regretted, as I cannot but think that the Trinidad Lunatic Asylum, and its Medical Superintendent, deserve, at least, equal praise to that which has been bestowed on the Colonial Hospital of Port of Spain, and its Resident Surgeon; and it is the more surprising as not only have I received by this mail Despatches on the subject of the Lunatic Asylum, one of which encloses a communication from the Lunacy Commissioners themselves, but in the Duke of Newcastle's Despatch, No. 369, of the 29th October, 1861, is contained a letter from that Board, in which they express "Their satisfaction that the Asylum at Trinidad is under the superintendence of so zealous and intelligent a medical officer."

I have, &c.,

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

ROBERT W. KEATE.

Enclosure 2 to No 61.

The Right Honorable EDWARD CARDWELL to GOVERNOR KEATE.

SIR,—

Downing Street, 1st July, 1864.

I have to acknowledge the receipt of your Despatch, No. 81, of the 23rd of May.

I much regret the error to which you call my attention in the digest of information respecting Hospitals and Lunatic Asylums, transmitted to you with the Duke of Newcastle's Despatch of 6th April. I learn, on enquiry, that in sending to the compiler of the digest the collection of answers received from the several Colonies, your Despatch, No. 64, of 7th April, 1863, was accidentally omitted, and the erroneous conclusion that there was no Asylum in Trinidad, which the compiler drew from this omission, was unfortunately not detected in this office before the paper was sent to you.

The omission is the more to be regretted, as I find on examination of the enclosures of your Despatch, that the reports, returns, and regulations of the Lunatic Asylum in Trinidad, are remarkably minute and complete; and I fully recognize the care and attention given to the asylum by Dr. Murray, and by Mr. Pashley, the Resident Superintendent, and also by yourself, who have evidently taken much interest in it. I learn with satisfaction that no mechanical restraints are used, seclusion in

rooms (padded or other, as the case may require) being the only discipline resorted to; and that the occupation and amusement of the patients is provided for by household services, washing, needlework, working at trades, gardening, reading and writing, various games, music and dancing.

I notice that there are defects of drainage and sewerage, which it is to be hoped will be remedied without delay. But what is most to be regretted is the fact to which I drew your attention in a recent Despatch, that in a Colony where the treatment of lunatics is so well understood and practised, and where the population was, in 1860, 84,438, and is continually increasing by immigration, the asylum should be for criminal lunatics only, and no provision should be made for others.

I shall cause this Despatch to be printed and sent out to the Colonies in a Circular Despatch, and thus remedy, as far as is in my power, the error to which you have called my attention.

I am, &c.,

EDWARD CARDWELL.

Governor Keate, &c., &c., &c.

No. 62.

Downing Street, 23th July, 1864.

SIR,—

With reference to my predecessor's Circular Despatch of the 20th of August 1862, and to yours of the 3rd October, 1863, No. 118, conveying the assent of your Government to the proposed plan for the registration of letters between New Zealand and Hong Kong, I transmit for your information a copy of a letter which has been received from the Postmaster General, stating that the arrangement may at once be carried into operation.

Governor Sir George Grey, K.C.B.,

&c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

Enclosure to No. 62.

Mr. HILL to Sir FREDERIC ROGERS.

SIR,—

General Post Office, 14th July, 1864.

I have laid before the Postmaster General your letter of the 18th ult., enclosing the copy of a Despatch from the Governor of Tasmania, in which he states that that Colony now consents to adopt the arrangement proposed by this office in July 1862, for the registration of letters sent in the direct mails between Tasmania and Hong Kong.

His Lordship had previously received the consent of all the other Australian Colonies, as well as the consent of the Government of Hong Kong; and it only remains, therefore, to inform the Officers administering the Governments of the several colonies concerned that the arrangement may at once be carried into operation.

Lord Stanley of Alderly requests that Mr. Secretary Cardwell will have the goodness to communicate with the several Governments accordingly.

Sir Frederic Rogers, Bart.,

&c., &c., &c.

I have, &c.,

F. HILL.

No. 63.

Downing Street, 26th July, 1864.

SIR,—

With reference to my predecessor's Circular Despatch of the 26th January last, I have the honor to transmit for your information, the copy of a letter from the Secretary to the Lords Commissioners of the Treasury, stating that their Lordships have approved the suspension, for the present, of the directions by which the postage on letters sent from the United Kingdom to the Australian Colonies and New Zealand was raised from sixpence to one shilling the half ounce, and the postage on letters sent by private ships was reduced to fourpence the half ounce.

Governor Sir George Grey, K.C.B.,

&c., &c., &c.

I have, &c.,

EDWARD CARDWELL.

Enclosure to No. 63.

The Right Hon. F. PEEL to Sir FREDERIC ROGERS.

SIR,—

Treasury Chambers, July 26, 1864.

I am directed by the Lords Commissioners of Her Majesty's Treasury to state to you, for the information of Mr. Secretary Cardwell, that their Lordships have approved of the suspension for the present of the directions contained in the Warrant of the 7th of May last, by which the postage on letters sent from the United Kingdom to the Australian Colonies and New Zealand was raised from sixpence to one shilling the half ounce letter, and the postage on letters sent by private ship was reduced to fourpence the half ounce, the suspension being without prejudice to the power of their Lordships to alter the rate of postage on letters from this country as they may see fit; and the object of it that if a second monthly mail should be about to be established, the two measures of raising the postage and doubling the communications may, if it should be thought expedient, come into operation at the same time.

Sir Frederic Rogers, Bart., &c., &c.,

Colonial Office.

I have, &c.,

F. PEEL.

No. 64.

Downing Street, 30th July, 1864.

SIR,—

With reference to my Circular Despatch of the 20th December last, I transmit to you herewith for your information a copy of a letter from the War Department, relative to the arrangements to be observed in future on the supply of Stores to the Colonial Governments by that Department on repayment.

Governor Sir George Grey, K.C.B., &c., &c.

I have, &c.,

EDWARD CARDWELL.

Enclosure to No. 64.

Captain GALTON to the UNDER SECRETARY OF STATE, Colonial Office.

SIR,—

War Office, 14th July, 1864.

I am directed by Earl de Grey and Ripon, to acquaint you for the information of the Secretary of State for the Colonies, that the present system of supplying Stores to the Colonial Governments on repayment, is very unsatisfactory, and tends to derange the accounts of this Office, with reference to the Votes sanctioned by Parliament.

To avoid this Lord de Grey has decided, that the following arrangements shall for the future be adopted, with respect to all Stores required from this Department on repayment, viz.:

Except under very peculiar circumstances, and in the case of Home and Colonial Militia or Volunteers, all Governments or persons for whom the War Department undertakes the manufacture of Stores, should advance the money required, or estimated to be required, for the labor and materials to be expended.

That a separate account be opened in respect of each such service, and that work be not executed without an available balance be advanced to meet it.

That in all cases where this department undertakes to view Stores received from Contract, for other Governments or Departments, all expenses entailed by such viewing will be charged against such Government or Department, and payment will be required on account, inasmuch as for such unforeseen services Parliament has not allotted any money to this Department.

I have, &c.,

The Under Secretary of State for the Colonies.

DOUGLAS GALTON.

No. 65.

SIR,—

Downing Street, 11th August, 1864.

At the instance of the Lords of the Committee of Privy Council for Trade, I forward herewith Copies of the Quarterly Supplement to the Merchantile Navy List for 1864, for the use of Registrars of Shipping and Officers of Customs in the Colony under your Government.

I have, &c.,

Governor Sir George Grey, K.C.B., &c., &c., &c.

EDWARD CARDWELL.

No. 66.

Separate, 6 Jn. 64. No. 98.

No. 90, 8 " SIR,—
 91, 9 " I have to acknowledge the receipt of your Despatches of the dates and numbers noted in
 92, 9 " the margin.
 93, 9 " The defeat of the natives near Tauranga on the 21st June last, by the Forces under the command
 95, 15 " of Colonel Greer, reflects great credit on that officer, and on the detachments of the 43rd and 68th
 96, 21 " Regiments, and on the local forces who were engaged. Nor can I omit to notice the tribute which
 99, 1 Jul., Colonel Greer pays to the chivalry of the natives. The general conduct of the natives in the actions
 100, 7 " near Tauranga has been widely different from that of the natives in another part of the Island, which
 101, " " we had occasion recently to notice with so much regret. I cordially enter into your feeling that it is
 impossible to avoid longing that an end may be put to such distressing events.

Downing Street, 26th September, 1864.

You will inform Mr. Graham that I have received his letter of the 18th June, forwarded in your Despatch, No. 100, commenting on the Memorandum of your Advisers, in answer to the letter addressed to you by Lord Chichester and other members of the Aborigines' Protection Society in England. Mr. Graham puts forward the views he entertains in favour of the natives in a manner which is creditable to his feelings; and I readily acknowledge the advantage which it is to the cause of good Government in New Zealand, that men of his position in the Colony should be ready to give weight to all considerations which tell in favour of the native race. At the same time, it is right and necessary to remember that the origin of the present war, as it has been described by yourself, was the murder of two officers and nine soldiers, who were most shockingly assassinated by the order of some of the Upper Waikato Chiefs; and with reference to the contemplated attack upon Auckland, you also reported that "Just after these murders, plots were formed by the same people, and their adherents in the lower Waikato, for an attack upon the Settlement of Auckland. That the natives who formed these plots were all well armed, and had long been preparing themselves for such enterprises; that they had drilled their men, dressed them in uniforms, appointed them to different ranks." And further, that "when General Cameron moved early in July, to provide for the protection of the Auckland settlement, the Native attacking forces were already in motion; and that when he crossed the Maungatawhiri, their leading parties had already passed up the Maramarua to occupy Paparata, or some point on the line which they intended to take up." While it is very right to do justice to the Natives, and to moderate those feelings against them which a state of warfare is too well calculated to produce, it is at the same time necessary to be just to our own cause, and not to overlook the injuries which have been inflicted on the Queen's subjects of European origin, and the dangers to which they have been exposed by unprovoked aggression.

I much regret to find from your despatches of the 6th June and 7th July, that the difference of opinion between yourself and your Advisers, as to the disposal of the Maori prisoners, confined on board the hulk "Marion" had not been brought to any satisfactory conclusion. The despatches I have already addressed to you on the subject will have sufficiently expressed the determination of the Home Government not to sustain the war with the blood and treasure of England, if it shall be protracted by measures taken in defiance of the judgement of the Governor; and the receipt of those despatches will no doubt have enabled you to deal with these prisoners in such a manner as you shall have thought consistent with justice and sound policy.

I have abstained throughout this controversy from entering into abstract arguments upon the limits of Responsible Government, for which a time like the present is eminently unfit. But it is impossible for me to abstain from observing that if the doctrines of your Ministers, as now broadly propounded, are to be admitted, New Zealand must be regarded not only as owning no dependance upon the mother country, and as having that inherent right which independent countries exercise of conducting their own affairs according to their own judgement,—but as having this right coupled with the singular privilege of enjoying the services of a Governor, a General, and an army furnished to them by this country. On the other hand, the Mother Country, would simply be a tributary nation, affording at its own cost the means of carrying into effect the policy of the Colonial Ministers, without exercising any voice in the direction of that policy. It is sufficient to state these conclusions. It is not necessary to enter into any discussion of them. But while I thus avoid entering into controversial discussion, I feel it incumbent upon me to instruct you that the position thus laid down for you by your Ministers is not the position in which this country can permit Her Majesty's Representative to be placed.

In truth, the only satisfactory solution for the present difficulties is to be found in that spirit of reason, of good sense, and of cordial co-operation which I am sure will not be appealed to in vain. The Responsible Ministers of the Colony must remember that England has furnished them with that which they could never have otherwise acquired—an army of the finest troops, under an accomplished General: she has consented to guarantee a Loan for the service of the Colony: she expects from them not a disposition to enter into controversial discussions, but an anxious desire to support the Governor and the General in bringing this unhappy war to a speedy and satisfactory termination.

As regards the proposal to throw the cost of maintaining the prisoners on the Imperial Government, I cannot but express my surprise that any such proposal should have been made by your Ministers. I am not disposed to find fault with the inclination you evinced to fall into their proposal, rather than leave the prisoners in the Hulk contrary to your own judgement, and in view of the mischievous consequences which you apprehended as likely to result. The arrangement, however, does not appear to have been concluded, and you will bear in mind that in future no such arrangement should be made without previous reference to me. I should not have admitted, under any circumstances, the liability of the mother country, for the expenses attendant upon the custody of these prisoners. But, in the present instance, such a claim would be peculiarly inadmissible, since, if your opinion had prevailed, they, or some of them, would (it appears) have been long ago released, and the expense of detaining them would not have been incurred—at least not to the same extent.

I have, &c.

EDWARD CARDWELL.

Governor Sir George Grey, K.C.B., &c., &c., &c.

