

FURTHER DESPATCHES

FROM

THE RIGHT HON.

THE SECRETARY OF STATE FOR THE COLONIES

TO THE

GOVERNOR OF NEW ZEALAND.

(In Continuation of Papers Presented 1st October, 1866.)

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

WELLINGTON.

—
1867.

DESPATCHES

FROM THE SECRETARY OF STATE TO THE GOVERNOR OF NEW ZEALAND.

No. 1.

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

(No. 8.)

SIR,—

Downing Street, 31st July, 1866.

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 of your Government, No. 9, of 29th Victoria, "To facilitate the carrying on of business by Companies "incorporated in Great Britain," of which a copy accompanied your Despatch No. 8, of the 9th of January last.

I have, &c.,
CARNARVON.

Governor Sir George Grey, K.C.B.

No. 2.

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

(No. 9.)

SIR,—

Downing Street, 3rd August, 1866.

I have the honor to transmit to you the annexed Order in Council, No. 48 of 29 Vict. confirming the reserved Act of the Legislature of New Zealand, intituled, "An Act to amend the Waste Lands Act, 1858, so far as it affects the Province "of Hawke's Bay."

I have, &c.,
CARNARVON.

Governor Sir George Grey, K.C.B.

No. 3.

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

(No. 13.)

SIR,—

Downing Street, 21st August, 1866.

I have the honor to acknowledge the receipt of your Despatch No. 41, of the 8th May last, enclosing a very clear and specific statement from Dr. Featherston, respecting the purchase of the Waitotara Block.

Judging from the statements now before me, I see no reason to conclude that the sale was an improper one, and as the matter is one over which the Imperial Government now claims no control, I see no reason for pursuing any further inquiry into it.

Mr. Field's letter of the 7th September, 1865, was laid before Parliament by Mr. Cardwell, with other papers received at the same date, and a similar course will be taken with Dr. Featherston's statement.

I have, &c.,
CARNARVON.

Governor Sir George Grey, K.C.B.

No. 4.

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

(No. 15.)

SIR,—

Downing Street, 23rd August, 1866.

I have been apprised by the Archbishop of Canterbury that it is desired

to fill up two Dioceses or reputed Dioceses which are now vacant in New Zealand.

As, however, in the recent case of the Bishop of Natal, the Judicial Committee of Privy Council have declared that Her Majesty has not authority to create Dioceses in Colonies possessing Representative Institutions, I have been unable to recommend that the usual Letters Patent should be issued.

I have been advised, however, by the Law Officers of the Crown, that a Mandate may properly be issued under the Royal Sign Manual and Signet authorizing the Archbishop to proceed to the consecration of two persons who will exercise Episcopal functions in New Zealand, but leaving the Ecclesiastical Authorities of that Colony to determine as they can with the clergymen so consecrated the geographical limits to which their duties are to be confined.

Such a warrant has accordingly been issued in favour of Dr. Andrew Burn Suter, and Dr. Henry Lascelles Jenner, who, I understand, are to be consecrated by the Archbishop in Canterbury Cathedral, on the 24th instant.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 5.

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

(No. 17.)

SIR,—

Downing Street, 29th August, 1866.

No. 52 of 29 Vict.
No. 53 of 29 Vict.

I have the honor to inform you that Her Majesty will not be advised to exercise her power of disallowance in respect of the Acts of your Government intituled respectively “An Act for the Regulation of the Militia,” and “An Act for the Regulation of the Volunteer Force,” of which copies were sent home in your Despatch No. 8, of the 2nd of January last.

With reference to this last-mentioned Act, I have to observe that the Secretary of State for War, to whom a reference was made on the subject, has recommended the following slight amendment in clause thirteen, namely, that in the appointment of officers, names shall be submitted to the Governor “by the Commanding Officer, or, if no officer has been commissioned to the corps, by the corps through the Adjutant of the Permanent Staff.”

I also forward to you herewith an Order passed by Her Majesty in Council assenting to the reserved Act No. 62, intituled “An Act to enable Superintendents to issue to Volunteers and Militiamen remission Certificates for purchase of Land.”

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 6.

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

(No. 19.)

SIR,—

Downing Street, 1st September, 1866.

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 of your Government, No. 18, of 29th Victoria, “To amend the Marine Board Act, 1863,” of which a copy accompanied your Despatch No. 8, of the 9th of January last.

There is, however, one point of principle to which I am desirous of calling your attention with a view to the introduction of an amendment when an opportunity may present itself.

The Act as it stands at present provides for the exemption of Colonial vessels from compulsory pilotage, the masters of which have succeeded in obtaining certificates showing their competency to act as pilots.

It is desirable that this exemption should be extended to all vessels whether

registered in the Colony or not, as an owner of a vessel registered in one of the neighbouring Australian Colonies, or of a French vessel, might with justice complain of unequal treatment if he could not obtain a certificate.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 7.

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

(No. 20.)

SIR,—

Downing Street, 3rd September, 1866.

I have the honor to acknowledge the receipt of your Despatch No. 49, of the 28th of May, forwarding, with a Memorandum on the subject from your Responsible Advisers, a Petition addressed to the Queen by Mr. Whitaker, the Superintendent of the Province of Auckland, praying that the Northern portion of the Colony of New Zealand may be erected into a separate and independent Colony.

I request that you will inform Mr. Whitaker that his Petition has been laid before the Queen, but that the circumstances of the case are not such as to justify me in advising a compliance with its prayer.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 8.

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

(No. 27.)

SIR,—

Downing Street, 17th September, 1866.

I have the honor to transmit for your information a copy of a letter August 16, 1866. from the War Office, with its enclosure, respecting a payment made by the Imperial Government to a Contractor in New Zealand, in compensation for losses sustained by him through a prohibition imposed by the local authorities on the importation of Australian cattle into that district.

I find from a perusal of the letter of the Commissary-General that his advertisement for tenders was published in October, 1864; that the acceptance of the contract was given on the 5th of January, 1865; and that on the 11th, 12th, and 16th of the same month, or shortly after the information that the contract had been entered into must have reached Taranaki, Proclamations were published by the local authorities prohibiting importation from all places from which a supply of cattle could be obtained.

It appears also that Mr. Brown, the Superintendent of the Province of Taranaki, congratulated the inhabitants upon the good the prohibition had effected in keeping up the price of cattle in the Province, stating at the same time that if the prohibition were relaxed the prices would fall.

In the absence of explanation on several of the points adverted to by the Commissary-General, it is impossible for me to arrive at a decision as to the source from which the losses which have been incurred through the action of the Taranaki authorities should be paid; and you will observe that, in addition to the claims of the contractor, expenses have been entailed by the prohibition upon the Commissariat Department, in connection with the freight and land transport of salt meat for the use of the troops.

I request that you will furnish me with a full report upon the questions raised by the Commissary-General.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

Enclosure in No. 8.

EARL LONGFORD to Under SECRETARY OF STATE FOR THE COLONIES.

SIR,—

War Office, 16th August, 1866.

I am directed by the Secretary of State for War to transmit to you to be laid before the Earl of Carnarvon, copy of a letter dated 4th September last, from the Commissariat Officer in charge in New Zealand, on the subject of a prohibition imposed by the local authorities in Taranaki, on the importation of Australian cattle into that district, and to state that claims have been received from the contractor to the extent of £4028, of which £2478 have been allowed as compensation, and I am to request to be favoured with His Lordship's opinion whether, under the circumstances stated in Commissary-General Jones' letter, the Colonial Government of New Zealand could with propriety be called upon to reimburse the Imperial Government the amount which has been allowed to the contractor for losses sustained by the act of the local authorities at Taranaki.

The Under Secretary of State, Colonial Office.

I have, &c.,

LONGFORD.

Sub-Enclosure to Enclosure in No. 8.

COMMISSARY-GENERAL JONES to Under SECRETARY OF STATE FOR WAR.

SIR,—

Commissariat, New Zealand, Auckland, 4th September, 1865.

I do myself the honor to hand you herewith a claim made by the contractor for fresh meat in this Colony for compensation for losses sustained by him in carrying out his contract, the particulars of which were reported in my letter No. 1607, of 15th March last.

The facts of this case are as follows, viz. :—

1. The contract was entered into on both sides as one specially contemplating importation from the Australian Colonies, the supply of cattle and sheep in the Colony being inadequate to the demand.

2. Mr. Johnson objected to enter into the contract except upon the stipulation that he was to be permitted to import from Australia. It was only upon considerable pressure that he ultimately consented to complete his contract upon the insertion of a clause that the Senior Commissariat Officer should use his utmost exertions to keep open the ports and enable him to import as contemplated.

3. When the tenders were invited and opened there was no prohibition against importation, nor was any information given of an intention to impose restrictions, although my advertisement for tenders was published in October, 1864. A printed form of the general conditions is enclosed herewith, showing in Clause 5, that importations were promised "as free from Colonial duties." On the 5th January, 1865, the acceptance of the contract was given, and on the 11th, 12th, and 16th of the same month Proclamations were published at Taranaki, prohibiting importations from all places from which a supply of cattle could be obtained; according to the postal arrangements the first Proclamation was issued two days after the information of the contract having been entered into must have reached Taranaki.

4. A show of concession was made when the first cargo arrived from Australia, by permitting the landing to be made at a particular spot, but the nature of the spot indicated precluded the possibility of landing without the almost certainty of losing a very large proportion of the animals, and a second Proclamation prevented the driving of such cattle from the spot fixed for landing, and the troops being dispersed in every direction the cattle would have been of no use had they been landed.

5. From a paragraph in the enclosed local paper it will be seen that Mr. Brown, the Superintendent of the Taranaki Province, congratulates the people upon the good the prohibition has effected in keeping up the price of cattle in the Province, stating that were the prohibition relaxed the prices would fall.

6. The ostensible cause of this prohibition was to prevent the importation of diseased cattle, but pleuro-pneumonia existed previously in the Province, and it was only asked that such cargoes should be landed as were certified to be clean both on leaving Australia and arriving at Taranaki.

7. The contract specially provides that neither party could terminate it before the 31st March, 1866, and being one embracing the whole of the Northern Island, it was impossible for me to meet the obstruction imposed by the prohibition against importation by making a contract with parties belonging to, and residing in Taranaki, as was proposed by the Superintendent, without breaking faith with Mr. Johnson. He has, however, entered into sub-contracts in the Province, but without importation the supply could not be kept up.

8. Martial law was in force in Taranaki from February, 1860, to August, 1865, when it was annulled, thus preventing landing cattle under it in case of necessity. During the interval, the military authorities might have landed the cattle, irrespectively of the Superintendent and his local laws; but, out of respect and deference to them, this power was not exercised—the military preferring to receive fresh meat of an inferior quality, and when even that was not procurable to live upon salt rations.

The New Zealand Constitution Act of 1852 distinctly provides against the levying of duties on supplies imported for Her Majesty's troops.

In Article 61 it is provided that—"It shall not be lawful to levy any duty upon articles imported for the supply of Her Majesty's land or sea forces, or to levy any duty, impose any prohibition or restriction on any articles of supply for Her Majesty's forces."

The prohibition is, therefore, in direct opposition to this Act, and the instructions contained in the Commissariat Regulations respecting importations have been duly adhered to.

Viewing these circumstances from every point, I can only arrive at the opinion, that the prohibition was imposed expressly to put obstructions in the way of the contractor, in order to prevent him from carrying out his contract, as the settlers were anxious both to retain the contract in the hands of one of their own number, and to secure a higher price for the few animals they had in the Province.

This prohibition has occasioned much inconvenience to the troops, and very serious anxiety for the daily supply of meat. Not only has the meat contractor been a serious sufferer, but some expenses have been incurred directly by this department in freight and land transport of salt meat, and in the unavoidable losses of that article when considerable quantities are kept on hand, especially in the field, exposed to all kinds of weather.

When it is considered, that importation from Australia was essentially a condition of the contract, it will, I trust, be admitted, that the contractor has very reasonable grounds to expect some compensation for the additional cost he has been subjected to by the unlooked for action of the Provincial Government, in refusing to permit him to land the cattle he brought from Australia to the Taranaki roadstead, for the purpose of fulfilling the contract he entered into with me, in full confidence that he would be dealt with in perfect faith on the important point of bringing into use his cattle from Australia, for the purposes of his contract.

Mr. Johnson has also performed his contract hitherto in a most satisfactory manner, and has spared neither trouble nor expense to keep Her Majesty's forces properly supplied.

With regard to the statement of Mr. Johnson's Agent, showing the expenses actually incurred in consequence of this prohibition, I beg to state that the several items appear to me very reasonable indeed—considerably less than I had expected.

The quantity of fresh meat issued in the Province, during the four months, was about 173,000lbs. The compensation now demanded raises the price of the meat about fifty per cent. upon the contract price.

I venture to recommend that this compensation be allowed to Mr. Johnson as fair and reasonable, but that the same be charged against the Colony, not only as occasioned by a breach of the Constitution Act of the Colony, but as only fair, just, and probably within the money value of the advantages accruing to the settlers by the increased prices they have drawn from the contractor for their cattle.

I enclose copies of all the documents relating to this case, consisting of the local correspondence, and my representations to His Excellency the Governor and the Lieutenant-General.

I have, &c.,

H. STANLEY JONES,

Commissary-General.

The Under Secretary of State, War Office.

No. 9.

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

(No. 29.)

SIR,—

Downing Street, 22nd September, 1866.

I have the honor to acknowledge the receipt of your Despatch No. 73, of the 24th of July, informing me that the state of affairs in New Zealand was rapidly improving, and that William Thompson, accompanied by three other chiefs, had arrived at Wellington.

It very satisfactory to me to receive this intelligence.

I have, &c.,

CARNARVON.

Governor Sir George Grey, K.C.B.

No. 10.

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

(No. 31.)

SIR,—

Downing Street, 26th September, 1866.

I have the honor to acknowledge the receipt of your Despatch No. 69, of the 10th of July, reporting the circumstances attending the death of a friendly Native named "Spain," who was shot by Her Majesty's troops on the occasion of the capture of a pa.

It is very satisfactory to me to learn that "Spain's" death was entirely the result of an accident, brought about by his having acted in defiance of the positive orders which had been issued that no acts of pillage were to be committed.

I am glad that you caused such prompt inquiry to be made respecting the death of this Native.

I have, &c.,

CARNARVON.

Governor Sir George Grey, K.C.B.

No. 11.

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

(No. 34.)

SIR,—

Downing Street, 11th October, 1866.

Sept. 12, 1866.

I have the honor to transmit to you a Memorial addressed to the Queen by a New Zealand Chief which has been forwarded to this office by the Rev. L. Parsly, a copy of whose letter is likewise enclosed. I also annex a translation of the Memorial, which has been made by Mrs. Colenso, to whose charge were confided the New Zealand Chief Pomare and his wife when they were in this country.

I request that you will cause the Chief from whom the Memorial proceeds to be informed that it has been duly received,—acquainting him at the same time that, in the event of Her Native subjects desiring to say anything to the Queen, it must be said through the Governor, who will not fail faithfully and carefully to report it to the Queen.

You will also inform him that Her Majesty has no intention of sending to New Zealand any great Judge from England, but that she is very anxious for the happiness of Her British and Maori subjects in New Zealand, and requires them all alike to obey the laws and to do their best to live at peace with one another.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

Enclosure in No. 11.

The Rev. L. PARSLY to the Right Hon. E. CARDWELL, M.P.

SIR,—

British Hotel, Charing Cross, 12th September, 1866.

I have the honor, at the request of a Maori chief, to forward to you a letter for Her Most Gracious Majesty. I know nothing of its contents, but was assured by the Catholic Bishop of Auckland that it contained nothing which might not be submitted to Her Majesty.

I have, &c.,

The Right Hon. E. Cardwell.

L. PARSLY, Chaplain to the Forces.

Sub-Enclosure to Enclosure in No. 11.

Auckland, 14th of June, 1866.

(This is the second letter of the Maori chiefs, and you have not yet answered.)

Auckland, 16th March, 1866.

TO ENGLAND, TO THE QUEEN, THE PROTECTOR OF THE MAORI PEOPLE IN NEW ZEALAND,—

This, a communication to Governor Grey, in the year of our Lord. Go, this our letter to Governor Grey.

Friend, salutations to you. Here is our prayer for you, that God will preserve you, that you may live in all the years. The second prayer for you is,—Glory in Heaven, peace to the great transgressors as well as to the guiltless.

O friend the great Governor of New Zealand, salutations to you. We have heard that you are sitting on the stool of honor of the Queen, our good Sovereign the Queen, for the people who are sentenced by the law to die or to live. You save them. Let your thought be Christian-like, that you may be a partaker in the sufferings of our Lord Jesus Christ. O friend, let your sympathy be towards us, and towards those prisoners likewise. From you must come the word of deliverance for Ngatiawa and the Whakatohea; if they perish your name will be spoken ill of to all the world. (Take care) lest you be a spectacle to the Maori people, and to the gentlemen of England the protectors of the Maori side in the great name of the Queen to Her Maori people in New Zealand.

This was the answer of Governor Grey to the Maori chiefs (in return) for our goodness to him. On the seventh day of May, at the eighth hour, two were murdered; at the ninth hour three were slain. A foul murder is this by the European on me the Maori, on the people of the parents of the Queen, on the people of Her children. Two were the smittings of Governor Grey. On the first day of May your letter was published in the Press of the South in Auckland, in which you called on Governor Grey to make haste and set up his Council to break up the evils of this island. This is the answer of Governor Grey to you and the Queen, in revenge for your exalting yourselves above him, (viz.) a rope—(To the Kakuere and Kariwera of the Queen, God preserve you and keep you alive)—on the neck of Mokemoke, of Solomon, of Zechariah, of Heremita, and of Michael. This is a token of non-submission on Governor Grey's part to you and our good Sovereign the Queen. Look you to the fruit (or meaning) of the letter of the chiefs of the assembled tribes of New Zealand.

A song of lamentation for those men who have been murdered:—

A shocking thing, indeed; feel deliberately, talked with deliberately in the house. O friend, remembrance rests and returns backwards. Almost goes back where? The dog caught by night. There is a dog caught and hanged by night. That speech turns to you.

From Moananui of Hauraki,
 Maihi te Hinaki of Whitianga,
 Hoterene of Hauraki,
 Kanapu te Arawa,
 Wiremu Hana Kaihau,
 Rai-tuku-te-puehu te Arawa,
 Kepa Tohiu,
 Ngatiawa,

From Retireti,
 Hori Hoia.
 Mata te Hokia,
 Pauro,
 Tira,
 Te Matimati,
 Pereme te Arawa,
 Raniera te Arawa.

This is our last word to you, O Queen, that you call hither to the Government of this island to let go our people who are in the prison house. It is merely a word of ours to you, that your very own self should ratify our prayer to you. On the ending of the days of June 30th, the Council of the white people of this island will stand to thrust out. . . . We do not like their ways—stealing land, murdering the Maori people of the homes of our fathers. With you is the thought; take away all your thousands two—those on the shore and those on the sea—that is, your soldiers and your men-of-war—sweep them away, as a punishment for the impudence of the Europeans to you. Leave only the “Piharima,” which Governor Grey and Bishop Selwyn fetched and collected here to fight the Maoris; leave only the dogs of Governor Grey and of King Matutaera Potatau to fight one with another here.

This is an account of the assembly (of Maori people) at the coming of Thompson to Hangatiki to see the King Potatau: the first proposal of William Te Waharoa was, that Thomas should meet Rewi and all their people. All the words that were in the letter of (Sir) George Grey to us, for us to listen to, were about Peace, and saying that we must abide faithfully under the *mana* of the Pakeha and of his contemptible laws, and saying that we must cease using the title of king for Matutaera.

Rewi answered: “Useless are the urgings of the Governor to you, O William! I say to you and to your friend the Governor Grey, there is no other reason for the causeless anger of these people, the English, against their Maori friends living here together in New Zealand under the shadow of Christ, and under the united *mana* of the Queen and of the Maori King—the first was, robbing me of my land—the root of this quarrel. . . . What better words could be spoken than the great words on the day that Potatau stood as a king for the Maoris, in the days of Governor Browne, when the assembled (tribes) met at Pnetai. Four important things were agreed to at that time, viz.:—the Maori King in his department, and the Queen in her department; and the Governor to be between them—the law of love to be bound on their loins, and the law of God over them, and the laws of man to be a ladder (or bridge) for all the people—this was agreed to by the Maori chiefs and by all the people; it was also assented to by the European Assembly (or Council) of Governor Browne and the Ministers present. These great laws of love to man were not considered by Governor Grey.

In the moment of irritation of the Governor Grey he hurried to war, in the midst of Waikato, with his old friends, the children of his faithful friend Potatau. The cause of the first failure was, Matutaera Potatau proposed that the Waikato people should return to Mokau. Kaikomako replied, “Go, return, O Waikato, to your own home! I shall go and try to prevail on Matutaera to give up the Waikato Pakehas to be fought with by me.” Matutaera’s principal word was—“My land shall be got back again, my ancient mattress, the mattress of my forefathers, viz.: Ngaruawahia upon the sword of war, when I speak the word for ever. . . . O William, I must carefully consider the quarrel with Gorst Magistrate; by and bye when the great judge comes whom George Graham speaks of, then will the eyes of the Governor Grey be opened, from the obstruction caused by his sins against me. May Christ take away the scales of darkness from the eyes of himself and of his friends, Bishop Selwyn and brother of Whaiapu (Bishop Williams)—that scales which continue to adhere to their eyes may fall off—that some great Governor out of the Queen’s Council may come and set to rights this great transgression of the white man against me, and move away this sea-fish, sprawling continually here upon the mattress of my forefathers; only then will I come to see the new man. But as for this, O William, say to your friend Governor Grey, let not his people uselessly build permanent houses on the disputed land of other men. I, the owner of the land, am living. But now, O William, we do not desire to see this man. Where was he when the Chiefs of Waikato requested him to restrain wrath, and carefully judge the case first? he persisted in drawing his sword to smite Waikato.” We do not desire to see the deceitful man Grey; if he pay for his taking on himself to break the Treaty of New Zealand I will be satisfied; we will await the arrival of the great judge from England. The cause must be left to our protector, O Madam. Let this letter be answered by you.

8th March, 1866.

FROM MATUTAERA TO THE QUEEN.

MOHOANUI.—I gave this letter to the “timara Pirihi,” of Waikato, for him to take to London, and for him to give into your hand.

(From the Maori Lawyer at Auckland.)

No. 12.

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

(No. 44.)

SIR,—

Downing Street, 10th November, 1866.

I have the honor to acknowledge the receipt of your Despatch No. 89, of the 8th of September, informing me that the state of affairs in New Zealand was daily improving, and enclosing a copy of a message which you had received from the so-called Maori King.

Your account is generally satisfactory, though I observe that Rewi still

stands aloof. I hope however that you will be able before long to report his submission and his willingness to acquiesce in the arrangements which are being made by your Government.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

No. 13.

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

(No. 46.)

SIR,—

Downing Street, 20th November, 1866.

Govr. No. 34
Mar. 10, 1865.
s. s. No. 54, July
26, 1865.
s. s. No. 66, Aug.
23, 1865.
s. s. No. 12, Jan.
26, 1866.
Govr. No. 11,
Jan. 13, 1866.
29 and 30 Vict.
cap. 104.

With reference to the correspondence quoted in the margin, I have the honor to enclose the copy of an Act passed last Session "To guarantee the liquidation of Bonds issued for the repayment of advances made out of Public Funds for the service of the Colony of New Zealand."

I also enclose a letter from the Lords Commissioners of the Treasury, from which you will perceive that the guarantee which the Imperial Government is, by the above Act, authorized to give to certain Debentures of the New Zealand Government has enabled the Lords of the Treasury to dispose of them at par, and that the sum of £500,000 received for them from the Bank of England has been accordingly credited to the Exchequer in part payment of the debt due to the Imperial Government from the Colony.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

Enclosure in No. 13.

Mr. HUNT to Sir F. ROGERS.

SIR,—

Treasury Chambers, 9th November, 1866.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to request you will call the attention of the Earl of Carnarvon to the previous correspondence on the subject of the Imperial guarantee being given to certain Debentures of the Colonial Government of New Zealand, and to the Act 29 and 30 Vict., c. 104, authorizing the guarantee to Debentures to the amount of £500,000 specified in the Schedule of that Act, and I am to request that you will inform His Lordship that my Lords have entered into an arrangement with the Governor and Company of the Bank of England for the purchase by them of these Debentures at par, and that the signature of the Assistant Secretary to this Board has been affixed to each of the Debentures, signifying, in accordance with the first section of the Act, the guarantee of the Lords Commissioners of Her Majesty's Treasury for the payment of the principal sums and interest which may from time to time become due from the Government of New Zealand on the Debentures specified in the Schedule.

The sum of £500,000 has been received from the Bank of England, and credited to the Exchequer in part repayment of the debt due to the Imperial Government from the Colony.

Sir F. Rogers, Bart., &c.

I have, &c.,
GEORGE WARD HUNT.

No. 14.

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

(No. 55.)

SIR,—

Downing Street, 22nd December, 1866.

I have the honor to acknowledge the receipt of your Despatch No. 102, of the 12th October, enclosing a Memorandum from your Responsible Advisers and a copy of a vote of thanks unanimously passed by the New Zealand House of Representatives to Commodore Sir W. Wiseman, Bart., C.B., and the officers, seamen, and marines, of the vessels under his command, for the many services rendered by them while employed on the coasts of the Colony.

I have had much pleasure in communicating to the Lords Commissioners of the Admiralty the recognition by the Government and House of Representatives of the assistance which the Colony has received from the officers and men of Her Majesty's Navy, during the Native disturbances.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

No. 15.

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

(No. 49.)

SIR,—

Downing Street, 1st December, 1866.

I enclose for your information copies of three letters which I have received from the War Office, with their enclosures.

Oct. 8, 1866.

Oct. 24, 1866.

Oct. 29, 1866.

The most important of these is that which contains copies of General Chute's letter to you of the 26th of July, and of your answer of the 18th of August.

I regret that on a subject so important as that of withdrawing Her Majesty's troops from New Zealand, I should derive almost the whole information which I possess from letters transmitted through another department, and I feel the disadvantage of having to act without your own explanations on intelligence which is thus only communicated to me.

But then the nature and authenticity of that intelligence renders it unavoidable that I should do so. I have indeed delayed sending this Despatch, in hopes that I might receive from you information which might render it unnecessary. Unfortunately, your Despatches this day received, are completely silent on the subject, and leave me no alternative but to make this communication.

In the first place, I observe with regret, that up to the date of the latest official advices, which now reach to the middle of September, five regiments of Infantry were still in New Zealand; and, in endeavouring to ascertain how this has happened, I am struck by the circumstance, that while General Chute appears to have requested as long ago as the 20th and 23rd of April, that he might be enabled to send away the 2nd Battalion of the 14th Regiment, and the Head-Quarter Wing of the 50th Regiment, it was not till the 18th of August—nearly four months afterwards—that you signified to him that you had no objection to this proposal.

The consequence has apparently been the detention of these, and probably of other troops, long after they ought to have left the Colony.

Again, I find, that as long as the 27th of November, 1865, Mr. Cardwell wrote to you in the following terms:—"The reduction now made in the whole number of the Imperial troops remaining in the Colony, renders it necessary that these troops should be concentrated; and you will, if you exercise the power with which you are entrusted, in respect of the three battalions and one battery, or any portion of them, take care, in concert with the General in command, that they are not left in distant and isolated posts."

This instruction, that troops should not be left in distant posts, at a great expense to the Home Government, was applied to troops for whom the Colony was to pay, and was evidently applicable *a fortiori* to troops for whom the Colony refuses to pay anything, and it is but too obvious how large an expense is thrown on the British Treasury by a non-compliance with the instructions of the Home Government. In execution of them, Major-General Chute appears to have addressed to you a letter, dated the 20th of April, in which he wrote as follows:—"As it is clearly the intention of Her Majesty's Government that the troops are not for the future to be dispersed in distant and isolated posts, I beg most urgently to request that I may at once be permitted to withdraw Her Majesty's troops from the outposts in each district, and to concentrate them at the chief towns, viz., Wanganui, New Plymouth, and Auckland, and—should your Excellency think it necessary—at Wellington or Napier, thus enabling me to dispense with all inland transport for which no provision has now been made by Her Majesty's Government."

Yet, on the 18th of August, in answer to a request from General Chute, that he may be authorized to withdraw the troops from the outposts, you write as follows:—"I concur with my Responsible Advisers in thinking, that if all Her Majesty's troops are withdrawn from the outposts, to the chief towns, they would be entirely useless to the Colony, and that I ought not, at the present moment, to give my acquiescence to such an arrangement."

I do not wish to assume in this or in any other part of the correspondence any disposition to oppose yourself to the declared policy of Her Majesty's

Government, which, as you will have seen, has been enforced by later Despatches. But I think it my duty to take every means in my power to prevent any further delays either in the concentration or in the embarkation of Her Majesty's troops.

That there is at present delay is indisputable, and the papers before me appear to show that it is due partly to a want of hearty co-operation between the Civil and Military Authorities in giving effect to the instructions of the Home Government, and partly to a misapprehension on your part of the view with which the troops are retained in the Colony. You observe that if withdrawn from the outposts they would be useless to the Colonists. But it is not with the object of being useful that they are now in New Zealand. The Colony has long since adopted the duty of protecting itself, and Her Majesty's troops are no longer there for the purpose of protecting it, but merely remain, or ought merely to remain, in default of the transports necessary for sending them away.

Under these circumstances I see no escape from the chances of further misconceptions and delays, but by placing Her Majesty's troops under an undivided control. While the troops are merely awaiting embarkation there is no reason why the Governor of the Colony should have any greater authority over them than if they had merely touched at Wellington in their passage from one part of the Empire to another.

You will accordingly understand that (with one exception hereafter to be noticed) you are not at liberty to exercise any control over the movements or disposition of Her Majesty's troops. And I shall request the Secretary of State for War to inform Major-General Chute, that (with the same exception) the disposition of all those troops will hereafter rest exclusively with him;—that it is not his duty to seek your authority for moving them, but is at once to concentrate them in such a manner as will be most economical and most convenient for embarkation, and then to embark them as speedily as he can obtain transport. Your duty will be confined to that of providing to the utmost of your power that General Chute receives every facility that your Government can afford him in giving effect to his instructions. It will rest with the Colonial Government to be prepared for the consequences of a withdrawal of troops, on the propriety of which the Imperial and Colonial Governments are agreed, and on the faith of which Her Majesty's Government has entirely ceased to interfere with their Native policy.

The exception to which I have adverted is that of the single regiment which you will be at liberty to retain in the Colony in case the grant of £50,000 per annum for Native purposes shall be continued. With regard to this regiment, if it remains in New Zealand, I do not wish to interfere with the ordinary authority which you are free to exercise as a Colonial Governor. I wish to hear from you as soon as possible whether it will remain under the above conditions. But I think it necessary clearly to point out that it must remain under the conditions indicated in Mr. Cardwell's Despatch of the 27th of November, as well as others which though usually well understood it may be advisable to express.

The troops must not be placed in distant and isolated parts, or employed virtually as a Frontier or Native Police. They must be concentrated in places of easy access where adequate barrack accommodation exists, and subject to the conditions usually required for the maintenance of discipline and other military necessities. The Officer in Command would not be at liberty to consent to their location at posts where these conditions are wanting.

I shall communicate a copy of this Despatch to the War Office, in order that corresponding instructions may be given to General Chute.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

Enclosure 1 in No. 15.

Sir E. LUGARD to Sir F. ROGERS.

SIR,—

War Office, 8th October, 1866.

I am directed by Secretary Lieutenant-General Peel, to acknowledge the receipt of your letter of the 2nd instant, with its enclosed Despatch from the Governor of Tasmania, respecting the continued absence of troops from that Colony.

In reply, I am to refer you to the Despatches from Major-General Chute, copies of which accompanied the letters from this office of the 23rd July and 21st August last, as containing an explanation of the reason why he had failed to fulfil the orders which he had received from the Secretary of State for War, for the restoration of the troops withdrawn from the Australian Colonies,—the reason being that he had been prevented by Sir George Grey.

Sir Frederic Rogers, Bart., &c.

I have, &c.,

EDWARD LUGARD.

Enclosure 2 in No. 15.

Sir E. LUGARD to Sir F. ROGERS.

SIR,—

War Office, 24th October, 1866.

With reference to recent correspondence on the subject of supply of rations to the Colonial Forces in New Zealand, I am directed by Secretary Lieutenant-General Peel to transmit, for the information of the Earl of Carnarvon, the enclosed copy of a letter from Deputy Commissary-General Strickland, dated Auckland, 7th August, 1866, upon this subject.

I have, &c.,

Sir Frederic Rogers, Bart., &c.

EDWARD LUGARD.

Sub-Enclosure to Enclosure 2 in No. 15.

Deputy-Commissary-General STRICKLAND to the Under SECRETARY OF STATE FOR WAR.

SIR,—

Commissariat, New Zealand, Auckland, 7th August, 1866.

I have the honor to report to you, for the information of the Right Honorable the Secretary of State for War, that I have just returned from Wellington, where the Major-General Commanding has temporarily established Head Quarters. I used every effort, through the Major-General, to learn the intentions of His Excellency the Governor as to the removal of troops, and on other points referred to in Enclosure 190 c., dated 11th June, 1866, forwarded to you in my letter No. 52, dated 26th June, 1866. I have entirely failed in gaining any information, and I believe I am correct in stating that the Major-General conveyed to me all he knew on the subject I have alluded to.

At the time of my departure from Wellington, the Major-General Commanding was still awaiting replies to letters addressed to His Excellency. Under these circumstances, it has become necessary to treat the decision of His Excellency the Governor, communicated to me by the Assistant Military Secretary in his letter No. 4691, dated 25th May, 1866, (copy of which was enclosed in my letter to you above quoted,) as still holding good, viz.,—that the circumstances under which the issue of rations from this department is made to the Colonial Forces, “amounts to a pressing and extraordinary emergency affecting the safety of the Colony.” Acting upon this, it became my duty to leave nothing to chance in the due execution of the onerous duty imposed upon me, especially on the West Coast, between Taranaki and Wanganui. The “Gundagai” had scarcely begun her work afresh at the Patea River, when she became almost a total wreck upon the bar of that river; and at this same time, without any warning to this department, the Colonial Government sent about 270 Infantry and 40 Cavalry to be stationed in the country between Patea and Waingongoro. This was an ill-timed addition in the middle of winter, when in anticipation of a withdrawal of outposts under proper instructions the coast depôts had been permitted to fall low; and our steam transport, on which such confident reliance had been placed had broken down, and the Hokitika gold diggings had drawn away from Wanganui well nigh all the coasting craft.

The news of these difficulties reached me at Nelson *en route* to Wellington. At Nelson, and afterwards at Picton, I sought in vain to charter vessels adapted to my wants.

It became now an imperative necessity to replace the “Gundagai” by another suitable steamer, to avoid the responsibility of not meeting properly a “pressing and extraordinary emergency affecting the safety of the Colony.”

At Wellington I met Deputy-Assistant-Commissary-General Graham, who had come overland from Wanganui to report to Major-General Chute what I have now written. The result of careful inquiry from Mr. Graham as to the quantities of stores in the depôts on the coast, the means available of replenishing them, the actual condition of the “Gundagai,” and the number of rations required to be daily provided by the department, was to convince me that I had rightly decided regarding the “Gundagai” steamer. I therefore recommended to the Major-General Commanding that a steamer should be immediately procured at Canterbury. This recommendation was approved of, and I at once proceeded to Canterbury to carry it out, taking Deputy-Assistant-Commissary-General Graham with me.

I succeeded in chartering the steamer “Waipara” on the terms stated in the agreement (copy 680 E., 693 E., enclosed). The cost is £100 per month in excess of that paid for the “Gundagai,” but she is well worth the difference, being a twin screw steamer, built expressly in England for bar harbours. She sailed out here, making a short passage; and for working on a bar or in surf is unrivalled on the coast. 694 E.

I have now instructed the officers on the coast to come to a clear understanding with the Officer commanding the Colonial Troops that we cannot undertake to provide any land transport for their supplies. We have only sufficient land transport to maintain the force of Imperial Troops on the coast. Therefore it will be necessary for the Colonial Government to hire its own land transport, this department only undertaking to land what stores may be required by the Colonial Force at the existing depôts approachable by sea.

I am now preparing a statement of the extra expenses incurred by this department on account of the Colonial Government, including the cost of the “Waipara” under the circumstances above related. The amount will be found duly charged against the Colony, and it may be relied upon that I shall always keep the expenditure of the field force still or hereafter to be employed as low as possible. I only trust that my efforts have not failed to make it clear that, after the declaration made by His Excellency the Governor herein quoted, I was obliged to act as I have done, despite the orders which

have been sent from home. On this point I gladly seize this opportunity of stating that so long as the troops are retained in the Colony, and stationed at outposts as at present, it will not be possible to carry out the retrenchment of expenditure, or of officers or subordinates of this department ordered from home.

I have now got rid of the last military officer temporarily employed in this department. I hope soon to send home Deputy-Assistant-Commissary-General Cattell, and he will be followed by Deputy-Assistant-Commissary-General Draper whenever he has completed the examination of some Colonial accounts required by Commissary-General Jones, C.B.

The Under Secretary of State for War,
War Office, London, S.W.

I have, &c.,

E. STRICKLAND,
Deputy Commissary-General.

Enclosure 3 in No. 15.

Sir E. LUGARD to Sir F. ROGERS.

SIR,—

War Office, 29th October, 1866.

Sept. 8, 1866.

With reference to your letter of the 22nd June last, and subsequent correspondence, relative to the withdrawal of troops from New Zealand, I am directed by the Secretary of State for War to transmit to you, for the information of the Earl of Carnarvon, the accompanying copy of a Despatch which has been received from Major-General Chute, with its Enclosures, on the subject.

I have, &c.,

Sir Frederic Rogers, Bart., &c.

EDWARD LUGARD.

Sub-Enclosure to Enclosure 3 in No. 15.

Major-General CHUTE to the Under Secretary of State for War.

Maj.-Genl. to
Govr., July 26,
1866.

Govr. to Maj.-
Genl., Aug. 18,
1866.

Maj.-Genl. to
Govr., Aug. 20,
1866.

Govr. to Maj.-
Genl., Aug. 22,
1866.

Maj.-Genl. to
Govr. Sept. 5,
1866.

SIR,—

Head Quarters, Wellington, 8th September, 1866.

I have the honor to acknowledge the receipt, on the 5th instant, of your letter of 26th June, 1866, relative to the withdrawal of troops from New Zealand, and beg to enclose, for the information of the Right Honorable the Secretary of State for War, copies of correspondence I have had with the Governor on this subject.

In compliance with the authority contained in His Excellency's letter of 18th August, the 2-14th Foot and Head Quarters Wing of the 50th, are now concentrating in Auckland, and the Resident Transport Officer has been instructed to provide tonnage to convey them to the Australian Colonies, with the least possible delay.

I have, &c.,

T. CHUTE,

Major-General.

The Under Secretary of State, War Office.

Enclosure 1 in Sub-Enclosure.

Major-General CHUTE to Governor Sir GEORGE GREY, K.C.B.

SIR,—

Head Quarters, Wellington, 26th July, 1866.

With reference to your Excellency's letters of the 10th and 21st May last, respecting the removal of my Head Quarters from Auckland to Wellington, which your Excellency stated that you considered absolutely necessary before you could decide what posts occupied by Imperial troops should be reduced or abandoned, I have the honor to state to your Excellency, that since my arrival here on the 29th June last, in compliance with your Excellency's wishes, I have waited anxiously for a communication of your Excellency's decision with regard to the withdrawal of Her Majesty's troops from the outposts, and especially of the 2-14th and wing of the 50th Regiment, whose removal to the Australian Colonies, I have, as your Excellency is aware, received such positive orders from home.

I beg again to invite your Excellency's attention to the following letters which I have had the honor of addressing to your Excellency at the dates specified, but to which I have not as yet been favoured with any reply, viz.:—

No. 131-66, of 23rd April, 1866, relative to withdrawal of Wing 50th, from Taranaki, for Australia.

No. 127-66, of the 20th April, 1866, asking whether the posts occupied by the 2-14th are to be abandoned or relieved by Colonial troops.

No. 64-66, of 17th March, 1866, stating 2-14th was next to leave the Colony, and asking whether troops may leave it more rapidly than one regiment in two months, and for instructions about further occupation of posts in Waikato District.

I now most earnestly beg your Excellency will be good enough to favour me with replies to my letters above quoted, in order that I may keep the Secretary of State for War informed of the causes of the continued detention of Her Majesty's troops, and, if possible, as to the probable length of time to which your Excellency may find it necessary still further to detain them.

I need scarcely add, that until I receive some indication as to even the probable time at which your Excellency will allow the 2-14th Regiment and the wing of the 50th to be withdrawn from the outposts for removal to Otahuhu and embarkation to Australia, I am unable to instruct the Resident Transport Officer to incur the responsibility of engaging tonnage for their conveyance. I would again, therefore, very respectfully urge your Excellency to comply with my applications for your instructions relative to those corps, as well as with regard to the withdrawal of all Her Majesty's troops from the outposts to the chief towns, for your Excellency's sanction, for which I made an urgent appeal to your Excellency in my letter No. 125-66, of the 20th April last.

I have, &c.

T. CHUTE,

Major-General.

His Excellency Sir George Grey, K.C.B.

Enclosure 2 in Sub-Enclosure.

Governor Sir GEORGE GREY, K.C.B., to Major-General CHUTE.

SIR,— Government House, Wellington, 18th August, 1866.
In reply to your letter of the 26th ultimo, No. 252-66, I have the honor to inform you that I have no objection to offer to the withdrawal and embarkation of the 14th, and the wing of the 50th Regiments.
With regard to the latter part of the letter above referred to, I concur with my Responsible Advisers in thinking that if all Her Majesty's troops are withdrawn from the outposts to the chief towns, they would be entirely useless to the Colony, and that I ought not at the present moment to give my acquiescence to such an arrangement.

The Hon. Major-General Chute.

I have, &c.,
G. GREY.

Enclosure 3 in Sub-Enclosure.

Major-General CHUTE to Governor Sir GEORGE GREY, K.C.B.

SIR,— Head Quarters, Wellington, 20th August, 1866.
I have the honor to acknowledge the receipt of your Excellency's letter of the 18th instant, authorizing my withdrawing the 2-14th Regiment, and the wing of the 50th Regiment, and embarking them for Australia.
I beg to submit for your Excellency's consideration the enclosed memoranda, showing the changes in distribution of the troops in the Taranaki, Wanganui, and Napier Districts, which the above reduction of the force in this command renders, in my opinion, necessary, and I will feel obliged by your Excellency informing me whether you approve of them, in order that I may arrange for the immediate removal of the troops to the Australian Colonies.

His Excellency Sir George Grey, K.C.B.

I have, &c.,
T. CHUTE,
Major-General.

WANGANUI.

Present distribution of the Troops in the Wanganui District.				Proposed distribution of the 2-18th Regiment in the Wanganui District.			
		2-14th.	2-18th.			Rank and File.	
Wanganui	...	303	23	Wanganui	...	300	
Alexander's Farm	...	42		Alexander's Farm	...	42	
Weraroa	...	50		Weraroa	...	50	
Waitotara	...		64	Waitotara	...	64	
Patea, Left Bank	...		68	Patea, Left Bank	...	68	
„ Camp	...		260	„ Camp	...	193	
Kaharamea	...		56			717	
Manawapou, Right Bank	...		65	Civil and Military prison	...	56	
„ Left	...		73			773	
Waingongoro	...		108				
Parakino	...	58					
		453	717	Imperial troops abandoning Waingongora, Manawapou, Hakoramea, and Parakino.			
Civil and Military prison and sick		46	56				
Totals	...	499	773				

Wellington, 20th August, 1866.

TARANAKI.

Present distribution of the 50th Regiment in the Taranaki District.				Proposed distribution of the wing of the 50th Regiment in the Taranaki District.			
		Rank and File.				Rank and File.	
Taranaki, New Plymouth	...	232		Strength, 350 rank and file effective.			
Stoney River	...	88		New Plymouth	...	250	
Warea	...	145		Stoney River	...	100	
Opunaki	...	103				350	
		568					

Wellington, 20th August, 1866.

NAPIER PROVINCE.

Present Distribution.				Proposed Distribution.			
Rank and File.				Rank and File.			
Napier, 1-12th ...	...	...	72	Napier, 1-12th ...	...	...	127
„ 2-14th ...	...	...	119	Abandoning Wairoa and Waipawamate, and withdrawing whole of Detachment 2-14th.			
			191				
Wairoa, 1-12th ...	...	...	62				
Waipamate, 2-14th	...	...	55				
			117				
			308				
Total 308							

Wellington, 20th August, 1866.

Enclosure 4 in Sub-Enclosure.

Governor Sir GEORGE GREY, K.C.B., to Major-General CHUTE.

SIR,— Government House, Wellington, 22nd August, 1866.
In reply to your letter of the 20th instant, No. 272-66, I have the honor to inform you that I consider the posts hitherto occupied at Manawapou, Waingongoro, Opunake, and Warea, should be retained, and that garrisons are not necessary at New Plymouth, Wanganui, or Napier.
The Honorable Major-General Chute. I have, &c.,
G. GREY.

Enclosure 5 in Sub-Enclosure.

Major-General CHUTE to Governor Sir GEORGE GREY, K.C.B.

SIR,— Head Quarters, Wellington, 5th September, 1866.
In forwarding for your Excellency's consideration, the copy of a communication I have this day received from the Under Secretary of State for War, relative to the withdrawal of Her Majesty's troops from New Zealand, I have the honor to request that your Excellency will be pleased to inform me as to whether I am at liberty to make any further arrangements for the departure of Her Majesty's troops beyond the embarkation of the 2-14th Regiment and Head-Quarter Wing of the 50th Regiment, about to proceed to Australia in compliance with the authority conveyed in your Excellency's letter of the 18th ultimo.
I beg more particularly to invite your Excellency's attention to the third paragraph of the Under Secretary's letter, in which I am instructed to send from the Colony, as speedily as possible, unless the required provision shall have been made, every soldier, whether Infantry, Artillery, or Engineer, in excess of one regiment, and that regiment also, unless I am informed by your Excellency that the sum of £50,000 per annum has been devoted to Native purposes; and I beg to request that I may be informed whether it is the intention of the Government of this Colony to contribute the sum of £40 a-head for infantry, and £55 for artillery, for any troops remaining in excess of one battalion, and also whether it is their intention to devote the sum of £50,000 per annum for the special benefit of the Native population. I would further request your Excellency's permission to send home immediately all Her Majesty's troops in excess of those for whom the Colonial Government may make provision, in accordance with the instructions contained in the enclosed Despatch.
With regard to the two last paragraphs of the Secretary of State's letter, I would observe, that on receiving your Excellency's authority to withdraw the troops from the outposts they now occupy, I shall at once be enabled to arrange for the departure of the Military Train.
His Excellency Sir George Grey, K.C.B. I have, &c.,
T. CHUTE,
Major-General.

No. 16.

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

(No. 56.)

SIR,— Downing Street, 28th December, 1866.
I have to acknowledge your Despatch No. 105, of the 15th of October, in which you urge a reconsideration of the decision adopted by the Secretary of State for War that the Head Quarters of General Chute should remain at Auckland.
The immediate question raised by your Despatch appears to have long since practically settled by the removal of General Chute's Head Quarters to Wellington, in accordance with your wishes; and my Despatch No. 49, of the 1st of December, will have, I hope, removed some misconception which I think led you to attach so much importance to General Chute's presence in your own immediate neighbourhood.

These misconceptions, however, are so evident in the Despatch before me that I feel obliged to notice one or two passages in it.

You state your opinion that the decision taken by the Secretary of State for War is likely to entail serious disaster on the Colony and a large expenditure on Great Britain.

I am most earnestly anxious to disabuse you of any expectation which may remain in your mind that the Imperial Government will allow itself to incur large expenditure, or any expenditure beyond that which may be involved in the maintenance of a single Regiment of Infantry, in protection of the Colonists of New Zealand against the Native inhabitants of the Islands. By the act of my predecessor in this office, the management of Native affairs was transferred to the Local Government, and the duty of self-protection was devolved upon the Colonists of New Zealand. That duty they have deliberately adopted. The Colonial Government have been allowed to exercise that control by way of extensive confiscation and otherwise in a manner to which the Home Government, as Mr. Cardwell has stated, if responsible for the consequence of their actions, would not have given their sanction. They are not inclined to repudiate the pledges on the faith of which this freedom of action has been accorded to them or to evade its legitimate consequences. On the contrary, complaints have actually been made that Her Majesty's Government were keeping troops in the Colony against the wishes of the Local Government. In this state of things I must request you most clearly to understand that the troops (with the possible exception which I have noticed) will be withdrawn and will not be restored. The Colonists will be expected to do that which they can do, which they have promised to do, and which I am bound to add they show no disinclination to do—namely, to provide for their own defence. I earnestly trust that there is no party in the Colony which looks to the support of British Arms in any future Native war, or at least that no such expectation will be allowed to influence the policy of yourself or your Advisers. If any Colonial Government were to involve itself in such a war, in reliance on military assistance from this country, they might plunge the Colony, for a time at least, into disasters which it is needless for me to contemplate.

In another part of your Despatch you observe that the sudden removal of so large a body of troops from a country circumstanced like New Zealand, is a very critical operation. This is perfectly true. But I must add it is an operation which has not been imposed upon you. It was in February, 1865, that General Cameron was instructed to send home from New Zealand five of the regiments then in the Colony. We are now at the end of December, 1866, and I am not yet apprised that the British Force in the Islands is reduced to a single regiment, such a withdrawal therefore can hardly be termed sudden.

Finally, I must observe that while you thus appear to cling to the expectation of continued assistance from this country, your own reports, or rather the absence of reports from you, show how little you recognize any continued responsibility to the Imperial Government for the conduct of the War. While in your Despatch of the 15th October, you inform me that a Trooper of the Colonial Forces had been killed by some hostile Natives, you leave me to learn from the newspapers that in the neighbourhood of Hawke's Bay, a body of Natives who refused to give up their arms had been attacked by the Colonial Forces in their Pa (which is said to have been unfortified), and driven into the bush, twenty-three of them being killed and a like number wounded, and that a Native village on the West Coast, after being summoned to surrender was attacked by a Colonial Force, and, escape being cut off, about thirty or forty persons were killed.

In the account before me this last transaction is described as "the most brilliant affair of this Guerilla War." Meantime your own Despatches would hardly lead me to suppose that any recognized warfare was in progress. I need hardly observe that if it at any time were alleged in this country that these affairs, described by the Colonial Press as brilliant successes, were in fact unwarranted and merciless attacks on unoffending persons, I have no authentic means of reply afforded me by your Despatches.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 17.

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

(No. 4.)

SIR,—

Downing Street, 31st January, 1867.

I have to acknowledge the receipt of your Despatch of the 2nd November last (separate), announcing that Major Rocke, of the 18th Regiment, had, in compliance with a requisition you had made direct to him, taken active measures with the force at his command against certain Native tribes.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 18.

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

(No. 5.)

SIR,—

Downing Street, 1st February, 1867.

I have to acknowledge the receipt of your Despatch of the 3rd November, transmitting a copy of a letter you had had from Major-General Chute, on the subject of his Head Quarters remaining at Auckland, and forwarding reports you had received from various parts of the Colony showing the state of the Natives.

In regard to the place in which the Head Quarters of the Army should be stationed, I need only refer you to my Despatch of the 28th December, No. 56.

I sincerely regret the controversies which have unfortunately so long subsisted between yourself and the Officers successively commanding Her Majesty's troops in New Zealand, and I can only hope that all occasion for them will be removed by the recent instructions which have been sent out to yourself and the Officer in Command.

I also regret that you should have any cause to complain that communications are made by officers in the Colony on matters in which you as Governor of the Colony are concerned without affording you an opportunity of answering or commenting upon them. In submitting a copy of your Despatch to Major-General Peel, for his information, I shall suggest to him the propriety of recalling Major-General Chute's attention to the instructions by which he was requested to guide himself in this respect.

At the same time I must observe, that you do not intimate any intention of communicating to General Chute a copy or the substance of the Despatch to which I am now replying.

I notice that at the date of that Despatch great peril had in your opinion again arisen in the country. I am glad, however, to perceive that in your subsequent Despatch of the 10th November, you express a more hopeful expectation of the prospects of the Colony.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 19.

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

(No. 6.)

SIR,—

Downing Street, 1st February, 1867.

I have to acknowledge the receipt of your Despatch of the 5th November last (separate), with copies of a correspondence between General Chute and yourself regarding the withdrawal of the detachments of the 57th Regiment from the Waikato River.

I am unable to judge whether the Imperial troops, being in Waikato at a critical moment, were properly detained there for a short time longer than General Chute proposed. I entertain little doubt however that they ought to

have left that district long ago in pursuance of the instructions conveyed to you in Mr. Cardwell's Despatches on the subject, and I can only acquiesce in their present detention in Waikato on the supposition that it will not have delayed their embarkation.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

No. 20.

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

(No. 7.)

SIR,—

Downing Street, 1st February, 1867.

I have the honor to acknowledge the receipt of your Despatch (separate), of the 6th of November, forwarding copies of letters from the Resident Magistrate of the Upper Wanganui, and from all the principal Chiefs of Taupo.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

No. 21.

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

(No. 8.)

SIR,—

Downing Street, 1st February, 1867.

I have to acknowledge the receipt of your Despatch of the 10th November (separate), forwarding Reports furnishing information regarding the steps taken for the punishment of the Natives engaged in outrages in the disturbed part of the Colony.

I am glad to find that you do not anticipate any fresh disturbances of importance.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

No. 22.

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

(No. 9.)

SIR,—

Downing Street, 1st February, 1867.

I transmit to you herewith a copy of a letter from the Officer in charge of the Treasury Chest in New Zealand to the Lords Commissioners of the Treasury, forwarding copy of one he had addressed to the Officer in Command of Her Majesty's Troops in that Colony, relating to the continued expenditure of Imperial funds for Colonial purposes.

It is stated by Deputy-Commissary Strickland that such issues from the Treasury Chest on this account were still going on (presumably under your authority or on your request), for which no monthly repayments are made, and that the debt of the Colony to the Imperial Government was daily increasing.

As this statement of the continued issues from the Treasury Chest is so directly at variance with the repeated instructions which you have received on the subject, I forward Mr. Strickland's letter to you for any explanations you may have to make upon it. As I have not been apprised by you of any intention to station Her Majesty's Troops in the centre of a purely Native district, I assume that no such intention exists. It is however right to state, or rather to repeat, that you will not be at liberty to require the Imperial regiment left in the Colony to be stationed in Taupo or anywhere else, except in or near one of the great centres of population, nor to direct their removal from those centres except in case of active operations against an enemy, nor even then, unless the Colony undertakes to reimburse the Imperial Government month by month the transport and

other expenses consequent on their removal, nor for any longer period than while those expenses are in fact reimbursed according to the undertaking of the Government.

I shall transmit a copy of this Despatch to General Peel, in order that a copy of it may be forwarded to General Chute for his information and guidance.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

Enclosure in No. 22.

Deputy Commissary-General STRICKLAND to the SECRETARY to the TREASURY.

SIR,—

Commissariat, New Zealand, Auckland, 8th November, 1866.

C. 435.

I have the honor to enclose to you herewith, for the information of the Lords Commissioners of Her Majesty's Treasury, copy of a letter which I have addressed to the Major-General Commanding, directing his attention to continued expenditure of Imperial treasure in this Colony, notwithstanding the orders to the contrary which have been received from home.

Under date of the 16th of April last, I endeavored to put an end to the issue of rations by this department to the Colonial Forces. The Major-General Commanding only directed it to be continued on receiving from His Excellency the Governor an assurance to the effect that such issue was necessary under "a pressing and extraordinary emergency affecting the safety of the Colony."

The many and very clear orders which have reached here from home to economize, even to cease Imperial expenditure for Colonial military purposes, has within my knowledge only produced noteworthy effect in two instances, viz. :—

1. In May last it was promised that payment would be made by the Colony to this department monthly, for all rations issued by it to the Colonial Forces, commencing from 1st June, 1866. Payment for June has been made, except for issues made at Wanganui, amounting to £384 3s. 2d., which remains outstanding.

Payment for July was applied for on 12th September, but has not yet been made.

E. 820.

2. On 26th August, 1866, it was notified to the department that the issue of rations by it to the Colonial Troops at Tauranga and Maketu were to cease from 1st September, 1866.

It is to be remarked, however, that, coexistent with these reductions on the East Coast, there has been a steady increase in the demands made on this department on the West Coast,—e.g., the cost of rations issued to Colonial Troops from April last has been as under on the West Coast :—May, £58 2s. 5d.; June, £384 3s. 2d.; July, £1070 10s. 7d.; August, £1250 2s. 4d.

It would appear that Colonial Forces have been removed from one coast to the other, and the scene of expenditure is but shifted with the scene of strife, the same principle is steadily acted upon, viz.,—that of obtaining from Imperial Funds a maintenance for Colonial Forces.

I would wish to draw particular attention to the actual state of affairs in the Colony at this moment—

1st. Imperial Troops are retained in the Colony, although no appropriation has been made by the Colony for them.

2nd. A portion of the troops are actively engaged in an aggressive warfare at an increased expense to the Imperial Treasury.

3rd. Another and a large portion is still dispersed over the Colony defending lands confiscated from the rebels.

No one can foresee an end to the petty desultory war now being waged in the Colony, and it is alleged that it occasions a necessity for the employment of Imperial Troops as described; but as Colonial Forces are not enrolled in numbers sufficient to replace Imperial Troops, even on their present diminished numbers, it results that Imperial Troops may possibly be retained in the Colony contrary to orders for an indefinite time; and it is to be observed that the Colony not only omits to contribute to the support of these troops, employed on Colonial Service, but calls upon the Imperial Commissariat to ration the Colonial Forces.

I have in vain waited from month to month hoping to see an armed force and an administrative machinery raised and set in motion by the Colony, to replace Imperial Troops and departments ordered to be withdrawn.

As this work has not been done, I much fear that even though the Imperial Troops be reduced to one battalion, the Colony will still rely upon receiving Imperial aid in rations unless steps be taken to enforce here orders written at home. It can hardly be necessary for me to point out that it would be difficult to devise a more expensive form of aid than that of rations in a country like New Zealand, especially if even the most petty war is permitted to be waged, for this aid can only be given by the employment of a very cumbrous and costly machinery.

In proportion as the tranquillity of the Colony is uncertain, so am I anxious to see a limit put to Imperial expenditure, and all financial arrangements between the Imperial and Colonial Governments placed upon such a footing as would be at once fair to both interests, and, at the same time, least likely to be disturbed, even though war became a chronic evil in New Zealand.

Under existing systems, the indebtedness of the Colony to the Imperial Government is permitted to increase daily, and if the active operations, now commenced at Ketamarai, burst into a war flame (and this is quite possible and very generally expected), I dare not say how far this increase might extend, for the means hitherto adopted of enforcing economies here have not always produced the anticipated results. I deem it right thus to give early warning of what may arise within the Colony, in order that time may be available to you, as far as possible, to apply whatever remedies may be considered necessary.

I should mention, also, that even though matters quiet down on the West Coast, there exist good grounds for supposing that from other causes the peace of the Colony may be disturbed. I allude to the report current on high authority that it is contemplated to occupy Taupo, in the centre of the Island, with an Imperial force. At best, this would be a hazardous measure. If it be interpreted by the Natives, as is not improbable, into a determination on our part to take forcible possession of their country at any price, the natural consequence would be that the last spark of Native confidence in the white man would be extinguished, and they would band together in a strong spirit of exasperation against us. War, and increased expenditure, would follow. But even if the establishment of Imperial Troops at Taupo be quietly effected, the cost of supporting them there will be excessive as compared with what it would be at settlements on the sea coast, or at any of the places indicated by the Secretary of State for War, as those places which are to be garrisoned by Imperial Troops.

Thus, in any case, the measure in question can hardly fail of materially affecting Imperial expenditure. For these reasons I bring it to your notice, and would remark that I have done so on no vague or irresponsible report.

I have, &c.,

E. STRICKLAND,

D.C.G.

The Secretary to Her Majesty's Treasury, Whitehall.

Sub-Enclosure to Enclosure in No. 22.

Deputy Commissary-General STRICKLAND to the Assistant MILITARY SECRETARY.

SIR,—

Commissariat, New Zealand, Auckland, 8th November, 1866.

I have the honor to request that you will be good enough very respectfully on my part, to direct the attention of the Major-General Commanding to the recent field operations on the West Coast, in which the Imperial Troops have been actively employed in an unsettled district, neither for the protection of settlers or their property.

Mr. Cardwell, in his Despatch No. 97, dated 27th November, 1865, to His Excellency Sir G. Grey, says—"I have already told you that Her Majesty's Government would not approve of the protection by the Imperial Troops of land taken from the rebels."

In the same Despatch it is directed that troops remaining in the Colony are to be concentrated, that they are not to be left in distant and isolated posts.

Again, under date of 26th November, in his Despatch No. 113, Mr. Cardwell says—"Her Majesty's Government cannot permit these troops to be dispersed in distant and isolated posts, nor allow the cost of inland transport to be a charge upon Imperial Funds."

All these orders notwithstanding, confiscated lands are still being protected in various parts of the Colony by Imperial Troops. The troops are not concentrated as directed, and the cost of inland transport is made to bear heavily upon the Imperial Treasury. Even more, it is announced in the local press that His Excellency the Governor has recently organized an expedition upon the West Coast, for purposes of aggression, and has employed upon it a considerable amount of Imperial Troops, including a reinforcement of the permanent Land Transport still maintained in the country.

I cannot but attach much importance to the re-employment of an Imperial element in this Colonial war, not alone because an Imperial expenditure is thus re-commenced, the termination of which it is impossible to foresee, but also because such a course is contrary to the avowed policy of the Colonial Government, dating from 1864.

This policy has been accepted and insisted on by Mr. Cardwell, who has directed that no Imperial Force is to remain in the Colony, except at the request of Ministers, and upon their undertaking to propose to the Assembly the required capitation charge.

Again Mr. Cardwell has informed His Excellency the Governor, that it is the fixed purpose of Her Majesty's Government that no Imperial Troops shall remain in New Zealand, for whom the necessary appropriation has not been made.

Since the receipt of this Despatch in the Colony, the Assembly has met and has been prorogued, and no appropriation has been made by it for the Imperial Troops now in the Colony, not even, as far as I can learn, for the one Battalion of Infantry which was to have been retained under special conditions, and which I am informed by you is to form the Imperial Military Force in this Colony.

I would earnestly urge the expediency of some steps being taken by which the reiterated orders of the Secretary of State for War and the Colonies may be carried out, and a stop be put to the large expenditure of Imperial treasure, which is still insisted upon in this Colony, not alone in the issue of rations to Colonial Troops, which was called for by His Excellency, in May last, under "a pressing and extraordinary emergency, affecting the safety of the Colony," but now by the active employment of Imperial Troops for Colonial purposes, and by increasing the demand on this department for the issue of rations to Colonial Troops in very inaccessible positions over a large extent of wild country.

The cost of rations is, by transport and otherwise, thus much increased, and the Imperial Government is compelled to maintain, throughout the Waikato, along the West Coast, in the Napier country, and at Tauranga, an expensive administrative machinery and considerable depôts of stores, which might long ago have been dispensed with had the orders received from home been complied with here.

I would propose that after the 31st December, 1866, the issue of rations from this department to the Colony shall cease, and that a representation be forwarded home thereof,

1st. How Imperial Troops have been employed in this Colony during the financial year.

2nd. That a sufficient number of Colonial Troops, during all that time, has not been raised to take the place of the Imperial Troops, admitting that it is necessary still to retain military possession of confiscated land.

3rd. That no appropriation has been made by the Colony for the Imperial Troops retained in the Colony for, and employed in, Colonial interests.

4th. That it is impossible to foresee a termination of this state of things which has been so long and anxiously expected.

5th. And suggesting that all extra expense incurred by the retention of Imperial Troops in the Colony beyond the one battalion specially provided for, be made a charge against the Colony from 1st April, 1866, the period fixed by the Secretary of State for War for the concentration of the Imperial Troops in certain garrisons.

The Assistant Military Secretary, Wellington.

I have, &c.,
ED. STRICKLAND, D.C.G.

No. 23.

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

(No. 10.)

SIR,—

Downing Street, 1st February, 1867.

I received by the last mail your separate Despatch of the 2nd November last, forwarding a copy of a Despatch addressed to you by direction of Major-General Chute, in relation to a Memorandum of your Responsible Advisers “regarding the inaction maintained by Her Majesty’s Imperial Troops in a “disturbed district.”

You did not, however, transmit a copy of the Despatch which was addressed to General Chute by your desire on the 15th of October, or of any previous correspondence on the subject.

Sir G. Grey to Major-Gen. Chute, July 11, 1866.
Major-Gen. Chute to Sir G. Grey, July 12, 1866.
Sir G. Grey to Major-Gen. Chute, July 28, 1866.
Major-Gen. Chute to Sir G. Grey, August 6, 1866.
Private Sec. to Assistant Military Sec., Oct. 15, 1866.
Assistant Military Sec. to Private Sec., Oct. 24, 1866.
Memo. by Ministers, Oct. 12, 1866.

I should therefore have obtained a very imperfect understanding of the matter without the further information which I have received from the Secretary of State for War, who has forwarded to me the full correspondence, noted in the margin, between yourself and General Chute, and a letter from His Royal Highness the Field Marshal Commanding in Chief, of which I enclose a copy.

By the mail which has this day arrived, I receive your Despatch of 28th November, No. 108, enclosing a copy of the Despatch General Chute addressed to the Secretary of State for War, on the 1st November last, on the subject.

This correspondence confirms me in the opinion which I have already expressed—that the Imperial Troops cannot be too promptly or too completely withdrawn from New Zealand; and also shows the expediency of the instructions conveyed to you in my other Despatch No. , of the which in effect confines the Imperial Troops to the duty of garrisoning the main centres of population, and leaves to the Colonial Forces the conduct of active operations in unsettled or partially settled districts.

I must, however, in addition to these instructions add this further direction, in which I anticipate your concurrence: that in any district in which active operations may have to be carried on conjointly by Imperial and Colonial Forces, those operations, although of course undertaken under instruction from the Governor, and on his responsibility, must be under the military control, not of the Governor or of the Ministry, but of the Officer in command of Her Majesty’s Troops.

It must be clearly understood that any employment of Her Majesty’s Troops in active operations can only be permitted on this condition.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

Enclosure in No. 23.

Major-General FOSTER to the UNDER SECRETARY OF STATE, War Office.

SIR,—

Horse Guards, 12th January, 1867.

I am directed to acknowledge the receipt of your letter of the 7th instant, in which you request that the Field Marshal Commanding in Chief may be moved to favour General Peel with his opinion of the correspondence which has passed between the Governor of New Zealand and the Major-General Commanding the Troops in that Colony, relative to a Memorandum which has been addressed to His Excellency by his Responsible Advisers, commenting upon the conduct of Her Majesty’s Troops in the Wanganui District.

In reply, I am desired to express His Royal Highness’s opinion that nothing can be more insulting to Her Majesty’s Troops serving in New Zealand, than the Memorandum of the Colonial Ministers, forwarded to Major-General Chute by the Governor, without comment, and of which the Major-General most properly complains.

Major-General Chute’s explanation regarding the orders and instructions he had considered it necessary to give to the Officer commanding at Wanganui, and his reply to the unjustifiable reflections

cast on the troops under his command by the Colonial Ministers, are entirely satisfactory to His Royal Highness.

It appears to the Field Marshal Commanding in Chief incomprehensible how the Colonial Troops in New Zealand can be ordered by the local authorities to act independently of Her Majesty's Imperial Forces, and without being placed under the authority even of the Major-General Commanding Her Majesty's Troops.

Such a procedure His Royal Highness believes is quite opposed to every principle and every regulation which has obtained in similar cases with the auxiliary forces of the Empire. Whenever, for instance, the Militia at home are called out for permanent duty, they are instantly placed under the military authorities; it is the same also as regards the Yeomanry, and even the Volunteers, should their services be required by the necessity of the State. Such has been the rule also in our Colonial possessions.

Why, therefore, an attempt should be made to act on an entirely different principle in New Zealand, His Royal Highness is at a loss to conceive. He considers that nothing but mischief can arise to the State from such an attempt to subvert the fundamental principles upon which the Government have hitherto always acted; and His Royal Highness submits that the interests of the country, and the honor of all the forces concerned, will be best consulted by the present anomalous state of affairs in New Zealand being at once corrected, and the most positive orders issued that the long-established practice obtaining in other parts of Her Majesty's dominions, is on no account to be deviated from.

The Under Secretary of State,
War Office.

I have, &c.,
W. F. FORSTER.

Enclosure 2 in No. 23.

Sir E. LUGARD to Sir F. ROGERS.

SIR,—

War Office, 7th February, 1867.

With reference to your letter of the 1st instant, and previous correspondence relative to the Memorandum from the Responsible Advisers of the Governor of New Zealand, regarding the inaction maintained by Her Majesty's Troops in the disturbed districts of that Colony, I am directed by Secretary Lieutenant-General Peel to transmit for the information of the Earl of Carnarvon the accompanying copy of a further Despatch with its Enclosures (in original) which has been received from Major-General Chute on the subject.

General Peel anticipates Lord Carnarvon's concurrence with him in opinion that the Reports now enclosed completely refute the accusation made against the troops by the Colonial Ministers.

Sir F. Rogers, Bart.

I have, &c.,
EDWARD LUGARD.

Sub-Enclosure to Enclosure 2 in No. 23.

Major-General CHUTE to the UNDER SECRETARY OF STATE FOR WAR.

SIR,—

Head Quarters, Auckland, 30th November, 1866.

In continuation of my letter of the 1st instant, No. 342-66, relative to a Memorandum from the Responsible Advisers of the Governor of New Zealand reflecting on Her Majesty's Troops, I have the honor to forward, for the information of the Right Hon. the Secretary of State for War, copies of Reports I have received from the Officers commanding at Wanganui, Taranaki, and Tauranga, to whom I caused letters to be addressed inquiring whether they had at any time failed to avail themselves of any opportunity of attacking and harassing rebels or had refused or hesitated to afford assistance to the civil power or the Colonial Troops in acting against the rebels.

I have, &c.,
T. CHUTE,
Major-General.

The Under Secretary of State for War.

Enclosure.

Major ROCKE to the ASSISTANT ADJUTANT GENERAL, Patea.

SIR,—

Patea, 13th November, 1866.

I have the honor to acknowledge your letter of this date. In reply I beg to attach a copy of instructions received dated 8th August, 1866.

1. These instructions have been rigidly carried out at all the posts along the line; as far as Patea is concerned the Major-General is doubtless aware that the enemy have never appeared within several miles of it. Convoys have proceeded every week, guarded only by a small escort, from Patea to Waingongora without a single interruption, extending over a period of nineteen months, and except one or two ambuscades evidently laid for small mounted parties, the enemy have never shown on the road or in the vicinity. It is quite untrue, therefore, to state that communications have been stopped or redoubts fired into.

2. In reply to your second question, and with reference to a Minute addressed by the Colonial Ministers to His Excellency the Governor, I beg to draw attention to those instructions which I received just before the arrival of Major McDonnell with a Colonial Force, of the tenor of which I may assume the Ministers are cognizant. It will be thus seen that the co-operation of the Imperial Troops with the Colonial Forces depended upon Major McDonnell, and that I had no voice in the matter, and thus that the reflections cast upon the Officers commanding posts are, not only most unfair, but that they are based upon entirely false premises.

A glance at the instructions given to us will show that should Major McDonnell require aid he was to refer to me, and that I was to form a force of 150 men to co-operate with him, taking command

when in the field by order of my commission, but that otherwise I was not to interfere with the operations of the Colonial Forces. Major McDonnell was thus placed in this district independent of all control, and with power to summon the Imperial Troops to his aid.

I hastened to assure Major McDonnell, on his arrival, that he might rely upon our cordial co-operation at any moment, and I further obtained the permission of the Major-General to draw a force of 250 men, instead of 150, when called upon.

Additional transport was sent up from Wanganui. It was arranged that artillery should accompany the force if required, and a medical officer of the Staff was sent specially to Patea from Auckland. In fact, every preparation was made that a thoroughly efficient field should be ready at a moment's notice.

As already shown, Major McDonnell's movements were independent, and conducted without my knowledge, and the first information I received of his expedition of the 2nd October, which appears to be the occasion of these animadversions on the part of the Colonial Ministry, was Major McDonnell's report, which he kindly forwarded to me for the Major-General.

In transmitting this, I could not refrain from expressing my regret, in a letter addressed to the Assistant Adjutant-General, that the Imperial Troops had not been enabled to take a share, as it was very plain that a larger force would have led to very satisfactory results.

It has come to my knowledge, even, that Captain Noblett, 2-18th Regiment, has upon more than one occasion urged Major McDonnell to apply to him to co-operate with him. I cannot say that I approve of it, and Major McDonnell would of course not have complied, except under very urgent circumstances, as it was contrary to the instructions.

Thus it will be seen that not only was a considerable force of the Imperial Troops held in readiness to move at a moment's notice, but that everything was done to evince our sympathy with the Colonial Forces, and our anxiety to share with them in actual service in the field.

I have, &c.,

J. H. ROCKE,

Major, 18th Royal Irish,

The Assistant Adjutant-General, Head Quarters, Patea.

Commanding Wanganui District.

Major BAKER to Captain LEACH.

SIR,— Assistant Adjutant General's Office, Head Quarters, Wellington, 5th August, 1866.

I am directed by the Major-General Commanding, to request that you will give instructions to the Officers commanding at posts in the Wanganui District, to be most alert and vigilant in the performance of their duties, availing themselves of every possible opportunity of harassing and attacking the enemy in their respective commands.

Should the Colonial Forces, now supposed to be in the neighbourhood of Ketemarai, under Major McDonnell, require aid from Imperial Troops, you will be good enough to direct a force (if possible) of 150 men, from Patea, Manawapou, and Waingongora, to be at once formed under either Major Locke or Inman, of the 18th R. I., with a view of their co-operating with the Colonial Troops. The Field Officer of Her Majesty's Forces, of course, taking command when on service in the field with the Colonial Troops. But should Imperial aid not be asked for, it is scarcely necessary to state that the Imperial Officers are not to interfere with the operations of the Colonial Troops.

I am directed also by the Major-General to request that you will be pleased to draw the attention of Officers commanding at posts to pages No. 201, 202, &c., of the Queen's Regulations and Orders for the Army, in regard to aiding the civil powers in case assistance is required by the civil authorities.

The Major-General deems it advisable that Major McDonnell should be made acquainted with the purport of this letter.

I have, &c.,

T. D. BAKER, Major.

A. A. General.

Captain LEACH to Major ROCKE.

SIR,—

District Office, Wanganui, 8th August, 1866.

Agreeably with instructions received from the Major-General Commanding the Forces in New Zealand, I am directed by the Colonel commanding this district, to request you will be most alert and vigilant, availing yourself of every possible opportunity of harassing and attacking the enemy in the vicinity of your command.

Should the Colonial Forces, now supposed to be in the neighbourhood of Ketemarai, under Major McDonnell, require aid from the Imperial Troops, you will be good enough to form a force, consisting of 150 men, with proportions of officers and non-commissioned officers, made up as follows, viz.:— From Patea (both banks) and Kakaramaea, 120 men; Manawapou, 18; Waingongora, 12; to be under your command, and to move where required, with a view to co-operate with the Colonial Troops—you, of course, taking command when on service in the field with the Colonial Troops.

But should Imperial aid not be asked for, you are not to interfere with the operations of the Colonial Troops. I am further directed to draw your attention to pages 201, 202, &c., of the Queen's Regulations and Orders for the Army, in regard to aiding the civil powers in case assistance is required by the civil authorities.

You will be good enough to acknowledge the receipt of this letter.

I have, &c.,

E. LEACH, Capt.

Major Locke, Commanding 2-18th Regt. and Troops at Patea.

D.A.A.G.

Lieut.-Colonel HAMLEY to the Assistant ADJUTANT-GENERAL.

SIR,—

New Plymouth, 19th November, 1866.

Adverting to your letter, dated No. 25, off New Plymouth, 13th November, 1866, No. 1203-66, I have the honor to state, for the information of the Major-General Commanding, in reply to the questions therein contained—first, that during the time that I was in command at Warea, from 24th March to the end of June, 1866, on the appearance of the enemy in the vicinity of the redoubts, and on several occasions when wood parties were fired on, in one instance when the outlying sentry was fired at, and once when the rebels fired in the direction of the redoubt, a force was always not only prepared, but did move out and attack them. The rebels invariably after delivering a volley retired, and before the troops had crossed the Warea River, had retreated so rapidly towards the bush inland (and to which point they were always pursued), that beyond getting a few long-range shots at them, it was impossible to overtake them. They not unfrequently had horses picketed, out of sight and at a safe distance, to avoid a chance of their being captured, but which greatly facilitated their rapid retreat.

On taking over the command of the district, the same system was continued by Captain Clarke who succeeded me in the command of the Warea post. Ambuscades were frequently laid, and the country constantly patrolled: potato plantations were sacked, and the enemy harassed in every possible way.

I enclose a copy of a letter from Captain Clarke, which I did not deem it necessary to do at the time, as no collision had taken place.

At Stoney River the enemy has never appeared since the 50th has been located in this district. A friendly tribe is living between this post and Warea, and inland of the redoubt is a blockhouse occupied by Military Settlers. The Officer commanding has the same instructions, and should rebels show themselves in his vicinity is prepared to carry out the orders of the Major-General.

With reference to the second question, I have never been called on to afford assistance to the civil power or Colonial Troops in acting against the rebels; but should such occur, I should consider it my duty to do so, always presuming that where Imperial and Colonial Troops were co-operating, the combined force should be under the command of an Imperial officer.

I have, &c.,

F. HAMLEY, Lieut.-Colonel 50th Regt.,

The Assistant Adjutant-General, Head Quarters, Auckland.

Commanding Taranaki District.

Sub-Enclosure to Enclosure.

SIR,—

Camp Warea, 23rd October, 1866.

I have the honor to report that last night a large fire and the waving of torches being reported by the sentries, apparently about three miles inland of the redoubt, I determined if possible to find out the cause. Accordingly, a party as per margin paraded about ten o'clock p.m., and proceeded under my command about five miles inland, through high fern and bush, in the direction of the fire, which turned out to be much further away than was at first supposed. When we had advanced thus far, the fire was either extinguished or allowed to die out; and as it was raining heavily, and there was no trace of the rebels to be discovered in the darkness that prevailed in the heavy bush, I ordered the reconnaissance to cease, and we got back to camp between three and four o'clock a.m. this morning.

1 subaltern,
1 sergeant,
1 bugler, and
35 rank and file.

I have, &c.,

M. A. CLARKE, Capt. 50th Regt.,

Commanding Troops at Warea.

The Officer Commanding Taranaki District, New Plymouth.

Colonel HAMILTON to the Assistant ADJUTANT-GENERAL.

SIR,—

Tauranga, 1st November, 1866.

I have the honor to acknowledge the receipt of your letter dated 1st November, 1866, No. 1164-60, and in reply thereto beg to state, for the Major-General's information, that whenever the enemy may appear in the vicinity of the posts under my command, I am not only invariably prepared, but most anxious to avail myself of any opportunity of attacking and harassing them in every possible manner.

I also beg to represent that I have never at any time refused or hesitated to afford assistance to the civil power or Colonial Troops, in acting against the rebels, since the commencement of operations against them.

I have, &c.,

J. MEADE HAMILTON, Col. and Lieut.-Col. 1-12 Regt.,

Commanding Tauranga District.

The Assistant Adjutant-General, Head Quarters, Auckland.

No. 24.

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

(Circular.)

SIR,—

Downing Street, 9th February, 1867.

I have much pleasure in transmitting you a copy of a Warrant, issued under the Royal Sign Manual, under which the decoration of the Victoria Cross,

may be conferred on persons serving in the Local Forces, which are or may hereafter be raised in any of Her Majesty's Colonies.

I have to instruct you to take whatever steps may appear to you most likely to give publicity to this Warrant.

Governor Sir George Grey, K.C.B.

I have, &c.,
CARNARVON.

Enclosure in No. 24.

WARRANT for extending the Victoria Cross to the Local Forces in New Zealand, and in the Colonies and their Dependencies generally.

VICTORIA R.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To all to whom these Presents shall come, Greeting :

WHEREAS by a Warrant under Our Royal Sign Manual, countersigned by one of Our principal Secretaries of State, and bearing date at Our Court at Buckingham Palace, the 29th day of January, 1856, in the nineteenth year of Our Reign, We did constitute and create a new Naval and Military Decoration, to be styled and designated the Victoria Cross, which Decoration We expressed Our desire should be highly prized and eagerly sought after by the Officers and Men of Our Naval and Military Services, and did also make, ordain, and establish the Rules and Ordinances therein set forth for the government of the same, to be henceforth inviolably observed and kept.

And whereas during the progress of the operations which We have taken against the insurgent Native Tribes in Our Colony of New Zealand, it has happened that persons serving in the Local Forces of Our said Colony have performed deeds of gallantry, in consideration of which they are not, according to the strict provisions of Our said recited Warrant, eligible for this high distinction :

Now know ye, that We of Our especial Grace, certain knowledge, and mere motion, have thought fit hereby to signify Our Royal Will and Pleasure that the said decoration may be conferred on such persons aforesaid, who may be qualified to receive the same in accordance with the rules and ordinances made, ordained, and established by Us for the government thereof, by Our said recited Warrant, and We do by these Presents for Us, Our Heirs and Successors, ordain and appoint that it shall be competent for such persons aforesaid to obtain the said Decoration in the manner set forth in the Rules and Ordinances referred to, or in accordance with such further Rules and Ordinances as may hereafter be made and promulgated by Us, Our Heirs and Successors, for the government of the said Decoration, provided that it be established in any case that the person was serving with Our Troops under the Orders of a General or other Officer, under circumstances which would entitle an Officer or Soldier of Our army to be recommended for the said Decoration, in accordance with the Rules and Ordinances prescribed in Our said recited Warrant, and provided also such person shall be recommended for it by such General or other Officer.

And We do further for Us, Our Heirs and Successors, ordain and appoint that the said Decoration may also be conferred, in accordance with the Rules and Ordinances prescribed in Our said recited Warrant, and subject to the provisions aforesaid, on such persons who may be qualified to receive the same in accordance with the said Rules and Ordinances, as may hereafter be employed in the Local Forces raised, or which may be raised in Our Colonies and their Dependencies, who may be called upon to serve in co-operation with Our troops in military operations which it may be necessary to undertake for the suppression of rebellion against Our Authority, or for repelling invasion by a foreign enemy.

Given at Our Court, at Osborne House, Isle of Wight, this first day of January, 1867, in the thirtieth year of Our Reign.

By Her Majesty's Command,
J. PEEL.

No. 25.

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

(No. 14.)

SIR,—

Downing Street, 25th February, 1867.

I have the honor to acknowledge the receipt of your Despatch No. 106, of the 10th of November, enclosing for my information, in the absence of official documents, a copy of a Government *Gazette* containing the particulars of an engagement which took place on the 12th of October last between Her Majesty's Colonial Forces and a body of armed rebels who were encamped in the District of Napier.

I am glad to receive this account of the dispersion of the Hau Haus who had appeared in this neighbourhood, and who were threatening the safety of the town itself.

The measures which were taken by the Superintendent of the Province for the expulsion of these fanatics appear to have been necessary for the security of the district, and to have been prompt and vigorous without being premature, while

the military operations would appear to have been conducted with skill and gallantry.

I am also glad to receive your satisfactory explanation of your not having reported these proceedings at an earlier date.

You will observe that when, in my Despatch of the 28th December, I called your attention to this subject, I had before me a Despatch from you which showed that you were still at Wellington on the 15th of October, two days after an account of the transaction had been published in the *Hawke's Bay Herald*.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 26.

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

(No. 15.)

SIR,—

Downing Street, 26th February, 1867.

I have the honor to acknowledge the receipt of your Despatch No. 111, of the 29th of November, in which you call my attention to the circumstances under which a detachment of Her Majesty's Regular Forces had been ordered into the field at Tauranga, on the requisition of an officer of the Local Government, without your knowledge and concurrence.

Mr. Mackay's proceedings, in asking for the support of Her Majesty's Troops in taking the first step towards the appropriation of Native lands, appear, from the papers before me, to have been very improper, and it is unfortunate that the instructions to Mr. Mackay and to the Military Officers were not sufficiently precise to prevent him from asking, and the Military Officer in command from affording, assistance towards obtaining land for the settlers in a manner eminently calculated to involve the Imperial Troops in fresh hostilities.

I infer, however, from the tone of your Despatch, that the error will not be repeated.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 27.

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

(No. 17.)

SIR,—

Downing Street, 27th February, 1867.

From my Circular Despatch of the 6th instant you will learn that Her Majesty had been graciously pleased to extend the decoration of the Victoria Cross to persons serving in the Local Forces in the Colonies.

I have now the pleasure to inform you that Her Majesty has signified her intention of conferring the Cross on Major Heaphy, of the Auckland Militia, whose claims to this distinction were brought under the notice of Her Majesty's Government by your Despatch of the 22nd November, 1864, No. 169.

The decoration has been forwarded to the Officer Commanding Her Majesty's Troops in New Zealand for presentation to Major Heaphy.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 28.

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

(No. 18.)

SIR,—

Downing Street, 28th February, 1867.

I have the honor to enclose the copy of a letter from the War Office, transmitting a Despatch from General Chute, of which I presume you have

already received a copy, and which contains his comments on your Despatch to me of the 3rd of November.

The letter from the War Office will show how it happened that I was not aware of your having communicated your Despatch to General Chute till after the mail of the 1st February had left England.

I am glad to find that no irregularity had been committed on your part in the conduct of this correspondence.

Her Majesty's Government do not perceive that the correspondence requires them to give any fresh directions on the subject of your Despatch either to yourself or to General Chute, or to express disapproval of anything which is shown to have been done by him or you.

They consider that the public interest will be best consulted by allowing the controversy to close with the withdrawal of the troops.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

Enclosure in No. 28.

Sir E. LUGARD to Sir F. ROGERS.

SIR,—

War Office, 11th February, 1867.

With reference to your letter of the 1st instant, enclosing the copy of the answer which the Earl of Carnarvon had returned to the Despatch of the Governor of New Zealand, dated the 3rd November last, on the subject of the Military Head Quarters remaining at Auckland, I am directed by Secretary Lieutenant-General Peel to acquaint you, for the information of His Lordship, that a copy of this answer was transmitted to Major-General Chute by the mail of the 1st instant; and the Major-General's attention was specially called to that portion of it which had reference to Sir George Grey's complaint, that communications were made by Officers on matters in which he was personally concerned without his having an opportunity of answering or commenting on them.

In the hurry of replying by the mail of the 1st instant to the Despatches received from the Major-General Commanding, on the same day, Major-General Chute's explanation, however, upon this point, escaped notice; I am now to forward for Lord Carnarvon's information the enclosed copy of Major-General Chute's Despatch of the 30th November last, containing marginal comments upon this and other statements made by Sir George Grey in the Despatch of the 3rd November referred to.

I have, &c.,

Sir F. Rogers, Bart.

EDWARD LUGARD.

Sub-Enclosure to Enclosure in No. 28.

Sir G. GREY's Despatch.

Major-General CHUTE's Reply.

New Zealand, Te Whenuku,
3rd November, 1866.

MY LORD,—

I have the honor to transmit for your information, the copy of a letter I have received from Major-General Chute, on the subject of his Head Quarters remaining at Auckland.

2. General Chute informs me that he has transmitted a copy of this letter to the Secretary of State for War, remarking in reference to my request that he would under the serious aspect of affairs now prevailing in this Country reside near me,—“that he is unable to gather from my letter “what useful object to the public service will be “attained by his absenting himself from the place “where the regular duties of his command can be “best conducted.”

2. It will be observed that my letter of the 24th October, the groundwork of His Excellency's Despatch, was (as shown in my letter to you of the 1st instant) addressed to him in reply to his communication of the 15th October, in which His Excellency adverted solely to the state of the Wanganui District, and expressed an opinion in regard to it that the Officer Commanding Her Majesty's Forces should be either at the Seat of Government, or in the neighbourhood of the disturbed country. Now as I had returned from Wellington but a few weeks, and as while I was residing there the suppression of the continued disaffection of a portion of the Natives of the Wanganui country had been specially entrusted to an Officer of the Colonial Forces (the circumstances of which are fully explained in my Despatch of the 1st instant, No. 342-66), and as His Excellency's letter of the 15th October conveyed no instructions for the employment of Her Majesty's Troops, I regarded his communication as an official renewal of the opinion he had already expressed, and from which it was unfortunately my duty to differ in regard to the question of the location of my Head Quarters.

It was for the reasons above stated that I ventured to observe in my reply, that unless His Excellency had any instructions to give me for the employment of the troops, I was unable to gather from His Excellency's letter of the 15th October, what useful object to the public service would be attained by my absenting myself from the place where the usual and regular duties of my command could be best conducted; but as the Secretary of State will have observed, I added that, in deference to His Excellency's opinion, I was proceeding to Wanganui. The result of my visit there is explained opposite. (Paragraph 11.)

It was not therefore (as His Excellency no doubt from forgetfulness states) in reply to any request made by him, with reference to the serious aspect of affairs then prevailing "in the country," that I made the observations of which he complains, but solely and entirely in reference to the state of the Wanganui District, to which the expression of his opinion in the letter of the 15th October was limited. Had His Excellency, when he wrote that letter, entertained any serious apprehensions for the country at large, he would, I presume, have stated them, as he now does in his Despatches. Indeed I understood from His Excellency's Despatches home, so far as I have seen them, and from his speeches to the General Assembly, that he considered the general state of the country a subject for congratulation.

3. The letters which accompany His Excellency's Despatch do not, in point of time or place, bear on the subject of his letter of the 15th October, or of my reply of the 24th, of which His Excellency complains. I would observe, however, with regard to the reports of the murder of a European by the Natives, in the Waikato, that they are scarcely conclusive proof of the violent intentions of the Natives, as in another part of the same correspondence it is officially reported that the murdered man was seen afterwards alive and well at Te Awamutu. I do not, however, in making this remark, mean for a moment to imply that there is no likelihood of another outbreak in any part of the country. On the contrary, I believe that the Native mind is in some places in a very unsettled state; but I am also sure that alarming reports have been circulated, from time to time, when there was little ground for them.

From the reports forwarded with my Despatch of the 30th instant, No. 361-66, as to the recent employment of some of the Imperial Troops in the Wanganui District, under His Excellency's personal instructions, it would appear that His Excellency is satisfied that the result of the recent movements of the Troops, Imperial and Colonial, in the Wanganui District, has been the restoration of peace in that part of the country. With reference to the other parts of the Northern Island which are most likely to be the scene of future disturbances, should any occur, viz., Waikato and Tauranga, my services are, geographically, much more readily available at Auckland than they would be at Wellington, so far distant, as His Excellency observes, in point of time. The only other district to consider is Napier, where there are only one hundred and thirty of Her Majesty's Troops stationed.

A party of hostile Natives showed themselves lately in the neighbourhood of Napier. The services of the few of Her Majesty's Troops available were declined by the local authorities, and the Militia and Volunteers of the district readily and creditably disposed of the hostile Natives.

4. Her Majesty's Government having long since directed the withdrawal of all detachments from

3. In answer to this, I beg to enclose copies of letters which reached me the same evening, by the same mail as General Chute's letter, herewith enclosed, from various parts of the Island. I believe when your Lordship has read this, you will think it incredible that, under such a state of things, the General Officer Commanding here should be ordered to maintain his Head Quarters at a distance, in point of time, of fifteen (15) days from the Government of the country.

4. I have in vain represented that, in a country settling down from rebellion, and from which a large

military force is being withdrawn, the order for the removal of each separate detachment is a matter of the greatest nicety requiring much thought, and that frequent changes in the state of the country may require a corresponding change in the intended removal of detachments, even at the last moment, and that it was essential that the General should be near me. A reference to my correspondence will show how earnest and repeated have been my statements to this effect to the Home Government and General Chute. The evils I stated would arise—if I was deprived of the assistance I needed—have now, I fear, come. Some of them have already fallen on the Colony, and nothing but vigorous and united action can avert the others.

5. The Home Government has, unfortunately, from imperfect knowledge, sided in view with the Major-General. I shall, however, now require him to reside at the Seat of Government until further orders are received from Home, unless he is in the field, and at all risks I shall enforce this determination; but I believe, that General Chute, when he sees this Despatch and its Enclosures, will himself feel the necessity of rendering me that assistance he is so well capable of doing, and will earnestly and well support me in the crisis which has come. I think, however, that the General here should be told, that in a country in a state of rebellion, it is his duty in all instances, in a conciliatory and proper spirit, to comply with lawful requisitions of the Governor, and not to raise factious or needless questions regarding the propriety of these; and even if he thinks it right to raise questions, to comply cheerfully in the first instance with the requisition, and then refer the question home, rather than contest a matter, point by point, and refer it home, either not complying with the requisition, or yielding it an imperfect and therefore useless compliance until an answer has been received. Above all things, he should be instructed not to refer such questions home, without an opportunity of reporting on them by the same mail by which his letter goes.

advanced posts, and I having myself, as the Secretary of State is aware, urged on His Excellency to allow me to carry out my orders for their withdrawal, the whole question of the detention of these troops at all or any of the posts still maintained, is one with which I have ceased to have had anything to do beyond awaiting His Excellency's decision. His Excellency, therefore, being responsible for the retention of the troops at the outposts, and never having seriously consulted me on the subject of the maintenance or withdrawal of any particular detachment, there can be, so far as I see, no inconvenience to the public service in this respect, resulting from Head Quarters being at Auckland, beyond the delay of the three or four days for the transmission to me of the order of withdrawal, and I am sure His Excellency will give me credit for not allowing a day's delay to take place after he favours me with his orders.

I am not aware what those evils are which His Excellency states have befallen the country, but whatever they are, and if anyone be responsible for them, Her Majesty's Government have before them the best means of determining where that responsibility lies. It is a question on which I am not competent to judge beyond feeling that I have not the remotest connection with it.

5. As the first sentence of this paragraph implies that the Home Government, when deciding that Auckland was the place for Military Head Quarters, acted on imperfect information submitted by me, and as a subsequent part of this paragraph implies that I acted improperly in submitting the question as I did to the Secretary of State, it is right that I should here state clearly my action in the matter.

In November, 1865, on receiving the first communication from His Excellency stating the inconvenience he sustained from my not being at Wellington (to which place the Seat of Government had been removed), I submitted to him the serious objections that existed to the permanent establishment of Head Quarters at Wellington at such a distance from the Executive Military Departments, at the same time informing him that I would myself visit Wellington, from time to time, and, in addition, whenever he particularly wished it, meanwhile, if he so desired, stationing a staff officer of rank there to furnish him with any information he might require. His Excellency did not reply to my letter, and when five months had passed I inferred that he considered the reasons I submitted to him against my continued residence at Wellington to be sufficient, and that he allowed the matter to drop. It will have been observed that, in my letter of the 7th December, 1865, a copy of which was enclosed in my Despatch of the 7th April, No. 154, I intimated that I proposed submitting the matter to Her Majesty's Government. When five months passed without any answer from His Excellency, I then thought it my duty to acquaint the Secretary of State with what had passed, and to obtain his approval, or otherwise, of my opinions; and this I did not so much on the grounds of the general importance of the question, which, from His Excellency's silence, I could not believe to be paramount, as because I was desirous of ascertaining for my future guidance in conducting the duties of the command, whether the Secretary of State for War agreed in my opinion that the discipline and administration of the force could be best provided for by my being on the spot here with the Military Departments.

I furnished His Excellency, on the 21st May,

at his request, with a copy of my Despatch to the Secretary of State of the 7th April, and His Excellency did not then think it necessary to advert on the evils which he now states resulted from not having received it before, and the Secretary of State will have seen, as His Excellency himself must have seen, that there was nothing in that Despatch of the 7th April, of which His Excellency had not been previously in possession. The next time His Excellency wrote to me on the subject was in his private note of the 13th April, a copy of which was forwarded in my Despatch No. 167-66, of the 7th May, 1866. In my Despatch of the 8th June No. 213-66, transmitting copies of my applications to His Excellency for the withdrawal of the troops, in compliance with peremptory instructions from the Secretary of State for War, was enclosed a copy of His Excellency's next communication (10th May) to me with regard to my Head Quarters.

On reference to these letters, as well as to my Despatch of the 1st instant (enclosing His Excellency's last letter), the Secretary of State will, I trust, consider that I have just cause for most respectfully protesting, as I now do, against the Governor's attributing to me the "raising of factious and needless questions," because I have unfortunately been compelled, in the exercise of a responsible command, to inform him that its usual and regular duties can be best conducted where the military departments and establishments are located. I can scarcely conceive that His Excellency can refer to my letters to him respecting the withdrawal of the troops; they may certainly have appeared to him too importunate, but the often repeated instructions of the Secretaries of State for War and the Colonies on this subject, together with the statements made by His Excellency in his Speech to the Assembly, and of the Ministers in the debates of that house, rendered it necessary that I should clearly show I was not responsible for any delay in their departure.

I have in every instance complied cheerfully with the Governor's requisitions to proceed to Wellington whenever he required me. I have gone there without receiving any such requisition, and am prepared, as I have already assured His Excellency, to go there again. But I must state, that although His Excellency is kind enough to attach so much importance to my presence, I have never been able to see, as mentioned in my Despatch of the 1st instant, No. 343-66, that my residence there was of the slightest assistance either to His Excellency or the Colonial Government.

In illustration of this I may mention, that though it is, I believe, usual in these Colonies for the Officer Commanding the Forces to be a Member of the Executive Council, I have never been sworn, nor invited to be a member.

I should not think of noticing this fact, except to illustrate, in answer to His Excellency's representations, the value really attached at present in New Zealand to the counsel of the General Officer Commanding Her Majesty's Forces.

6. It is scarcely necessary to reply to this paragraph. I am not aware what the causes are, which, in the Governor's opinion, render the military staff liable to identify themselves with party questions. Whatever they may be, I will simply and broadly deny that either myself or the officers of the staff by whom I am surrounded, have in any way identified themselves with party questions. There is not the slightest ground for such an idea.

6. The Home Government does not rightly appreciate the position of the military staff in this country. They become, from many causes, liable to identify themselves strongly with party questions, and the Secretary of State for War may, under the system of correspondence pursued with him, entirely without his own knowledge, and in ignorance of the merits of the case, be made the head of a powerful party in this country acting in direct opposition to the Governor, and defeating his views on most vital points.

7. In the case under consideration the matter of the place where the General's Head Quarters were to be located was referred to the Secretary of State for War, without my having been informed that this had been done. But the editors of Auckland newspapers knew it, as also some of the reasons on which the General justified his non-compliance with my orders, and this knowledge was used for the purpose of attacks in the press here; and ultimately the Home Government came to a decision upon General Chute's letter to them, before they had received any report from me on the subject, and entirely under a misapprehension that I had asked something to be done which had never entered into my imagination, and upon other grounds, some of which, after the difficulties which have arisen, it is painful to those acquainted with the country to read, such as that Wellington is unfitted to be Head Quarters from the dangerous navigation of Cook Strait, and from the inexperience of Wellington merchants in taking military contracts. It is more disadvantageous than might be at first supposed, that the Home Government should be hurried into a wrong decision on such questions, for I have generally found that the Departments at home, before coming to a decision, will carefully consider the evidence they then have before them, but that it is very difficult to get them to reconsider a subject, or to reverse a decision once taken, however erroneous that decision may have been.

8. But this, at least, must be conceded, that a man governs a country under great disadvantages when officers in that country can write direct to Her Majesty's Government, without informing him that they have done so, on a most important subject, regarding which they have differed with him in opinion, and have their own views peremptorily confirmed, and his set aside, without any report from him on the subject having been sent to Her Majesty's Government, or having been asked for, and this especially when one portion of the press in the Colony has been informed of the purport of the letters written to Her Majesty's Government.

9. The fact of editors of papers having been informed of the steps taken by the Military Authorities, shows that some of these authorities regarded it as a party or personal question. If persons who act thus can have their wishes pressed on the Secretary of State for War without the Governor knowing that this has been done, and the Secretary of State for War moves the Colonial Minister to issue orders in conformity with their wishes, and in direct opposition to the wishes of the Governor, who has had no warning that the question has been referred home, then these gentlemen become the hidden and irresponsible rulers of the country.

10. In reference to the statement made in the letter from General Chute, herewith enclosed, that military operations against the disaffected Natives in the Wanganui District had been placed in the hands of an Officer of the Colonial Forces, without any reference to the General's control or authority, I would state that we are in the field here a small mixed force of Her Majesty's Imperial Troops, Her Majesty's Colonial Forces, and Natives, trying our utmost to extinguish a local rebellion which was rapidly spreading. How can we, in moments of immediate peril, appeal to the control or authority of a General more than fifteen days from us in point

7. The fact of my having referred home the question of the location of my Head Quarters has been already disposed of in paragraph 5. The imputation that my views on the subject were communicated either by me or Officers of the Staff to editors of papers, I, on my own and their behalf, indignantly repel. On the remainder of the paragraph it is not for me to make any remark.

8. Has been already answered, so far as I am concerned, in paragraphs 5 and 7.

9. I have already denied that the steps taken by the Military Authorities were communicated by them to the press, and I appeal to the Secretary of State for protection against such insinuations. I may inform him at the same time that the question of the change of Head Quarters to Wellington was freely discussed at that place by civilians, before I received any communication from His Excellency on the subject. It was, I believe, a matter of general conversation, and did not appear to be an official secret, and, in a small community like this, might readily find its way to the press. I regret, in common with His Excellency, that it should have found its way there, and that he should have been so annoyed at it; but I repudiate the imputation now made against myself and Staff.

10. My Despatch of the 1st instant, No. 342-66, answers this paragraph. The Secretary of State will have seen that my statement about the employment of a Colonial Force in the Wanganui District irrespective of my authority, is indisputable, and entirely unaffected by the circumstance that His Excellency subsequently called on the Officer commanding Her Majesty's Troops in that district, to "adopt means to subdue the armed Natives," in combination with the Local Forces. (See Governor's letter, of the 24th October, in my Despatch of the 30th instant, No. 361-66. This Officer (Major Locke, 2-18th Regiment), cordially complied with His Excellency's

of time. The operations are under the direction of Major Roche, of the 18th Royal Irish, a good and promising Officer, and are not under the direction of a Colonial Officer.

11. The fact is, that the operations of the Military Forces of all kinds are paralyzed by the absence of the General. Events of urgency occur from day to day, which render necessary constantly varying instructions to Officers commanding different posts. These instructions the Governor can only give through the General; it is useless to attempt to do so through an Officer at such a distance as it is proposed the General should be kept from me. I am certain your Lordship, and the Secretary of State for War, will feel this as strongly as I do, when this Despatch and its enclosures have reached England. I also am sure that if the instructions I ask for are issued to the General, no more such difficulties will take place. A great peril has again arisen in this country. I believe that it has probably taken General Chute by surprise, and I feel confident that he will now see how necessary it is his Head Quarters should be near me, and that with the assistance I know he will give myself and the Colonial Government, the existing difficulties will be got through.

I have, &c.,

G. GREY.

instructions, as every Officer in the command would have done. My letter to His Excellency, of the 12th July, enclosed in my Despatch to you of the 1st instant, No. 342-66, informed His Excellency of my readiness to undertake any operations for which he would give me instructions.

11. With regard to His Excellency's remarks that the Governor can only give instructions through the General, I would observe that all Officers commanding districts, regiments or posts, in this command, are well aware that it is their duty to obey any instructions given to them by His Excellency. On several occasions since my arrival here, His Excellency has given instructions direct to them, which have in each instance been promptly acted on.

In conclusion I would explain that on proceeding to Wanganui in compliance with His Excellency's opinion, contained in his letter of the 15th October, I found that His Excellency had already gone there, and assembled the force referred to in last paragraph, consisting of the 18th R.I., under Major Roche, and of the Colonial Forces, under Major McDonnell. Some rebels in the district gave in their submission to His Excellency; against others the troops moved on three different occasions, finding the last village where they expected to meet the remaining rebels in arms, deserted.

His Excellency, with whom I had an interview in camp near Ketemara, subsequently at Patea, and again at Wanganui, was satisfied with the result of the operations, and was returning to Wellington. He had no directions to give me, except for the establishment of a new post in the Wanganui District, from which covering parties were to be furnished to protect the persons surveying the confiscated land. I then returned to Auckland, informing His Excellency that I was about to do so, having, in addition to other duties, to visit and inspect the troops in the Waikato District, which I have never yet been able to accomplish since I assumed the command in September, 1865. I may state that since that time, out of 430 days in the command, I have been 220 days absent from Auckland, in visiting the Governor, or carrying out his instructions. As soon as I visit the Waikato country, to which I proceed next week, and complete my inspection of the troops in the Province, I am, in deference to His Excellency's wishes and his intended order on the subject, proceeding to Wellington to remain there, until Her Majesty's Government decide on His Excellency's representations.

T. CHUTE,

Major-General.

Auckland,

30th November, 1866.

No. 29.

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

(No. 19.)

SIR,—

Downing Street, 28th February, 1867.

I have received, through the Secretary of State for War, copies of two Despatches, dated respectively the 13th and 16th November last, which you addressed to Major-General Chute, requesting that one Company of Her Majesty's Troops might be stationed at certain redoubts in the Patea District, to enable the Colonial Forces to be "employed as covering parties for the surveyors," and that Major Roche, the Officer commanding in the district might be instructed to give all the protection in his power to the surveyors who were completing the survey in the vicinity of the redoubt at Turaturamokai.

It does not appear whether the surveyors, for whose protection the Queen's Troops have been sought, are employed on disputed or confiscated land; but I must at once point out to you that the employment of Her Majesty's troops in detached posts at all, and more especially if on disputed or confiscated land, is at direct variance with the instructions you have received as to the future employment of Her Majesty's Troops—particularly in my predecessor's Despatch, of the 27th November, 1865,—and I am compelled to express my decided disapproval of it.

The large confiscations which have taken place have been viewed with the greatest apprehension by Her Majesty's Government, and if it is found that any portion of the confiscated lands can only be surveyed or be held with the aid of a military force, that duty cannot be allowed to devolve on Her Majesty's Troops, but must be left entirely to the charge of the Colonial Forces should your Responsible Advisers consider it necessary.

I have therefore requested General Peel to inform General Chute by the present mail, that the employment of Her Majesty's Troops in this service cannot be approved, and that, in accordance with former instructions, the force retained in the Colony must be concentrated, and not be placed in distant and isolated posts or employed as a police.

I have, &c.,
CARNARVON.

Governor Sir George Grey, K.C.B.

No. 30.

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

(No. 20.)

SIR,—

Downing Street, 1st March, 1867.

I enclose copies of a letter which I have received from the War Office respecting a Memorandum in which your Responsible Advisers expressed their opinion respecting the conduct of certain of Her Majesty's Troops now serving in the Colony.

From the various papers which have reached me from yourself and from the War Office, I collect the following facts:—

On the 11th of July, you informed General Chute that a Colonial Force would be sent to Ketemarai for the purpose of checking certain West Coast Natives and preventing outrages, and you requested General Chute to give such orders as he deemed best suited to attain the speedy accomplishment of these objects. After some correspondence respecting the authority under which Major McDonnell's operations were to be conducted and other matters, General Chute, on the 5th of August, directed the Officer in command at Wanganui, to keep his officers on the alert, to lose no opportunity of harassing and attacking the enemy, and with particular reference to operations about Ketamarai to "direct a force (if possible) of 150 men . . . to be at once formed under the command of either Major Roche or Inman, with a view to their co-operating with the Colonial Troops." These latter directions are stated by Major Roche to have at once been performed. "I hastened," he writes, "to assure Major McDonnell on his arrival that he might rely on our cordial co-operation at any moment, and I further obtained the permission of the Major-General to draw a force of 250 men instead of 150. Additional transport was sent up from Wanganui . . . in fact every preparation was made that a thoroughly efficient Field Force should be ready at a moment's notice."

He adds that one of his officers, on more than one occasion, urged Major McDonnell to apply to him for co-operation. "Major McDonnell," he adds, "could not of course have complied except under very urgent circumstances, as it was contrary to instructions," meaning, as I understand, those instructions which Major McDonnell had received from yourself or your Government, and under which he was acting.

On the 2nd of October, Major McDonnell, of course without assistance from the Imperial Troops, attacked the Maoris.

On the 12th of October your Responsible Advisers addressed to you, and on the 15th of October you transmitted, without remark, to General Chute, the following Memorandum:—"Ministers cannot refrain from expressing their surprise that the Officers commanding the Imperial posts which were close to the scene of Major McDonnell's operations should not have more actively assisted him."

"It appears strange that the Commanders of the outposts who have been instructed by the Major-General 'to lose no opportunity in attacking the rebel Natives, and, by constant patrols and reconnoitering parties, to harass and annoy them as much as possible,' should remain within their redoubts whilst a very difficult and hazardous enterprise was being undertaken by a few Colonial Troops in their immediate neighbourhood. Major McDonnell would have been greatly aided and encouraged, had a party moved out from Waingongoro on the morning of the 2nd, to have covered his retreat or to have supported him in holding the position he had stormed, and he might have strengthened his small force by withdrawing more men from Kakaramaea and Hawera, could he have calculated that patrols from Patea and Manawapou would have been scouring the neighbourhood; but no assistance, beyond attending to the wounded when brought into their camp, was afforded by the Regulars, and it seems that in a district occupied by them, and under the command of an Imperial officer, outrages may be committed, communications stopped, and redoubts fired into, whilst the punishment of the enemy, and the risks and hardships of a winter campaign are left to a small body of Local Troops."

The statements in the concluding sentence of this Memorandum, respecting the occurrence or prevalence of outrages in the neighbourhood of Patea, are denied by Major Rocke, and I express no opinion on a point which may thus be considered as in dispute; but having before me the facts which I have shortly recapitulated, I should be wanting in my duty to Her Majesty's Troops who have been employed in the defence of New Zealand if I did not unequivocally pronounce my opinion that the reflections cast by your Ministers upon a body of these troops, or the Officers who command them, in the Memorandum which you forwarded, without comment, to General Chute, is entirely unwarranted; and as your separate Despatch of the 2nd of November is calculated to suggest the idea that the censure cast in that Memorandum on the troops under General Chute's command on this occasion ought rather to have been applied to General Chute, I am further bound to state that, whether the inaction of Her Majesty's Troops on this occasion was right or wrong, I see no reason for supposing that General Chute was in any degree responsible for it, unless he issued to Major McDonnell the instructions which precluded him from applying to Major Rocke for assistance.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 31.

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

(No. 21.)

SIR,—

Downing Street, 6th March, 1867.

I have the honor to acknowledge the receipt of your Despatch of the 8th of January last (No. 1), informing me of your return to Wellington from the visit which you have paid to the interior of the Island.

Your report of the manner in which you were received by the Natives in the districts which you visited, is very satisfactory, and I am glad to learn that they appear desirous of receiving Europeans amongst them, and of obeying the law.

I have, &c.,

Governor Sir George Grey, K.C.B.

CARNARVON.

No. 32.

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

(No. 8.)

SIR,—

Downing Street, 15th April, 1867.

I have been glad to receive your Despatch No. 19, of the 4th of February, forwarding a satisfactory report from Mr. Parris, the Civil Commissioner, of the present state of the Taranaki District.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 33.

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

(No. 11.)

SIR,—

Downing Street, 19th April, 1867.

I have the honor to inform you that it has been decided by the Secretary of State for War that the Head Quarter Staff of the Australian and New Zealand command shall be stationed at Melbourne, and that it is to consist of—

- 1 Major-General,
- 1 Aide-de-Camp,
- 1 Assistant Military Secretary,
- 1 Deputy Quartermaster-General,
- 1 Deputy Assistant Adjutant-General.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 34.

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

(No. 13.)

SIR,—

Downing Street, 22nd April, 1867.

No. 15,
Jan. 28, 1867.
No. 16,
Jan. 30, 1867.

I have the honor to acknowledge the receipt of your Despatches of the numbers and dates noted in the margin, transmitting copies of addresses which were presented to you at Greymouth and Hokitika, respectively, on the occasion of your recent visit to the District of Westland, together with copies of your replies.

I am glad to learn that you were so cordially received as Her Majesty's Representative, and to be informed of the rapid development of these comparatively new settlements on the West Coast of New Zealand.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 35.

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

(Separate.)

SIR,—

Downing Street, 24th April, 1867.

No. 114,
Sept. 12, 1865.
No. 26,
Feb. 24, 1866.
Admiralty,
May 22, 1866.
C.O. Mar. 7, 1867.
Admiralty,
April 8, 1867.

With reference to your Despatches of the numbers and dates specified in the margin, I transmit to you copies of a correspondence which has taken place between this department and the Admiralty, with regard to the difficulty which

was represented to have been experienced from the want of some person empowered to act as Judge of the Vice-Admiralty Court in New Zealand in the absence of the Chief Justice.

This question has, as you will perceive from the correspondence, been recently brought under consideration by a representation from the Agent for New Zealand. A Bill has been introduced into Parliament, of which I enclose a copy in its present form, having for its object to extend and amend the Vice-Admiralty Courts Bill of 1863, and the fifth section of that Bill will make provision for the temporary absence of a Judge of the Vice-Admiralty Court.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosures in No. 35.

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

SIR,—

Admiralty, 22nd May, 1866.

With reference to your letter of the 16th instant, enclosing a copy of a Despatch from the Governor of New Zealand, with a Memorandum from his Responsible Advisers, in which they request that the necessary steps may be taken for the issue of letters patent, appointing the Chief Justice of the Colony as Commissary in the Vice-Admiralty Court, I am commanded by my Lords Commissioners of the Admiralty to transmit to you herewith, for the information of Mr. Secretary Cardwell, a copy of a letter, dated 19th instant, from the Registrar of the High Court of Admiralty, in which he states his opinion that it is not necessary to issue letters patent to the present Chief Justice of New Zealand, in order to enable him to act as Judge of the Vice-Admiralty Court, and to appoint barristers and solicitors or advocates and proctors to practise before him.

I have, &c.,

The Under Secretary of State, Colonial Office.

W. G. ROMAINÉ.

Mr. ROTHERY to the SECRETARY TO THE ADMIRALTY.

SIR,—

Admiralty Registry, Doctor's Commons, 19th May, 1866.

I have to acknowledge the receipt of your letter (L) of the 17th instant, transmitting one in original from Sir Frederic Rogers, the Under Secretary of State for the Colonies, with copy of a Despatch from Sir George Grey, the Governor of New Zealand, dated the 28th February last, and of its enclosures, and you request me to report to their Lordships what answer should be made to Sir George Grey's request that letters patent may be issued appointing the Chief Justice of the Colony to be Commissary or Judge of the Vice-Admiralty Court therein established.

It would appear from the enclosures to the Governor's Despatch, that since the previous correspondence with the authorities of New Zealand respecting the enrolment of barristers and attorneys of the Supreme Court as advocates and proctors of the Vice-Admiralty Court of that Colony, the Colonial Secretary of New Zealand has been in communication with the Colonial Secretary of Tasmania, and that officer having stated that such an enrolment had been made in Tasmania by the Chief Justice of the Colony in virtue of the office of Commissary of the Vice-Admiralty Court, conferred upon him by letters patent under the Seal of the High Court of Admiralty of England, Sir George Grey, on the recommendation of his Responsible Advisers, requests that the necessary steps may be taken for the issue of similar letters patent appointing the Chief Justice of New Zealand to be Commissary of the Vice-Admiralty Court of that Colony. It is added in the Memorandum annexed to the Governor's Despatch, that it would be convenient to the public service if such letters patent provided for the temporary absence of the Chief Justice, especially as the present Chief Justice would in all probability soon have leave of absence for some time.

The object which the authorities in New Zealand would seem to have in view is the appointment of a duly qualified Judge of the Vice-Admiralty Court, who would have authority to appoint barristers and solicitors to practise before him. If this be so, it appears to me that the object they have in view has been already sufficiently provided for by "The Vice-Admiralty Courts Act, 1863" (the Act 26 Vict., c. 24), the fourth section of which declares, 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 authorized to act as such shall be an *ex officio* Judge of the Vice-Admiralty Court, until a notification is received in the possession that a formal appointment to that office has been made by the Admiralty. In other words, the Chief Justice, on a vacancy occurring, is *ex officio* the Judge of the Vice-Admiralty Court, unless their Lordships should for any reason think it expedient to appoint some other person to the office, power to do so being expressly reserved to their Lordships by the seventh section of the same Act. That the Act applies to New Zealand there can be no doubt, as it is one of the Colonies enumerated in the Schedule thereto.

I should add that Sir George Alfred Arney, who was then Chief Justice of the Colony, was on the 13th February, 1865, appointed by letters patent under the Seal of the High Court of Admiralty of England, to be Judge of the Vice-Admiralty Court of New Zealand; and if, as seems to be admitted, the office has become vacant by his death or retirement, the present Chief Justice or the principal Judicial Officer of the Colony, would, by the terms of the Act, be *ex officio* Judge of the Vice-

Admiralty Court; and being so, he would necessarily have the same power as Sir George Alfred Arney or any other duly qualified Judge of any Court would have, of appointing barristers and solicitors or advocates and proctors to practise before him. It will be also seen that the fourth section of the Act amply provides for the case of any temporary absence of the Chief Justice, since it confers alternatively the same powers upon the principal judicial officer of the possession, or the person for the time being lawfully authorized to act as such.

For these reasons it does not appear to me that any necessity exists for the issue of letters patent to the present Chief Justice of New Zealand; but if the authorities of the Colony desire it, and their Lordships see no objection, there seems to be no reason why letters patent should not be granted to him, power to do so being, as I have already said, expressly reserved to their Lordships by the seventh section of the Act; but in that case the Chief Justice would, of course, have to bear the cost of providing the stamps required to be affixed to the letters patent.

I beg to return the enclosures which were forwarded to me.

The Secretary of the Admiralty.

I am, &c.,

H. ROTHERY.

Sir F. ROGERS to the SECRETARY TO THE ADMIRALTY.

SIR,—

Downing Street, 7th March, 1867.

With reference to your letter of the 22nd of May, 1866 (L), and to the report which is enclosed, from the Registrar of the High Court of Admiralty, relative to the state of the Vice-Admiralty Court in the Colony of New Zealand; and with reference to your subsequent letter of the 8th January last (L), relative to the passing of an Act of the Imperial Parliament, for the purpose of amending the Vice-Admiralty Courts Act of 1863, I am directed by the Earl of Carnarvon to transmit to you, to be laid before the Lords Commissioners of the Admiralty, copies of a letter from the Agent for New Zealand, and of its enclosure, pointing out difficulties which are said to be felt from the want of an Admiralty Court in that Colony. From this representation it would appear that the administration of justice in that court has been suspended since the departure of Chief Justice Sir G. Arney from New Zealand, and as that officer seems to have had a regular appointment as Vice-Admiralty Judge, it may have been considered that the office of Judge was not vacant, and, therefore, that the fourth section of the Vice-Admiralty Courts Act does not apply. If this should be the case, it would appear desirable to terminate as quickly as possible the state of things which at present exists.

It would be desirable to send out some instructions on the subject by the next New Zealand mail.

I am, &c.,

The Secretary to the Admiralty.

F. ROGERS.

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

Office of the New Zealand Government Agency,

SIR,—

3, Adelaide Place, King William Street, London, E.C., 25th February, 1867.

I do myself the honor to enclose a copy of a letter which Mr. W. S. Grahame, a colonist from Auckland, New Zealand, has addressed to me, requesting me to obtain any information from the Colonial Office as to whether the appointment of an Admiralty Court Judge in New Zealand has been made.

It appears from Mr. Grahame's statement, which is founded on recent advices from the Colony, no court can be held in New Zealand, by reason of which the mercantile shipping interests are suffering most seriously.

Having no reason to doubt the correctness of Mr. Grahame's remarks, I beg to submit them for the consideration of my Lord Carnarvon, and to request at your convenience a reply as to whether any steps have been taken to appoint an Admiralty Court Judge in New Zealand.

I have, &c.,

The Under Secretary of State for the Colonies.

JOHN MORRISON.

Mr. GRAHAME to Mr. MORRISON.

SIR,—

Richmond, S.W., 21st February, 1867.

You will greatly oblige me if you can obtain any information from the Colonial Office as to whether any steps for the appointment of an Admiralty Court Judge in New Zealand have been taken. It appears not to have been generally known until very recently that since Chief Justice Sir George Arney left Auckland no Admiralty Court can be held in the Colony, as no Judge had been appointed in place of Sir George Arney during his absence in England.

My advices by last mail inform me the mercantile shipping interests are suffering most seriously from this state of affairs, and as I am (with others) interested in a claim against a ship involving several thousand pounds, I am naturally anxious that no delay should take place in appointing a Judge, as in the absence of such an officer, we are precluded from obtaining any redress.

My correspondent informs me that when Mr. Stafford (the Prime Minister) was asked the question what could be done in the matter to remedy the evil, his reply was, "that the Government had taken the matter into consideration, and, seeing the great evil arising, they had written to the Secretary of State; but until they got instructions and authority from him, no action could be taken in the matter, and things must remain as they are, in the face of petitions and complaints from almost every seaport in the Colony."

I am, &c.,

James Morrison, Esq., New Zealand Government Agent.

WM. S. GRAHAME.

Mr. ROMAINE to Sir F. ROGERS.

SIR,—

Admiralty, 8th April, 1867.

With reference to your letter of the 7th ultimo, respecting the difficulty which has been experienced in New Zealand from there not having been any Judge of the Vice-Admiralty Court

during the absence of Chief Justice Sir George Arney from the Colony, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of His Grace the Duke of Buckingham and Chandos, copy of a letter dated the 11th ultimo, from the Registrar of the High Court of Admiralty on this subject.

The fifth section of the proposed Vice-Admiralty Courts Act Amendment Bill provides for the temporary absence of the Judge of a Vice-Admiralty Court, and the Lord Chancellor has undertaken to introduce this Bill into the House of Lords.

I have, &c.,

Sir F. Rogers, Bart., &c.

W. G. ROMAINE.

EXTRACT of a LETTER from Mr. H. C. ROTHERY to the SECRETARY TO THE ADMIRALTY, dated Admiralty Registry, Doctor's Commons, 11th March, 1867.

"I HAVE to acknowledge the receipt of your letter (L), of the 8th instant, transmitting one dated the 7th, from Sir Frederic Rogers, the Under Secretary of State for the Colonies, with its enclosures, calling attention to the inconvenience which is said to have arisen from the want of some person empowered to act as Judge of the new Vice-Admiralty Court of New Zealand during the absence of the Chief Justice of the Colony, and you request me to advise their Lordships as to the answer which should be sent to this communication.

"It appears from the enclosures to Sir Frederic Rogers' letter, that the Government Agent for New Zealand has recently forwarded to the Colonial Office a letter addressed to him by Mr. W. S. Grahame, a colonist from Auckland, New Zealand, in which that gentleman states, that according to his advices by the last mail the mercantile and shipping interests of the Colony are suffering most severely from the suspension of the Vice-Admiralty Court of New Zealand, it having been recently discovered that during the absence of Chief Justice Sir George Arney, who is also Judge of the Vice-Admiralty Court, no Admiralty Court can be held, as no Judge had been appointed to take Sir George Arney's place. He adds that he is interested in a claim against a ship, involving several thousand pounds, and is naturally anxious that there should be no delay in appointing a Judge, but that his correspondent informs him that the Colonial Prime Minister, having been asked what could be done to remedy the evil, had replied—'that the Government had taken the matter into consideration, and had written to the Secretary of State; but until they got instructions and authority from him, no action could be taken in the matter, and that things must remain as they are, in the face of petitions and complaints from almost every seaport in the Colony.'

"In transmitting these papers Sir Frederic Rogers suggests that, as Sir George Arney seems to have had a regular appointment as Vice-Admiralty Judge, it may have been considered that during his absence the office of Judge was not vacant, within the meaning of the fourth section of 'The Vice-Admiralty Courts Act, 1863,' which provides that on any vacancy in the office, the Chief Justice or the principal judicial officer, or the person for the time being lawfully authorized to act as such, shall be *ex officio* Judge of the Vice-Admiralty Court. Sir Frederic Rogers further observes, that if this should be the case, it would appear desirable to terminate the existing state of things, and to send out some instructions on the subject by the next New Zealand mail.

"That this is the view which the Colonial authorities have taken of the subject there can, I think, be little doubt, namely, that there has been no vacancy in the office of the Judge within the meaning of 'The Vice-Admiralty Courts Act, 1863;' that Sir George Arney, although absent from the Colony, still holds the office of Judge of the Vice-Admiralty Court, and having no power to appoint a deputy, there is no person in the Colony legally entitled to discharge the duties of that office. It may, however, be proper to observe, that the authority under which Sir George Arney acts as Judge of the Vice-Admiralty Court is conferred by letters patent issued from this Court in pursuance of their Lordships' Warrant, and that these letters patent are addressed, not to him alone, as Chief Justice of the Colony of New Zealand, but also to 'the Chief Justice of the Colony for the time being, and to the person executing the duties of that office.' If, then, the view of the Colonial authorities is correct, there would seem to be no person in the Colony authorized, during the absence of Sir George Arney, to act as Chief Justice of the Colony, or to execute the duties of that office, for if there were, that person would no doubt be entitled under Sir George Arney's patent to act as Judge of the Vice-Admiralty Court. A similar difficulty occurred recently in the Mauritius during the temporary absence of Sir C. Farquhar Shand, the Chief Justice, and the Colonial authorities met it by appointing one of the Judges to be the acting Chief Justice of the Colony, and he was thereupon entitled as such to act as Judge of the Vice-Admiralty Court. Such an arrangement, however, does not appear to have occurred to the authorities in New Zealand."

A BILL intituled "An Act to extend and amend "The Vice-Admiralty Courts Act, 1863.'"

BE 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. This Act may be cited for all purposes as "The Vice-Admiralty Courts Act Amendment Act, 1867."

2. This Act shall be read as one Act with "The Vice-Admiralty Courts Act, 1863."

3. In the interpretation and for the purposes of this Act (if not inconsistent with the context or subject matter) the following terms shall have the respective meanings hereinafter assigned to them; that is to say—

"Judge" shall mean the person lawfully appointed by the Admiralty to be Judge of any Vice-Admiralty Court, or in default of any such appointment, the Chief Justice or principal judicial officer, or the person for the time being lawfully authorized to act as such in the British possession in which such court is established.

“Judicial powers” shall mean all powers and authorities which may be lawfully exercised by, and all duties by law imposed upon, any such Judge in the trial, hearing, or progress of any cause.

“Ministerial powers” shall mean all powers and authorities which may be lawfully exercised by, and all duties by law imposed upon, any such Judge, not included under the term “judicial powers.”

“Sit” or “sitting” shall mean sit or sitting for the exercise of judicial powers, whether in court or in chambers.

4. On the Governor of any British possession, who is also Vice-Admiral thereof, vacating the office of Governor of such possession, the office of Vice-Admiral of the same possession shall thereupon be deemed to be also vacant within the meaning of the third section of “The Vice-Admiralty Courts Act, 1863.”

5. During the temporary absence of the Judge of any Vice-Admiralty Court from the possession in which the court is established, the office of Judge shall be deemed to be vacant within the meaning of the fourth section of “The Vice-Admiralty Courts Act, 1863.”

6. The Judge of any Vice-Admiralty Court may, from time to time, with the approval in writing of the Governor of the British possession in which the Court is established, appoint one or more Deputy Judge or Judges to assist him in the execution of his judicial powers.

7. All acts done by any such Deputy Judge in the lawful exercise of his judicial powers, shall be as valid and effectual, to all intents and purposes, as if they were done by the Judge himself; and all orders or decrees made by such Deputy Judge shall be subject to the same right of appeal in all respects as if they had been made by a Judge.

8. Any Deputy Judge may sit at the principal Seat of Government or elsewhere in the possession, at the same time that the Judge or any other Deputy Judge is sitting, and either at the same or at any other place in such possession, and whether the Judge is or is not at that time within the possession.

9. The Judge may, if he thinks fit, require any such Deputy Judge or Judges to sit with him in the same court, and in such case the decision of the majority, or, if they are equally divided in opinion, the decision of the Judge shall be the decision of the court; and such decision shall be subject to the same right of appeal in all respects as if it had been made by the Judge alone.

10. The Judge may direct at what place and time any such Deputy Judge shall sit, and what causes shall be heard before him, and generally make such arrangements as to him shall seem proper as to the division and despatch of the business of the court.

11. The Judge may, if he thinks fit, with the approval in writing of the Governor, at any time revoke the appointment of any such Deputy Judge or Judges; but the appointment shall not be determined by the occurrence of a vacancy in the office of the Judge.

12. The Judge may, if he thinks fit, from time to time, delegate all or any of his ministerial powers to any such Deputy Judge.

13. The Judge may, from time to time, if he think fit, appoint any competent person to act respectively as Deputy Registrars and Deputy Marshals of the Court; and may, if he think fit, at any time revoke any such appointment; but the appointment shall not be determined by the occurrence of a vacancy in the office of the Judge.

14. Notwithstanding anything contained in this Act, it shall be lawful for the Admiralty, if they think fit, at any time to revoke the appointment of any Deputy Judge, Deputy Registrar, or Deputy Marshal appointed under this Act.

15. Any Deputy Judge, Deputy Registrar, or Deputy Marshal appointed under this Act, shall be entitled to the same fees in respect of any duty performed by him as would be lawfully payable to the Judge, Registrar, or Marshal respectively for the performance of the same duty.

16. All persons entitled to practise as advocates, barristers-at-law, proctors, attorneys-at-law, or solicitors in any of the Superior Courts of a British possession, shall be entitled to practise in the same respective capacities in the Vice-Admiralty Court or Courts of such possession, and shall have therein all the rights and privileges respectively belonging to advocates, barristers-at-law, proctors, attorneys-at-law, and solicitors, and shall in like manner be subject to the authority of the person for the time being lawfully exercising the office of Judge of such Court.

17. It shall be lawful for Her Majesty to empower the Admiralty, by commission under the Great Seal, to establish one or more Vice-Admiralty Courts in any British possession, notwithstanding that such possession may have previously acquired independent legislative powers; and the jurisdiction and authority of all the existing Vice-Admiralty Courts are hereby declared to be confirmed, to all intents and purposes, notwithstanding that the possession in which any such Court has been established may at the time of its establishment have been in possession of legislative powers.

18. “The Vice-Admiralty Courts Act, 1863,” shall, together with this Act, apply to any Vice-Admiralty Court now established or hereafter to be established in the Straits Settlements.

19. The limitation of the time allowed for appeals contained in the twenty-third section of “The Vice-Admiralty Courts Act, 1863,” shall be held to apply to all decrees or orders pronounced in any Vice-Admiralty Court now established or hereafter to be established in any of Her Majesty’s Possessions in India.

No. 36.

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

(No. 17.)

SIR,—

Downing Street, 30th April, 1867.

I have the honor 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, of which copies were forwarded in your Despatch No. 10, of the 12th of January last.

No. 1.—An Act for amending the Law of Evidence and practice on Criminal Trials and for facilitating the despatch of business before Grand Juries. 10th August, 1866.

No. 2.—An Act to amend the Law of Partnership. 10th August, 1866.

No. 3.—An Act to amend and continue "The Arms Act, 1860." 1st September, 1866.

No. 4.—An Act to amend "The Supreme Court Judges Act, 1858." 1st September, 1866.

No. 5.—An Act for extending the jurisdiction of District Courts. 1st September, 1866.

No. 6.—An Act to regulate the granting of Pensions to Officers and Men of the Colonial Forces for wounds or injuries received while on actual service and to the Widows and Families of the same in certain cases. 6th September, 1866.

No. 7.—An Act to amend the Law for the recovery of Crown Debts and of Public Property. 6th September, 1866.

No. 8.—An Act to declare and amend the Law relating to Trials of Indictable Offences. 6th September, 1866.

No. 10.—An Act to define and restrain Vagrancy. 6th September, 1866.

No. 12.—An Act to amend "The Summary Procedure on Bills Act, 1862." 6th September, 1866.

No. 13.—An Act to regulate the sale and keeping of certain Poisons. 6th September, 1866.

No. 15.—An Act to validate certain Crown Grants of lands in the township of Newcastle, in the Province of Auckland. 6th September, 1866.

No. 16.—An Act to validate certain Contracts entered into with Aboriginal Natives entitled to compensation under "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Amendment and Continuance Act, 1865." 4th October, 1866.

No. 17.—An Act to amend the Law relating to Aliens. 4th October, 1866.

No. 18.—An Act to amend the Practice and Procedure of the Supreme Court. 4th October, 1866.

No. 19.—An Act to amend the Law relating to the unlawful administration of Poison, and to other Offences against the Person. 8th October, 1866.

No. 20.—An Act for the consideration and amendment of the Law relating to Crown Grants. 8th October, 1866.

No. 21.—An Act to prevent persons from extorting money as a consideration for abstaining to bid for the purchase of Crown Land at Public Sales by Auction thereof. 8th October, 1866.

No. 28.—An Act to amend "The Native Lands Act, 1865." 8th October, 1866.

No. 29.—An Act to amend "The Lands Clauses Consolidation Act, 1863." 8th October, 1866.

No. 30.—An Act to amend "The New Plymouth Exchanges Commission Act, 1865." 8th October, 1866.

No. 32.—An Act to consolidate and amend the Laws relating to Gold Fields. 8th October, 1866.

No. 33.—An Act to authorize the reservation and appropriation of Waste Lands of the Crown, in the Province of Nelson, for the construction of a Railway from the port of Nelson to the West Coast of the Province. 8th October, 1866.

No. 34.—An Act to indemnify the Officers of the Colonial Treasury and others in respect of certain unauthorized payments out of Moneys raised under "The New Zealand Loan Act, 1863," and other Acts. 8th October, 1866.

No. 35.—An Act to appropriate certain sums to be raised under "The New Zealand Loan Act, 1863," and other Acts. 8th October, 1866.

No. 39.—An Act to sanction a certain Loan proposed to be raised by the Superintendent of Wellington. 8th October, 1866.

No. 40.—An Act to sanction a certain Loan proposed to be raised by the

Superintendent of Wellington for the purchase of the Manawatu. 8th October, 1866.

No. 41.—An Act to impose a Duty on Bonded Warehouses. 8th October, 1866.

No. 42.—An Act to impose Stamp Duties. 8th October, 1866.

No. 44.—An Act to control the issue of Provincial Revenues and to provide for the Audit of the Accounts of the Provincial Governments. 8th October, 1866.

No. 45.—An Act to provide for the collection, by means of Stamps, of Fees payable in the Supreme Court and in the offices belonging thereto, and in certain other offices. 8th October, 1866.

No. 46.—An Act to repeal certain Acts and portions of Acts relative to Justices of the Peace, and to certain matters within their jurisdiction. 8th October, 1866.

No. 47.—An Act to facilitate the performance of the duties of Justices of the Peace. 8th October, 1866.

No. 48.—An Act to protect Justices of the Peace from vexatious Actions for acts done by them in execution of their office. 8th October, 1866.

No. 49.—An Act to regulate the Carriage of Goods for Hire. 8th October, 1866.

No. 50.—An Act to amend the Law respecting the Liability of Innkeepers, and to prevent certain frauds upon them. 8th October, 1866.

No. 55.—An Act to prevent the Adulteration of Articles of Food or Drink. 8th October, 1866.

No. 56.—An Act to amend "The Protection of certain Animals Act, 1865." 8th October, 1866.

No. 57.—An Act to provide for the Protection of Oyster Fisheries. 8th October, 1866.

No. 58.—An Act to simplify the mode of signifying the Governor's disallowance of the Election of Superintendents. 8th October, 1866.

No. 59.—An Act to Organize and Regulate the Civil Service of New Zealand. 8th October, 1866.

No. 60.—An Act for further amending "The Debtors and Creditors Act, 1862," and amending "The Debtors and Creditors Act Amendment Act, 1865." 8th October, 1866.

No. 61.—An Act for the Naturalization of certain Persons in the Colony of New Zealand. 8th October, 1866.

No. 62.—An Act to amend "The Otago Municipal Councils Empowering Act, 1865." 8th October, 1866.

No. 63.—An Act to regulate the Appointment and Tenure of Office of Attorney-General for New Zealand. 8th October, 1866.

No. 64.—An Act to provide for the performance of the duties of Superintendents of Provinces in New Zealand during absence and during vacancies in the office. 8th October, 1866.

No. 65.—An Act to give relief to Persons who may refuse or be unwilling from alleged conscientious motives to be sworn in Criminal proceedings. 8th October, 1866.

No. 66.—An Act to amend "The Intestate Estates Act, 1865." 8th October, 1866.

No. 68.—An Act to amend "The Representation Act, 1865." 8th October, 1866.

No. 69.—An Act to provide for John Wynn Hughes Williams compensation in Government Scrip on account of damages arising out of Breach of Contract by the Canterbury Association. 8th October, 1866.

No. 70.—An Act to consolidate the Law relating to Building and Land Societies. 8th October, 1866.

No. 71.—An Act to amend "An Ordinance to amend an Ordinance for regulating the Sale of Fermented and Spirituous Liquors," passed by the Governor and late Legislative Council of the Colony, Session III., No. 25. 8th October, 1866.

No. 72.—An Act to allow the Distillation, Purifying, and Compounding of Spirits in New Zealand. 8th October, 1866.

No. 74.—An Act to amend an Ordinance of the Lieutenant-Governor and Legislative Council of New Zealand, intituled “An Ordinance to make provision for the safe custody of, and prevention of offences by, persons dangerously Insane, and for the care and maintenance of persons of unsound mind.” 8th October, 1866.

No. 75.—An Act for amending “An Act to establish Courts of Petty Sessions of the Peace of Civil and Criminal Jurisdiction in the Colony of New Zealand.” 8th October, 1866.

No. 76.—An Act to authorize the Preparation and the Interim Validity of amended Standing Orders for Private Bills. 8th October, 1866.

No. 77.—An Act to amend “The Law Practitioners Act Amendment Act, 1865.” 8th October, 1866.

No. 78.—An Act to repeal “The Auckland Reserves Act, 1863.” 8th October, 1866.

No. 79.—An Act to amend “The Supreme Court Act, 1860.” 8th October, 1866.

No. 80.—An Act to amend the Law relating to the Registration of Persons qualified to vote at Elections of Members of the House of Representatives. 8th October, 1866.

No. 81.—An Act to remove Doubts as to the Qualifications of Gold Fields Members of the House of Representatives and of Provincial Councils. 8th October, 1866.

No. 82.—An Act to apply a sum of Money out of the Ordinary Revenue to the service of the year ending the 30th day of June, 1867. 8th October, 1866.

PRIVATE ACTS.

No. 1.—An Act for amending and altering “The Dunedin Water Works Act, 1864,” to enable the Dunedin Water Works Company to raise Money on Mortgage, Bond, or Debenture, and for other purposes. 8th October, 1866.

No. 2.—An Act for the better Regulation and Management of the Lands of the Presbyterian Church of Otago, and for the Disposal of the Income and Revenue thereof. 8th October, 1866.

No. 3.—An Act to provide for the Construction of a Railway between the City of Dunedin, in the Province of Otago, and the Township of Balclutha, in the same Province.

Although Her Majesty has not been advised to interfere with their operation, I think it desirable to call your attention to the provisions of two of these enactments.

With regard to the Act No. 4, “to amend the Supreme Court Judges Act, 1858,” I have to observe that some doubt may arise as to the effect of this Act in giving the substitute of the Chief Justice any powers (if such there be) which by an Imperial Act are expressly given to the Chief Justice himself.

Section 2 of the Act No. 46 repeals among others certain Imperial Statutes specified in the Schedule which accompanies it. It should have been provided that these Acts should no longer be in force in the Colony, as the term “repeal” is incorrect with reference to Imperial Acts.

By section 11 of the Act No. 56, for the protection of certain animals, a power is vested in the Governor to put the Act into force in any of the Provinces of New Zealand.

I doubt not that your Government will well consider the prudence of giving effect to this Act in any Province in which the Natives are still restless and unsettled, or where tranquillity has been but recently restored.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 37.

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

(No. 19.)

SIR,—

Downing Street, 1st May, 1867.

I have the honor to transmit to you, for your information and guidance,

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

if at the commencement of section two, after the word "Act" where it first occurs, the words "with the view and for the purpose of suppressing or quelling the said insurrections" or some similar words were interposed, so as to override the whole section, the Act would be reduced to its proper proportions and objects.

The third section would also require alterations to make it accord with the amendments made in the first and second sections.

Should your Responsible Advisers think fit to pass an Act in the terms of the Indemnity Act of 1865, or an Act amended in the manner above pointed out, I shall be prepared to advise Her Majesty not to exercise her power of disallowance in respect of such an Act.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 39.

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

(No. 24.)

SIR,—

Downing Street, 16th May, 1867.

I have the honor 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, copies of which were forwarded in your Despatch No. 10, of the 12th January last :—

No. 53.—An Act to amend "The New Zealand Post Office Act, 1858."

No. 54.—An Act to further amend "The New Zealand Post Office Act, 1858 (No. 2)."

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 40.

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

(No. 25.)

SIR,—

Downing Street, 18th May, 1867.

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 of the General Assembly of New Zealand intituled "An Act to amend the Volunteer Act, 1865," of which a copy accompanied your Despatch No. 10, of the 12th of January last.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 41.

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

(No. 26.)

SIR,—

Downing Street, 30th May, 1867.

I have the honor to inform you that Her Majesty will not be advised to exercise her power of disallowance in respect of the Acts of your Government which accompanied your Despatch No. 10, of the 12th January, 1867, intituled respectively :—

No. 22, 8th October, 1866.—An Act to consolidate and amend the Law relating to the Sale, Letting, and Occupation of Waste Lands of the Crown within the Province of Otago.

No. 23, 8th October, 1866.—An Act to amend the Law relating to the Sale, Letting, Disposal, and the Occupation of the Waste Lands of the Crown within the Province of Auckland.

No. 24, 8th October, 1866.—An Act to alter and amend the Waste Lands Regulations of the Province of Canterbury.

No. 25, 8th October, 1866.—An Act to extend the Land Laws of the Province of Hawke's Bay to Lands acquired by the Provincial Government under "The Native Lands Act, 1865."

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 42.

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

(No. 27.)

SIR,—

Downing Street, 1st June, 1867.

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 of your Government, No. 52, 8th October, 1866, intituled "An Act 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," of which a copy accompanied your Despatch No. 10, of the 12th of January last.

I think it right, however, to call your attention to the sixteenth section of this Act, which re-enacts certain provisions of the Act of 1865 (No. 18, 29th Vict.) which provisions were thought to require amendment, as explained in my predecessor's Despatch, No. 19, of the 1st of September, 1866.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 43.

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

(No. 29.)

SIR,—

Downing Street, 1st June, 1867.

I have received your Despatch No. 30, of the 4th of April, in which you enclose a Memorandum from your Responsible Advisers referring to Lord Carnarvon's Despatch No. 49, of the 1st December, 1866, and declining to accede to the conditions proposed in that Despatch, respecting one Regiment of Imperial Forces which it was proposed to leave in the Colony.

It appears from the second paragraph of the Memorandum of your Ministers that a further expression of their opinion may shortly be expected on this and other subjects connected with military operations. I therefore delay sending any answer to various important Despatches which have been received from you on these matters, in the expectation that I shall at an early date be in full possession of the views of yourself and your Advisers.

The regiment which was to remain in the Colony, and which by this time, I presume, will be the only portion of Her Majesty's Imperial Forces in New Zealand, will continue there for a time, until its ultimate destination has been decided upon by Her Majesty's Government, when further instructions will be sent to you regarding it.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 44.

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

(No. 30.)

SIR,—

Downing Street, 1st June, 1867.

I have received with sincere regret your Despatch of the 2nd April, in

which you inform me of the death of the eminent Ngatihaua Chief William Thompson.

I am glad to perceive that in his last moments he received every assistance and comfort with which your Government could provide him.

The Queen desires that his tribe may be made aware that she laments the loss which they have sustained; she hopes that the example of his self control and the wise advice which he has bequeathed to them, will lead them to forget the contest which is past and to unite with their European fellow subjects in those peaceful pursuits which will best ensure their own comfort and improvement and promote the prosperity of their common country.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 45.

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

(No. 31.)

SIR,—

Downing Street, 2nd June, 1867.

I have the honor to inform you that the Queen will not be advised to exercise her powers of disallowance in respect of the following Acts of your Government, of which copies accompanied your Despatch No. 10, of the 12th of January, viz. :—

No. 9, 6th September, 1866.—An Act to amend the law relating to the Fraudulent Marking of Merchandise and to provide for the Registration of Trade Marks.

No. 36, 8th October, 1866.—An Act to regulate the issue of Treasury Bills.

No. 37, 8th October, 1866.—An Act for raising the sum of one hundred and fifty thousand pounds by Treasury Bills.

No. 43, 8th October, 1866.—An Act to alter the Duties of Customs.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 46.

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

(No. 32.)

SIR,—

Downing Street, 6th June, 1867.

I have the honor to acknowledge the receipt of your Despatch No. 34, of the 5th of April, requesting that you may be furnished with information illustrative of the constitution and practical operation of Courts of Arbitration in Foreign countries where such Courts exist.

Before I received your Despatch, Mr. Morrison, the Agent for New Zealand, had made application on this subject on behalf of your Government.

Having communicated with the Secretary of State for Foreign Affairs I have the honor to inform you that Lord Stanley will instruct Her Majesty's Representatives abroad, to obtain, if possible, the desired information in the case of the countries in which they reside.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 47.

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

(No. 34.)

SIR,—

Downing Street, 27th June, 1867.

I have the honor to acknowledge the receipt of your Despatches noted in the margin, covering copies of numerous addresses of welcome presented to you

No. 38, April 8.
No. 49, April 29.
No. 50, April 29.

as Governor of the Colony during your visit to various parts of the Southern Island.

I am glad to be able to convey to Her Majesty your assurance that an universal feeling of happiness, contentment, and devoted loyalty to the throne and person of the Queen prevails amongst all classes.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 48.

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

(No. 37.)

SIR,—

Downing Street, 18th June, 1867.

No. 20, Feb. 4,
1867.

No. 21, Feb. 4,
1867.

No. 22, Feb. 12,
1867.

No. 23, Feb. 17,
1867.

No. 24, Feb. 19,
1867.

No. 32, April 4,
1867.

I have the honor to acknowledge the receipt of your Despatches of the numbers and dates noted in the margin, containing certain statements and explanations upon matters alluded to in my predecessor's Despatch No. 49, of the 1st December last.

As all Her Majesty's Regular Forces in New Zealand, with the exception of one regiment will, in pursuance of instructions from the Secretary of State for War, have probably left the Colony before you receive this Despatch, and as it is very possible that General Sir T. Chute may also have left, I deem it unnecessary to renew the correspondence with regard to the control of the troops in question.

The regiment which will be left in the Colony will, as you were informed by my predecessor, remain, while in the Colony, under the control and direction of the Queen's representative.

With regard to the ultimate disposal of this regiment, I await the arrival of the next mail, in the expectation of receiving by that opportunity the further expression of your views on the subject of my predecessor's Despatches referring to military operations in New Zealand, which your Despatch of the 4th of April No. 30, promises. I shall then also be able to inform you of the appointment of your successor in the Government of New Zealand, and of the time at which he may be expected to arrive in the Colony.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 49.

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

(No. 38.)

SIR,—

Downing Street, 29th June, 1867.

With reference to your Despatch No 34, of the 5th of April, and to my reply of the 6th instant, I have the honor to transmit to you the enclosed copy of a communication addressed to Lord Stanley by Her Majesty's Minister at Stuttgart, supplying the information which he was instructed by His Lordship to furnish with respect to Courts of Arbitration in Wurtemberg.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure in No. 49.

J. G. R. GORDON, Esq., to Lord STANLEY.

MY LORD,—

Stuttgart, 11th June, 1867.

I have had the honor to receive your Lordship's Circular No. 18, of the 31st ultimo, instructing me to procure and transmit to your Lordship information respecting Courts of Arbitration should such exist in this country.

In reply to the above I beg to state that no such Courts as are referred to exist now in Wurtemberg. Arbitration Courts for the decision of commercial disputes did exist here and had been in operation for about ten years, but these were abolished two or three years ago, upon the introduction of the new code of procedure in commercial cases.

I have written to Mr. Baillie to procure and transmit similar information with regard to the existence of such Courts in the Grand Duchy of Baden.

I have, &c.,

The Lord Stanley.

J. G. R. GORDON.

No. 50.

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

(No. 39.)

SIR,—

Downing Street, 26th June, 1867.

With reference to my Despatch of the 1st of May, apprizing you of the probability that H.M.S. "Galatea," under the command of His Royal Highness the Duke of Edinburgh would visit the Colony under your Government, I think it desirably that you should receive some instructions for your guidance as to His Royal Highness's reception.

The Duke of Edinburgh on his first arrival in a British Colony or Settlement, and on his final departure from it, but not upon other occasions, should have all the usual and proper honors paid to him by way of salutes, guards of honor, and other public marks of respect as a member of the Royal family.

His Royal Highness will receive addresses and make replies to them, and take part in public ceremonies in cases which are suggested or approved by the Governor or Lieutenant-Governor of the Colony or Settlement.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 51.

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

(No. 40.)

SIR,—

Downing Street, 28th June, 1867.

I referred, for the consideration of the Board of Trade, the Act of your Government which accompanied your Despatch No. 10, of the 12th of January, entitled "An Act to regulate Steam Vessels and the Boats and Lights to be carried by Sea-going Vessels," and I transmit to you the enclosed copy of a letter which May 22, 1867. has been received in reply.

You will observe that their Lordships suggest the amendment of this Act in several particulars, and I would recommend all the observations which they have made to the earnest attention of yourself and of your Government.

I consider it essential that section five should be amended in the manner pointed out by their Lordships, as it seems inadvisable to require surveys of British or Foreign Steamers merely trading to New Zealand, when such steamers have the proper certificates of their own country. It will further be necessary that section thirty should be repealed, as the rules to which it refers, respecting the carrying of lights and signals have been superseded by the regulations contained in an Order in Council, dated the 9th of January, 1863.

In the express expectation that these amendments will be made in the Act Her Majesty will be advised to leave this Act in operation.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure in No. 51.

Mr. GRAY to UNDER SECRETARY, Colonial Office.

SIR,—

Board of Trade, Whitehall, 22nd May, 1867.

I am directed by the Board of Trade to acknowledge the receipt of your letter of the 3rd instant, transmitting, with the copies of three other Acts, the copy of an Act passed by the Legislature of New Zealand, entitled "An Act to regulate Steam Vessels, and the Boats and Lights to be carried by Sea-going Vessels," and requesting that this Board will inform the Duke of Buckingham and Chandos, whether they see any reason why this Act should not be left in operation.

In reply I am to state for the information of His Grace, that the Board of Trade are unable to recommend an unqualified assent to the Act referred to, for the reasons stated at length below.

As regards the application of the Act, it would appear from sections 12 and 45 that the only steamers which are exempted from its provisions are Her Majesty's vessels of war, and, under certain regulations steam vessels belonging to the British Colonies. All British steamers, therefore, registered in the United Kingdom and trading with New Zealand, as well as all ships belonging to foreign countries trading there would come within the operation of the Act as it at present stands.

In the case of a British steamer, merely trading to the Colony, and surveyed in the United Kingdom under the provisions of the Imperial Act, and already in possession of a passenger certificate granted by the Imperial Government, it would, it appears to the Board of Trade, be both unjust and inconvenient to require a re-survey in the Colony, and that in such a case a re-survey ought not to be required.

But where a British steamship, registered in Great Britain, or in any Colony or possession other than New Zealand, proceeds to New Zealand, and enters into the coasting or other regular trade of New Zealand without returning to the United Kingdom, or without obtaining a certificate from any other Colony, then the Board of Trade think that she should be treated as any other ship belonging to New Zealand, and employed in the trade of the place.

The same may be said in the case of steamers belonging to foreign countries and trading under a foreign flag, between their own country and the Colony.

It would obviously be an act of unnecessary interference on the part of any country or Colony to require that foreign vessels merely trading to it should be surveyed and licensed by the Government of the country or Colony to which she plies, as well as by the Government of the country to which she belongs.

With regard to the enactment as to lights and signals under clause 30, I am to point out that an error has been committed in requiring that the rules issued by the Imperial Board of Admiralty in 1858 shall now be of force in New Zealand.

The Rules of 1858 have been repealed by the Statute of 1862 (copy enclosed) and the rules contained in the schedule to the Statute of 1862, have, by virtue of that Act, been repealed by an Order in Council dated the 9th of January, 1863, of which the substance is enclosed (pamphlet).

The rules contained in the Order in Council of the 9th January, 1863, issued under the Imperial Act of 1862, should, therefore, be the rules referred to in the New Zealand Statute, if any rules are referred to at all; but I am to add, that any Colonial enactment as regards the lights of sea-going ships is altogether unnecessary, as all British sea-going ships, whether registered in the United Kingdom or in any other part of Her Majesty's dominions, and all sea-going ships belonging to the countries named in the pamphlet, are absolutely bound by the rules contained in the Order in Council (enclosed), issued under the Imperial Act.

The only ships to which it is possible for the New Zealand Statute to be made to apply are vessels which ply within the harbours and rivers of the Colony, and never go to sea.

The above remarks refer to the more serious points for consideration; but, there are a few other points upon which the Board of Trade think it advisable to offer some remarks, founded on their experience of the working of the Imperial Act.

Clause five of the New Zealand Act provides for the three monthly inspection of the boilers of steamers carrying a greater pressure than thirty pounds to the square inch, and a six monthly inspection of all other boilers. The Imperial Act makes no distinction between one set of boilers and another. It provides for a six monthly inspection of all alike.

The Board of Trade do not see the advantage of a three monthly inspection, provided that the surveyor who inspects the boilers once in six months does his duty, and determines the weight to be placed on the safety valve with due regard to the condition, strength, and stay power of the boiler.

On the other hand it appears to this Board, that there is a great disadvantage in making the inspection too frequently, as frequent inspection and supervision on the part of the Government tend to remove the responsibility connected with the safety and proper condition and working of the ships, and their equipments from the owners and their servants, who ought to be held responsible to the surveyor, who ought not, and, as a matter of fact, cannot be responsible.

The Board of Trade would strongly advise, that in legislation of this sort, the surveys of the Government Surveyors should be made, to assist in promoting the safety of the public, without in any way relieving the owners of their responsibility and liability at common law.

There is a provision in section five as regards the compasses, in which an exemption is made in favour of Cameron's patent compass. To this the Board of Trade would wish to point out that it appears to them to be doubtful whether it is advisable to grant a special exemption (in favour of any one compass or invention) from the provisions of a Statute. If an exemption in favour of one invention or one class of inventions is thought to be necessary at the time an Act is passed, this Board would suggest that the exemption should be in general terms, and that instead of naming the special invention in the Act, it should be worded in such a way as to give Her Majesty or the Governor power from time to time to make regulations as to the equipments to be carried, &c.

It may so happen that Cameron's compass is the best compass now known in New Zealand, and it may now be thought desirable to encourage its use there. On this the Board of Trade cannot form an opinion; but if it is now the best, it does not follow that it will be the best compass in a year or two hence. If it is specially named in the Act, a better compass hereafter invented will be kept out of use; but if it is not specially named then the regulations framed under the Act may require that a compass to be approved by the surveyors shall comply with certain conditions to be named. By these means an exemption in favour of one compass can only exist so long as it is held to be superior to others, and complies with conditions that the others do not.

From clause six it would appear that the master and engineer of a steamship are to be examined and are to obtain fresh certificates whenever they are appointed to a vessel, and that their certificates are to apply only to the vessel for which they are certified.

The Legislature of New Zealand are doubtless in possession of information which shows the necessity for these frequent renewals of certificates there. The system proposed will no doubt do away with the necessity for cancelling a certificate after a wreck, and the authorities will no doubt be careful not to grant a fresh certificate without due inquiry, but it would appear to the Board of Trade that these frequent examinations would probably be found to give trouble, and unless the standard of examinations was alike at each port would give still further trouble. Special care will be necessary that men who are refused as unfit at one place, do not afterwards pass and obtain certificates at another.

The regulations respecting examinations of masters and engineers under the New Zealand Act, would of course apply exclusively to masters and engineers who do not possess certificates granted under the Imperial Act in the United Kingdom, and to masters and engineers of New Zealand ships employed in trading elsewhere than to the United Kingdom, as has been pointed out above in speaking of the application of the Act under sections 12 and 45.

Certificates granted to masters and engineers in the United Kingdom under the Imperial Act, are sufficient to enable the holders to take charge of a ship, or the machinery of any British ship, wherever she may be plying.

The Regulations respecting the examinations and certificates of masters, mates and engineers in the United Kingdom are enclosed.

As regards clause 23, the Board of Trade wish to point out that it effects the application to New Zealand ships of a clause similar to a certain extent to one once applicable to British ships under the Imperial Statute; but which has been removed from the Imperial Statute in consequence of its utter uselessness, and of its mischievous character.

The clause referred to is clause 300 of the Merchant Shipping Act of 1854, enclosed, and is repealed by the Merchant Shipping Amendment Act, 1862, enclosed.

It has been found in practice that two bulkheads alone are not sufficient to save a ship. It was also found whilst the bulkhead clauses were in operation that where ships have been saved by their bulkheads, those bulkheads were as a rule placed in such a position as not to comply with the Act, or were supplied and fitted in addition to the two bulkheads required by the Act.

It has been found better to leave it to the judgment of owners and builders to put in as many bulkheads and in such a position, as the safety and service of the ship require.

The Board of Trade think that a proper number and disposition of bulkheads are essentially necessary, and they have found that since the repeal of the bulkhead clause, the number of bulkheads put into a steamship is generally sufficient, and that the safety of the ship is increased.

Clause 24 provides that there shall be a safety valve on each boiler out of the control of the engineer.

It does not provide that that safety valve is to be in addition to the ordinary safety valve. It may therefore happen in practice that the only valve on the boiler will be locked up and may set fast, and (as there is reason to believe from experience in this country) explosions will actually be caused by the means intended to prevent them.

The Board of Trade would suggest as regards the safety valve clause, and in order to carry the intention of the New Zealand Legislature into effect, that it should be worded so as to admit of a valve being constructed on each boiler in such a manner that the pressure cannot be increased when the steam is up, and in addition to the ordinary or working valve. Whilst it is necessary that the valve should be constructed so that the pressure in the boiler cannot be increased, it is essential that it should be provided with lifting gear so that the engineer who works the boilers may see that it does not set fast and may be able to lift it when necessary.

In framing the clause it would be well to see especially that it does not prevent the application of lifting gear.

As regards the safety valve clause, the Board of Trade think that it may not be amiss to point out that the limit of weight to be placed on the safety valve in a British steamship is not determined by the surveyors of this Board by the hydraulic test, but by calculation of the strength of the boiler and its stay power, and in flat surfaces the pressure allowed by the surveyor on the sectional area of the stays is usually limited by him to 5000 lbs. to the square inch. This has been found in practice to be safer than relying solely on the hydraulic test, but after the working load to be put on the safety valve has been arrived at by calculation, the boiler is sometimes pressed to double this load by the hydraulic pump, if the surveyor thinks it desirable to do so. The Board of Trade call especial attention to the method by which their surveyors arrive at the limits of the weight to be carried on the safety valve of a passenger steamship, *i.e.* by calculation: as it has been proved in practice that if test strains alone are relied on, the margin of safety is greatly reduced, and the construction tested may suffer injury.

As regards clause 26 the Board of Trade desire me to say that a boat scale which requires ships to carry boats according to tonnage and not according to the number of passengers and the length and nature of the voyage, has been proved under the Imperial Act to be bad and inequitable, generally difficult to carry into effect, and, in many cases inapplicable, and a dead letter.

The Board of Trade would recommend that the number of boats, life-boats, buoys, cork jackets, and other appliances usually carried for saving life, should be determined by the nature and length of the voyage and the number of persons carried rather than by the register tonnage of the ship alone.

It is obviously unnecessary to require two steamships to carry boats, &c., of a similar number, size, and description, when one steamer may be employed in carrying several hundred passengers and the other may carry only a score of men composing the crew.

A copy of the instructions to surveyors appointed under "The Merchant Shipping Act, 1854," of "The Anchors and Cables Act, 1864," and of a paper written by Mr. Galloway, the Inspector appointed under that Act, are enclosed, as they may, with the above remarks, be of use to the Colonial Legislature in amending the Act herein returned.

I am to add that the subject of further amending the fourth part of the Act of 1854, and of amending the Act of 1862, is under the very serious consideration of this Board, and that the amendments intended to be proposed will tend to remove from the statute book some of the existing minute enactments respecting the construction and equipment of steam ships.

I have, &c.,

THOMAS GRAY.

The Under Secretary of State, Colonial Office.

No. 52.

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

(No. 41.)

SIR,—

Downing Street, 29th June, 1867.

I have the honor to transmit to you, with reference to your Despatch No. 34, of the 5th of April, the enclosed copies of letters from the Foreign Office, containing the result of inquiries addressed by Lord Stanley to certain of Her Majesty's Ministers abroad respecting Courts of Arbitration in the countries in which those Ministers reside.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure 1 in No. 52.

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

SIR,—

Foreign Office, 20th June, 1867.

With reference to my letter of the 17th instant, I am directed by Lord Stanley to request that you will inform the Duke of Buckingham and Chandos that Her Majesty's Minister at Brussels reports that there are no Courts of Arbitration, nor anything resembling them, in Belgium.

I have, &c.,

The Under Secretary of State, Colonial Office.

E. C. EGERTON.

Enclosure 2 in No. 52.

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

SIR,—

Foreign Office, 22nd June, 1867.

With reference to your letter of the 18th ultimo, I am directed by Lord Stanley to state to you, for the information of Her Majesty's Secretary of State for the Colonies, that the English Minister at Stutgardt has reported that no Courts of Arbitration exist in the Grand Duchy of Baden.

I have, &c.,

The Under Secretary of State for the Colonial Department.

E. C. EGERTON.

Enclosure 3 in No. 52.

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

SIR,—

Foreign Office, 24th June, 1867.

Admiral Harris.
No. 51, June 20.

With reference to your letter of the 18th ultimo, I am directed by Lord Stanley to transmit to you to be laid before the Duke of Buckingham and Chandos, the accompanying copy of a note which the President of the Swiss Confederation has addressed to Her Majesty's Minister at Berne, with reference to the Courts of Arbitration in Switzerland.

I have, &c.,

The Under Secretary of State, Colonial Office.

J. HAMMOND.

Sub-Enclosure to Enclosure 3 in No. 52.

Berne, le 14 Juin, 1867.

Le Conseil fédéral regrette de ne pas pouvoir s'orienter exactement sur la question de savoir de quelle espèce de tribunaux il s'agit dans la note que M. le Ministre de Sa Majesté Britannique, lui a fait l'honneur de lui adresser le 12 courant et il doit dès lors prier Son Excellence de bien vouloir lui en donner une désignation plus précise.

D'après les notions reçues en Suisse un tribunal arbitral avec l'organisation légale indiquée dans la note ne peut guère exister attendu qu'ici on entend par tribunal arbitral un tribunal que les parties conviennent de constituer pour un cas spécial, et pour lequel elles peuvent aussi déterminer elles-mêmes les formes du procès. Il existe en Suisse pour les affaires Civiles les Juges suivants. Des Juges de Paix, établis dans quelques Cantons seulement pour les tentatives de conciliation, dans d'autres aussi ayant compétence de jugement en affaires de minime valeur; puis les tribunaux avec procédure contradictoire (écrite ou verbale) en deux et souvent en trois instances. Enfin viennent aussi les tribunaux de commerce, dont l'organisation s'accorderait le mieux avec les indications données par M. le Vice Admiral Harris sur les tribunaux à introduire dans la Nouvelle Zélande. Mais ces tribunaux de commerce n'étant établis que pour une espèce spéciale de procès, il existe des toutes si par une communication plus détaillée de leur organisation, il serait satisfait aux désirs de Son Excellence.

Le Conseil fédéral attendra donc les ouvertures ultérieures que M. le Ministre de Sa Majesté Britannique pourra être dans le cas de lui faire à ce sujet et il s'empresse, &c.

Au nom du Conseil fédéral Le Vice President;

DUBS,

Le Chancelier de la Confédération,

SCHIEFS.

Enclosure 4 in No. 52.

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

Foreign Office, 24th June, 1867.

SIR,—

With reference to your letter of the 18th ultimo, I am directed by Lord Stanley to transmit Sir A. Buchanan to you, to be laid before the Duke of Buckingham and Chandos, the accompanying copies of a No. 230. Despatch, and of its enclosure, from Her Majesty's Ambassador at St. Petersburg, containing information respecting the Courts of Arbitration existing in Russia.

I have, &c.,

E. HAMMOND.

The Under Secretary of State, Colonial Office.

Sub-Enclosure to Enclosure 4 in No. 52.

Sir A. BUCHANAN to LORD STANLEY.

(No. 230.)

MY LORD,—

St. Petersburg, 20th June, 1867.

On the receipt of your Lordship's Despatch, No. 114, of the 31st ultimo, marked Circular, I requested Mr. Roebuck, an Englishman settled here as a Russian lawyer, to furnish me with information which would enable me to forward a report to your Lordship respecting the Courts of Arbitration existing in this country, and I have the honor to enclose herewith the copy of a Memorandum which I have received from him, and from which it appears that no such Courts of Arbitration as the Government of New Zealand propose to establish in that Colony, form a part of the Judicial establishments of this Empire.

I have, &c.,

ANDREW BUCHANAN.

The Lord Stanley.

Enclosure.

MEMORANDUM drawn up by Mr. ROEBUCK, Lawyer in Russia, and Legal Adviser to Her Majesty's Embassy at St. Petersburg.

THE Russian Code admits of two modes of arbitration; the one judicial, the other voluntary. The former is made imperative in disputes between partners in trade, shareholders, stock-companies (as Fire, Life, and Sea Insurance Companies), for the arrangement of contentions both civil and commercial, arising between the said companies and private individuals. The arbitrators are chosen by each party, or by the Civil or Commercial Courts. The submission is performed by a deed, called the Arbitration Deed, before a Court of Justice, and it must set out the cause of the difference and the names of the arbitrators appointed, who, although otherwise bound to decide according to strict rules of law, may, by a power given to them by the parties by whom they are nominated, decide according to the equity of the case; the decision by equity is final and without appeal. (Code de procédure Civile Russe, vol. x., part ii., book ii., chap. 3, part 1138-1215).

Legal Courts of Arbitration have been abolished by a recent decision of the Council of Empire, sanctioned by the Emperor in 1866; and the only mode of arbitration maintained is that by mutual consent of both parties at law—the Voluntary Arbitration.

The formalities for instituting such arbitration; the modes of action of the same are the same as stated above with reference to the former legal Courts of Arbitration; but the submission of the parties must be voluntary; and the decision is to be by equity and without appeal. When two arbitrators cannot agree, an umpire is appointed by the Court of Justice, and his award is final and acquires force of law.

All matters, both civil and commercial, may be under the above-mentioned circumstances tried by arbitration, excepting (a) cases relative to the personal conditions of individuals; (b) all matters in which minors, or persons placed under guardianship, are interested; (c) all matters connected with the interest of the Crown; (d) all criminal cases.

19th June, 1867.

Enclosure 5 in No. 52.

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

Foreign Office, 25th June, 1867.

SIR,—

With reference to the various letters which have been addressed to you during the course of the present month, I am directed by Lord Stanley to request that you will inform the Duke of Buckingham and Chandos that Her Majesty's Minister at Hamburg, reports that there are no Courts of Arbitration in the Hanse Towns.

I have, &c.,

E. C. EGERTON.

The Under Secretary of State, Colonial Office.

No. 53.

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

(No. 42.)

SIR,—

Downing Street, 10th July, 1867.

I have had under my consideration an Act passed by the General Assembly in the last session, intituled "An Act to exempt members of the General Assembly from attendance in certain cases in Courts of Law."

I am quite ready to admit that much inconvenience both personal and



public might be occasioned if members were frequently compelled to be absent from Parliament when it is sitting or about to sit, in order to attend Courts at a great distance from the place at which Parliament assembles.

But the privileges conferred by this Act are in my opinion considerably too extensive, and are not justified as far as I am aware by any precedent, Imperial or Colonial.

In the first place the exemption claimed is not for a certain number of days, more or less as the particular case may reasonably require, but for the whole session, and ten days afterwards; nor does there seem to be any power or discretion vested in the Court or Judge to grant exemption for a shorter time.

Again, the limits to the discretion of the Court or Judge appear to be too narrow, as the exemption is to be granted, unless the ends of "public" justice would be defeated or injuriously delayed, or "irreparable" injury would be caused to any party to the proceedings.

It is not difficult to imagine a case in which it may be of great importance to the creditor of a member to prove and enforce his claim speedily, and to whom, therefore, such a long delay would be decidedly injurious, and yet it might well be held that this was not a case of public justice defeated, nor of irreparable injury to the creditor.

These objections apply with still greater force to the ninth section, inasmuch as it must necessarily be more difficult for the Speaker to arrive at a just conclusion than for the Court or Judge.

Entertaining, as I do, a strong opinion that the privileges of members should in the public interest be limited to those absolutely essential to the proper discharge of their public duties; that the exercise of the privileges conferred by the Act in its present shape might injuriously affect the rights of creditors in civil, and of prisoners and prosecutors in criminal, proceedings, I am at present unable to recommend to Her Majesty any decision upon this Act, and I desire you to lay this Despatch before your Responsible Advisers, in order that they may consider the propriety of making the amendments necessary to remove the above objections, and to place the privileges of the members of the Legislature of New Zealand on a similar footing to those which have been found sufficient in other colonies and countries.

I have, &c.,
BUCKINGHAM AND CHANDOS

Governor Sir George Grey, K.C.B.

No 54.

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

(No. 43.)

SIR,—

Downing Street, 15th July, 1867.

I have the honor to transmit to you the annexed Order in Council confirming the reserved Act of the Legislature of New Zealand, intituled "An Act "to enable Provincial Legislatures to pass laws authorizing the compulsory taking "of land for works of a public nature," of which a copy accompanied your Despatch No. 10, of the 12th of January last.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure in No. 54.

At the COURT at WINDSOR, the 26th day of June, 1867.

Present:

Lord President,	The Queen's Most Excellent Majesty,
Duke of Buckingham and Chandos,	Earl of Devon,
	Mr. Wilson Patten.

WHEREAS by an Act passed in the session held 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 enable Provincial Legislatures to pass laws authorizing the compulsory taking of lands for works of a public nature," 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 by Order, and with the advice of Her Majesty's Privy Council, declare Her assent to the said Bill. And the Most Noble the Duke of Buckingham and Chandos, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

No. 55.

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

(No. 44.)

SIR,—

Downing Street, 27th July, 1867.

I forwarded to the Lords Commissioners of the Treasury a copy of your Despatch, No. 44, of the 27th of April, drawing attention to the discrepancy between the Returns of the Importation of Gold into this country from New Zealand, which are published by the Commissioners of Customs, and those published by your Government.

I enclose for your own information, and for that of your Responsible Advisers, a copy of an explanatory report on the subject from the Commissioners of Customs, which has been received from the Board of Treasury.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure in No. 55.

MR. LAW to the UNDER SECRETARY for the COLONIES.

SIR,—

Treasury Chambers, 23rd July, 1867.

I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for the information of the Secretary of State for the Colonies, with reference to your letter of the 8th instant, copy of a report from the Commissioners of Customs, as to the discrepancy between the gold returns published in England and those in New Zealand.

I am, &c.,

The Under Secretary of State for the Colonies.

WILLIAM LAW.

Sub-Enclosure to Enclosure in No. 55.

To the LORDS COMMISSIONERS of HER MAJESTY'S TREASURY.

YOUR Lordships having referred to us the annexed letter from Sir Frederic Rogers, dated 8th instant, transmitting, by desire of the Duke of Buckingham and Chandos, copy of a Despatch from the Governor of New Zealand, enclosing a Memorandum by his Responsible Advisers, drawing attention to the discrepancy between the returns of the importation of gold into this country from New Zealand which are published in England by the Board, and those published by the Colonial Government:

We report that the discrepancy between the account of gold imported into this country from New Zealand as published under the authority of this Board, and the account of gold exported from New Zealand to this country as published by the Colonial Government of that Colony, is explained by the fact that much of the gold obtained in New Zealand does not come directly from that Colony to this country, but is shipped from New Zealand to Australia, and brought from thence to this country; and as all foreign imports into this country can only be recorded in the books of this department as being imported from the port and country abroad at which they have been shipped for the United Kingdom, gold, the produce of New Zealand, coming to this country through Australia, can only be classified and treated as gold from Australia, as stated in the annexed Despatch from the Governor of New Zealand.

We are unable to suggest the adoption of any course whereby the discrepancy in the returns referred to may be obviated.

Custom House, 16th July, 1867.

J. GOULBURN,
R. W. GREY.

No. 56.

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

(No. 45.)

SIR,—

Downing Street, 19th July, 1867.

I have the honor to transmit to you for your information a copy of a Despatch which I have addressed to the Governor of Victoria, respecting a desire expressed in a Memorandum signed by one of the Ministers of each of the Australian Colonies, represented at the Conference recently held at Melbourne, that a measure should be introduced into the Imperial Parliament for the extension of the provisions of certain Imperial Acts to all cases of misdemeanours committed in any of these Colonies.

I request that you will submit to your Responsible Advisers the observations contained in the accompanying Despatch, and inform me of the views entertained by them and by yourself, and also by the Judges of the Supreme Court, in connection with this question.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

Enclosure in No. 56.

The Duke of BUCKINGHAM and CHANDOS to Governor Sir J. H. T. MANNERS SUTTON.
(No. 43.)

SIR,—

Downing Street, 4th July, 1867.

I have the honor to acknowledge the receipt of your Despatch of the 25th March, enclosing a Memorandum signed by certain representatives of Victoria, New South Wales, New Zealand, Queensland, South Australia, and Tasmania, desiring an extension of the Imperial Acts 6 and 7 Vict., c. 34., and 16 and 17 Vict., c. 118, to all cases of misdemeanour.

I have received applications to the same effect from New Zealand, Queensland, and Tasmania, and, I presume, shall receive similar communications from South Australia and New South Wales.

Her Majesty's Government have every desire to aid the Australian Colonies by such legislation as will facilitate the effectual administration of justice, and draw the different members of the group into a closer union. But before so important an enactment is submitted to Parliament, I should desire to be furnished with more precise information from those who are especially capable of judging of the probable effect and practicability of such a measure.

I have to desire you therefore to lay the Despatch and the Memorandum before your legal advisers, and to ask them for a report thereon; and I have also to desire you to ascertain whether the Judges of your superior Court are in favour of the plan, or have any suggestion to make upon the subject. I shall desire the Governors of the other Colonies to do the same.

It appears to me that there are two points worthy of special consideration: First,—Whether the object of the colonists requires that the proposal shall extend to all misdemeanours however trifling. There is a large class of misdemeanours of a very grave criminal character closely bordering on felony, but there are also a great many misdemeanours which it would seem unnecessary if not almost absurd to include in a measure of the kind proposed.

I may refer you to an Act of your Government, 27 Vict., No. 233, in which both classes of misdemeanour are to be found; and probably there are scattered through the Acts of the several Colonies many misdemeanours of as trivial a kind as those included in the criminal Act referred to.

It would seem desirable that in the first instance, at all events, any measure should be confined to misdemeanours of the more serious character, which might be defined or referred to in a Schedule to the proposed Act. Secondly,—It seems worthy of consideration whether the object of the colonists might not be better attained by following the precedent of many English Acts, and making the offender liable to be tried either in the place in which the offence was committed, or in the place where he is apprehended, or in custody, rather than by extending the provisions of 6 and 7 Vict., c. 34, and 16 and 17 Vict., c. 118, which are in the nature of extradition Acts. This would be practicable in all cases of serious offences which are made misdemeanours in all the Colonies represented at the Conference.

Such legislation, I need hardly remark, would be greatly facilitated if it were possible for the Australian Colonies to enact in concert a common criminal code based on the Imperial law—a proceeding which Her Majesty's Government would see with much pleasure, both on account of its intrinsic convenience and from its tendency to consolidate the great Colonies which compose the Australian group.

I should be glad also to receive information from you as to the working of the Acts of 6 and 7 Vict., c. 34, and 16 and 17 Vict., c. 118, and to learn whether the powers given by those Acts have been frequently, or otherwise, put into operation.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor the Hon. Sir J. H. T. Manners Sutton.

No. 57.

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

(No. 47.)

SIR,—

Downing Street, 29th July, 1867.

I have the honor to acknowledge the receipt of your Despatch, No. 51, of the 28th of April, commenting on a remark contained in my predecessor's Despatch, No. 5, of the 1st of February last, respecting the differences which have existed between yourself and the officers in command of the Troops in New Zealand.

I do not feel it necessary that I should now enter upon the discussion of these matters.

I have, &c.,

BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 58.

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

(No. 49.)

SIR,—

Downing Street, 1st August, 1867.

I have to acknowledge the receipt of your Despatch, No. 47, of the 27th of April, in which, at the request of your Responsible Advisers, you transmit a Memorandum respecting Lord Carnarvon's Despatch, No. 56, of the 28th December last, by which Major-General Chute was invested with exclusive control over such of the Troops then in New Zealand as were not intended for further service there.

Your Ministers treat that Despatch as containing aspersions on themselves and the Colonial Force employed under their orders, as withdrawing from your control the Troops about to leave the Colony; and they advance the opinion that the Secretary of State cannot constitutionally withdraw from the Governor the authority they conceive to be vested in him by his Commission. They also complain of the peremptory and precipitate manner in which the Troops have been withdrawn.

The general tone and tenor of the Memorandum which you transmit does not lead me to think that any public good will accrue from my entering upon a controversy with your Advisers on the subject of it.

I have only, therefore, to make the following remarks:—

First: That as no official information had been received respecting certain operations by Colonial Forces against Natives, reported in the public papers to have occurred, and to have resulted in much loss of life, it was the imperative duty of the Secretary of State to call attention to that fact, and to point out the prejudice which might arise to the Colony if the statements alluded to became the subject of comment, while he was unable to offer any explanation to show the necessity of the operations and the gallantry with which they had been effected.

Next: That whatever may be the authority conferred upon you by your Commission under the title of Commander-in-Chief, it is at all times subject to instructions from the Imperial Government. This will be seen by reference to the Commission itself.

That by Mr. Cardwell's Despatch of the 27th February, 1865, when the conduct of Native affairs and the duty of self-protection was devolved upon the Colonists of New Zealand, directions were given for the immediate reduction of the Imperial Forces, with a view to its consequent entire removal; and, therefore, the Colonial Government cannot justly complain that instructions should be given in December, 1866, to hasten the removal of the remaining Troops, or allege that at the end of nearly two years they were not prepared for this removal.

Lastly: With reference to the concluding paragraph of the Memorandum, I have to state that when charges are made against the Colonial Government or persons in authority in the Colonies, or transactions are reported in public journals which appear to call for explanation, the course pursued by the Secretary of State

has been to communicate such charges, and the sources of them, at once to the Governor for such explanation by the persons accused, or such other action as the case may require. I see no ground for altering this practice, or for considering that it is in any way open to the suggestion that it gives encouragement to secret calumny.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.

No. 59.

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

(Separate.)

SIR,—

Downing Street, 1st August, 1867.

I have received your Despatch, marked separate, of the 31st of May last, transmitting a Memorandum from your Responsible Advisers, with a copy of a Resolution passed by the House of Representatives during the last session of the General Assembly, on the subject of the establishment of Vice-Admiralty Courts in the several Provinces of New Zealand.

In my Despatch, marked separate, of the 24th of April last, I communicated to you the correspondence which had taken place between this department and the Admiralty on this subject, and forwarded to you a copy of a Bill which had been introduced into Parliament for extending and amending "The Vice-Admiralty Courts Act of 1863." That Bill is still in progress through Parliament.

I have placed your Despatch in the hands of the Lords of the Admiralty.

I have, &c.,
BUCKINGHAM AND CHANDOS.

Governor Sir George Grey, K.C.B.
