

Enclosure in No. 10.

Mr. SMITH, to the Hon. COLONEL RUSSELL.

SIR,—

S.S. "Sturt," off Opotiki, 31st October, 1865.

I have the honor to report for your information that the prisoners captured by the Arawa at Te Teko pa, who are supposed to have been concerned in the Whakatane murders, to the number of thirty persons, were embarked in the s.s. "Sturt" at Te Awa-o-te-atua this morning, and are now about to be landed at this place.

I have further to report that I came over to Te Awa-o-te-atua from Maketu on the 26th instant, accompanied by Mr. Commissioner Clarke, for the purpose of ascertaining what evidence could be procured against the prisoners, and for arranging for their being taken to Opotiki.

Most of the principal witnesses, including the survivors from the "Kate," (with the exception of Mr. Bennett White), are now on board.

Out of twenty-three persons named by different witnesses as forming the party which went out from Whakatane in the whale-boat and murdered Mr. Fulloon and his companions on board the cutter "Kate," seventeen are now on board (one of them wounded), one has been killed, two have not been found, and the remaining three belong to another tribe (Te Whanau a Apanui) living to the east of Opotiki.

The notorious Hau Hau prophet Horomona, with the Ngatiawa chiefs who sanctioned or commanded the perpetration of the murders, are also among the prisoners on board.

The loyal Ngatiawa Chief Iukehu, with several of the Arawa Chiefs and assessors, have accompanied me hither for the purpose of being present at the coming trial by court martial.

Mr. Commissioner Clarke has kindly offered to act as interpreter on the occasion.

I have, &c.,

T. H. SMITH,

The Hon. Native Minister, Wellington.

C. C., Bay of Plenty.

No. 11.

COPY of a DESPATCH from Governor Sir GEORGE GREY, K.C.B., to the
Right Hon. EDWARD CARDWELL, M.P.

(No. 155.)

Government House, Wellington,

SIR,—

9th December, 1865.

I have the honor to acknowledge the receipt of your Despatch No. 78, of the 25th of September last, enclosing a letter from the War Department, dated the 20th of the same month.

2. Lord de Grey has, in that letter, made some remarks regarding my proceedings which have placed me in a position of much difficulty.

3. His Lordship states that a careful perusal of Sir D. Cameron's Despatches proves to his Lordship that that officer has not in those communications assumed any latitude inconsistent with the high position which he filled in New Zealand.

4. On or about the 9th of April last, Sir D. Cameron transmitted a communication to Lord de Grey, which contained the most serious accusations against me. No copy of that letter has yet been furnished to me, and it now appears that Lord de Grey is satisfied that Sir D. Cameron, in making the accusation he then did, had not assumed any latitude inconsistent with his high position.

5. I beg to say that I think this view of the case is most unfair to me. The Secretary of State for War has received in a confidential letter, which he has not communicated to me, most serious and damaging accusations against me. He must have believed those accusations to be either true or untrue. In the first case, I ought to have been forthwith punished in some most exemplary manner. In the other case, I cannot but think that some reparation is due to me, and that the Secretary of State for War should in serious and fitting language have expressed his extreme disapproval of the course pursued by the General Officer, in having made to Her Majesty's Government such unbecoming and serious accusations against the Governor of the country, against his Ministers, and against its inhabitants.

6. In my own defence, I think it right to say that the accusations made against me by Sir D. Cameron were unfounded and malicious. I say this advisedly, for Sir D. Cameron's offence against me was, in regard to these accusations, twofold; for he made them in a letter to myself on the 30th March, and then, after full time for reflection, transmitted them to Her Majesty's Government nine or ten days afterwards, that is, on or about the 9th April, without giving me an opportunity of at the same time forwarding any reply.

7. Sir D. Cameron's excuse for this latter proceeding is invalid. He states that he thought it very probable that after I had received his letter of the 30th