

accuse old and high public functionaries of crimes of which he did not believe them guilty, and of which he never had any serious intention of accusing them, and unnecessarily subjected high public officers to the pain of meeting such accusations.

13. I feel sure that the foregoing explanations will satisfy your Lordship that the expressions which I used in relation to this subject, in my previous Despatches, were strictly accurate.

14. I think your Lordship has not sufficiently considered the great questions which underlie the whole of this matter. Colonel Weare, C.B., made no report to the Governor of the country of circumstances he apparently believed, relating to the lives and welfare of Her Majesty's subjects. General Chute made no report to the Governor of the country of his thinking it necessary to order the execution of a man, or as to whether any inquiries whatever took place as to the guilt of that man. The Secretary of State for War and the Military Authorities leave the Governor in ignorance of the nature of their correspondence with General Chute and Colonel Weare on these subjects. He only incidentally learns from the Secretary of State for the Colonies the tenor of one letter of that correspondence. Her Majesty's Colonial Department has, up to the present time, apparently supported the Military Authorities in the fact of their having utterly ignored the existence of the Governor and Government of the country on these most important questions which the Constitution entrusted to their care. I assume that in these proceedings all acted according to the best of their judgment under circumstances of difficulty; but some rule should be laid down for the future, or old rules should be revived and orders given, that they should be hereafter strictly acted on; for such proceedings as have taken place impair the authority of the Governor and of the Local Government, and they weaken the security which should surround life.

15. In all countries in which civil wars, or wars of races prevail, there is one party, it may be very small, in favour of violent and extreme measures. In this country the General Assembly has, throughout the rebellion which has prevailed, supported me in not allowing death to be inflicted by the sentence of a court martial. In a recent case in which prisoners were tried by a court martial for murder, found guilty and sentenced to death, my Responsible Advisers would not act upon this sentence, but sent the prisoners to be tried again before the Supreme Court of the country. With some this line of policy was unpopular. In my belief, and in that of my Responsible Advisers, it was the right one. The small number of Natives in the country, the number of years we have resided amongst them in a state of peace, their continued decrease, whilst the European population was rapidly augmenting, the fact of so large a proportion of the Native population remaining loyal, all seemed to take away every kind of justification which might, under different circumstances, be alleged as calling for acts of sudden and extreme punishment. We therefore steadily adhered to a line of policy which we trusted might, in the future history of this country, if similar difficulties ever arose, be pointed to as an example which deserved to be followed.

16. But if it is believed that there is another authority in the country, superior in fact to the Government, which can disregard it, and acting upon its own will, adopt measures which the Government will not adopt, then encouragement will be given to those who may be in favour of violent measures, and the difficulties of the Government will be very greatly increased. Or even if, as in New Zealand, the vast majority of the people hold with the Governor and the Government and their line of policy, then the authority of the Home Government, even if it has only apparently supported the Military Authorities, loses some portion of that hold which it ought to have on the affections of the people.

17. I therefore earnestly recommend your Lordship to make such arrangements with the War Department as will prevent the recurrence of such difficulties for the future. I feel sure that the issue of such instructions as I asked for in my Despatch, marked "separate," of the 3rd November, 1866, and a direction that the Colonial Office Regulations regarding correspondence, should, for the future,