

the enclosed copy of a letter from the Board of Admiralty, announcing that Her Majesty's ship "Galatea," under the command of His Royal Highness the Duke of Edinburgh, is about to proceed on service, and will probably visit the Colony under your Government in the course of the present year.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure in No. 37.

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

SIR,—

Admiralty, 22nd April, 1867.

I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of His Grace the Duke of Buckingham and Chandos, that H.M.S. "Galatea," under the command of His Royal Highness the Duke of Edinburgh, is about to proceed on service, and will leave Marseilles about the 20th May, to visit Rio Janeiro and the Cape of Good Hope. From thence His Royal Highness will proceed to the West Coast of Australia, and will visit Adelaide, Melbourne, Sydney, Brisbane, Hobart Town, Van Dieman's Land, and also Auckland and Wellington in New Zealand, and may probably proceed from thence to Tahiti, calling at Rio or St. Helena on his return to England *via* Cape Horn in the year 1868.

I have, &c.,

The Under Secretary of State for the Colonies.

W. G. ROMAINÉ.

No. 38.

COPY of a DESPATCH from the Right Hon. the Duke of BUCKINGHAM to
Governor Sir GEORGE GREY, K.C.B.

(No. 23.)

SIR,—

Downing Street, 15th May, 1867.

I have had under my consideration two Acts passed by the General Assembly of New Zealand respectively intituled "An Act for indemnifying persons acting in the suppression of the Native Insurrection." The former Act was passed in the session of 1865, and was enclosed in your Despatch of the 9th of January, 1866, No. 8. The latter was passed in the session of 1866, and was enclosed in your Despatch of the 12th January, No. 10.

For reasons which have now ceased to operate and which therefore require no further comment, my predecessor delayed giving any advice to Her Majesty upon the Act of 1865, but I have now to inform you that in respect of that Act Her Majesty will not be advised to exercise her power of disallowance.

With respect however to the Indemnity Act of 1866, I have felt obliged to recommend that it should be disallowed by Her Majesty for the following reasons:—

First,—That it is so worded as to indemnify not only civil and military authorities and persons acting under them or under the authority of the Government, but to indemnify "all and every other person and persons whosoever" who shall have done or ordered or directed any act, matter, or thing to be done, &c.

Secondly,—That, owing to the disjunctive form in which the second and third sections are drawn, the destruction of property of a person suspected to be concerned in the insurrection would be covered by the indemnity given by the Act even though such destruction may have been wanton and reckless and not inflicted or ordered in or about the suppressing or quelling of the insurrection. Thus, if a private individual, acting under no authority, has wantonly or recklessly destroyed, or ordered the destruction of the property of a person whom he may have chosen to suspect to be concerned in the insurrection, he would be protected under the terms of this Act though such destruction in no way directly or indirectly tended to quell the insurrection, and though the person whose property was destroyed should have proved that he was in no way directly or indirectly concerned in it.

In my opinion, the Act should have been limited in its phraseology to an indemnity for acts ordered or approved by some responsible military or civil authority; and I may observe that in this respect the Act of 1866 is far wider in its terms than the Indemnity Act of 1865.

I have thus pointed out how the Act might be amended to meet the first ground of objection; and, with respect to the second objection, I am advised that