

gave his assurance that the Governor was ready to act, and that the Council, he was sure, would not last five minutes, as the Governor would at once issue the Orders. Mr Whitaker stated that his opinion was unchanged, but that, in deference to the wishes of his colleague, he would go to the Council in order to form a quorum, but that he was not to be expected to interfere with the matter. The Council met, and Mr. Whitaker's expectations were realised.

12. *One of the districts embraced a very large extent of country.....*

This sentence is true, but it leads to a false inference. The impression created is, that this large district was to be brought under the Settlements Act in order to meet the views of Ministers. The reverse of this is the fact. The Order embraced Hangatiki, a "territory which had neither been taken possession of or occupied by our troops;" and on the proposed boundaries being shewn to Mr Whitaker he objected, and only gave way on the assurance of the Minister for Colonial Defence that it was His Excellency's express wish that Hangatiki should not be left out. Whatever may have been His Excellency's anxiety, as he states it was, to meet the views of his Responsible Advisers, the event clearly shews that that anxiety subsided before he had given any effect to it. It has been the misfortune of Ministers that His Excellency's acts have never come up to his professions in this respect. Experience has made Ministers feel that the only use made of their statements and propositions has been to find fault with and raise objections to them.

13. *Ministers then submitted to the Governor the same Regulations.*

Ministers did not submit any Regulations to the Governor on the 28th of May. The Regulations of the 17th of May had reference to the draft Order in Council of that date, and were sent to the Governor as a draft on that day to elicit his opinion, with these words written on the face of them, "Rough draft submitted for the Governor's consideration;" but His Excellency sent them back with a message that he would take no notice of them unless they were formally advised by Ministers. The above words were struck out accordingly, and the words "Advised by Ministers" substituted.

14. *Looking at the great extent of country.....*

Under the Settlements Act two Orders in Council are necessary, one declaring what shall be a rebel district, and the other taking the land for settlement. The first even did not comprise a great extent of country—not one-fifth of the land held by rebels in the country; and the land comprised in the Order in Council taking the land did not comprise sufficient land for the military settlers; and as that Act provides that no land shall be disposed of in any other way till sufficient has been set apart to fulfil all contracts with the military settlers, there was no land included in the latter Order upon which Regulations could operate, so that, as regards that Order, the Regulations, instead of being, as His Excellency says, of the utmost importance, necessarily were of no importance at all,—in fact, could not be made to apply.

15. *These Regulations appeared to the Governor to make no mention.....*

It is not possible to see what the Regulations had to do with making mention of the extent to which the forfeiture of the land was to be carried out. The Orders to be made by the Governor in Council under the 4th section of the Settlements Act were the proper documents to regulate that;

13.

Ministers then submitted to the Governor the same Regulations which they had advised him to approve of on the 17th of May.

14.

Looking to the great extent of country which the Governor by the Orders in Council he had signed had brought under the provisions of the New Zealand Settlements Act, these Regulations became a matter of the utmost importance. They purported to be Regulations for the location of Natives who had been in arms, on land to be allotted to them by the Government.

Regulation No. 4 was as follows:—Every man will have allotted to him a certain quantity of land, which will vary in size, according to circumstances, from five to one thousand acres.

15.

These Regulations appeared to the Governor to make no mention of the extent to which the forfeiture of the land of those who had been in rebellion was to be carried.