

28th March, 1864.

Rule 1.—If a person is wounded, or is taken prisoner unwounded, and the butt of the musket or hilt of the sword be turned to the captor, he will be saved.

Rule 2.—Any European soldier taken travelling unarmed, will be handed over to the directors of the law.

Rule 3.—Any soldier who retreats from fear, and escapes to the house of a minister of God, even though he escapes with his arms, will be safe; he will not be followed there.

Rule 4.—Unarmed Europeans, their women and children, will be spared.

The Last Rule.—These are binding laws for Tauranga.

The cases I have thus quoted should be contrasted with the following statements made by Colonel Weare, C.B., in January, 1866, and which were confidentially received by Her Majesty's Government in England:—

“The General has ordered no prisoners to be taken, and already the most brutal things have been done.

“I will never allow a man of my regiment to butcher a man, if it costs me my commission. I have seen young officers ready to cry, and my finest and most gallant officers are disgusted at being turned into Colonial butchers. The General told me the Colonial Government did not want the expense of prisoners.

“One man was taken alive (by the 50th) unhurt, a Pipiriki chief. The General received me very coldly on his arrival at Patea for taking this man alive after his intimation of no prisoners. However, I told him that I would not order my men to kill a man after he had thrown down his arms and surrendered. The prisoner was taken to Kakaramea (where the General encamped) on the 9th, and kept there till the 11th, on which morning the General left at 3 a.m., and, under instructions from the General, this prisoner was taken down to a gully, tied hand and foot, and there cruelly shot to death by some men of the 50th.”

“I hope the degrading and brutalizing manner in which the war is now conducted may be known in England, and the troops no longer be allowed to be demoralized by the Colonists for their sole selfishness.”

An examination of Mr. Weare's and of Colonel Weare's statements will show that evidence was offered to be furnished to the Colonial Office to prove that the order that “no prisoner is to be taken,” had ended in deliberate murders, and it appears that sad means were adopted to force unwilling officers and men, unused to such arts, to blood themselves, as it were, in acts of cruelty.

Your Lordship will also remember that when one of the Wanganui Natives, serving with Her Majesty's troops, led astray by the evil order and example given, dared to put a prisoner to death, the perpetrator of this deed was driven out of the camp the same night by the tribe to which he belonged, and was not again seen.

I am satisfied that any one who examines carefully the correspondence connected with the points I have brought under review, so far as the Colonial Office has permitted it to be made public, will admit that it clearly shows,—

That the well-disposed amongst the hostile Natives of New Zealand strove to have the war conducted upon merciful and humane principles.

That the Colonial Government, and the majority of the officers and men of Her Majesty's regular forces, also strove to have the war conducted upon principles of mercy and humanity.

That one General Officer, and some few persons following his example, determined to act on opposite principles, thereby leading a party of violence in the country. That this was secretly done, and that those guilty of these acts, secretly threw the blame of them on other persons, and that acts of great cruelty were committed by, or under the orders of, such persons.

That the Colonial Office concealed some of those acts, and facts connected with them, even from His Royal Highness the Commander-in-Chief, and from the Governor and Civil Government of the country whose authority had been set at nought, and generally by such proceedings stamped them with its approval.

The previous correspondence between your Lordship and myself on this subject fully elucidates these points.