

prisoners had been confined on board this hulk since the 24th December, 1863—that is, for five months). At my request he has given me a copy of this Memorandum, which I transmit for your information.

G. GREY.

Enclosure to No. 12.

Auckland, N.Z., June 4th, 1864.

I visited the hulk “Marion,” in which the Maori prisoners are confined, on the 24th day of May, in company with Dr. Mouatt, C.B.

I was struck with the great neglect in providing any means of proper ventilation, more particularly on the lower decks, those parts of the ship which most needed strict attention to this important measure. It was impossible not to be surprised at the great want of both light and air; and on the lowermost deck perfect darkness prevailed, with the exception of an occasional glimmer through a small port; and the foulness and filthiness of the atmosphere made a most offensive impression, amounting almost to sickness, this evidently arising from organic matter given off by the respiration of numbers of individuals crowded into so insufficient a space, and the defect in cubic space not being in any way supplemented artificially by having proper inlets for fresh air and outlets for impure air. In some portions of the ship the air was quite stagnant; even the simple contrivance of windsails did not appear to be in use.

None of the prisoners had anything to lie upon save the deck of the ship; and their blankets looked very dirty and charged with organic matter emanating from the persons of the wearers—a circumstance highly injurious to health, particularly in confined places, such as the hulk is.

Many of the prisoners appeared to me much depressed and careworn, and some of them reduced in flesh and general vigour.

I believe the Maoris are, as a race, predisposed to consumption, phthisis, and other tubercular affections; and I have no hesitation in affirming that, in their present condition (as seen by me on May 24th, 1864) of neglected sanitary arrangements, shut up in a hulk, they are being placed under some of the most potent agents as favouring causes in the production of “phthisis pulmonalis,” and other allied affections, which must ultimately seriously impair their constitutions and undermine their health.

WM. A. MACKINNON,

Surgeon 57th Regt, Sanitary Officer to Troops in New Zealand.

No. 13.

Copy of a DESPATCH from His Excellency Sir G. GREY, K.C.B., to the Right Honorable

EDWARD CARDWELL, M.P.

SIR,—

Government House, Auckland, 29th September, 1864.

My Responsible Advisers have requested me to transmit for your information the enclosed *Memorandum upon my despatch to you, No. 131, of 7th September, 1864. Vide E. No. II., p. 97.

2. On the Memorandum I beg to remark that I still think that I rightly understand the instructions conveyed to me in your despatch No. 76, of the 27th June, 1864. I could not read them alone, but read them in connection with the case to which they applied, and in reference to which they were issued. I do not see that my Responsible Advisers deny that the proceedings they required me to carry out with regard to the native prisoners were illegal. They must know they were so.

3. In reference to what my Responsible Advisers have said upon my remarks upon the “Suppression of Rebellion Act,” I would observe that I found no fault with that law, but that I objected to their not having complied with its provisions as they desired to bring it into operation. I still think that the present Ministry had the “Act for the Suppression of Rebellion” passed by the local legislature, and I think that they were right in doing so. With regard to the Memorandum they have enclosed from a Member of the previous Ministry, I can only say that on that Ministry submitting different courses to me, I, to the best of my ability, gave them my opinion as to which of these courses was the best for them to follow.

4. With regard to my Responsible Advisers remarks upon my not having instituted an enquiry into the state of the native prisoners on board the Hulk, a reference to the papers on the subject will shew, that it was not until the month of May that I had such an accurate knowledge of the state of affairs on board the Hulk as would have enabled me to take action in the matter; that they withheld important knowledge from me from the 13th May to the 6th of June, when I only accidentally saw the report of the medical officer which shewed the real state of the native prisoners, and which was in contradiction to that report with which I had been furnished by my Responsible Advisers for transmission to you; that on the 4th of May I earnestly pressed that a medical board, composed of naval and military surgeons, should be appointed to enquire into the state of the prisoners, which board they would not appoint, and I fearlessly leave it to any person who will take the trouble to look into the matter to say whether my Responsible Advisers are not the persons who are really responsible for an enquiry not having taken place.

5. The moment the Principal Medical Officer in New Zealand, and the Sanitary Officer for Her Majesty's troops called on me and reported what they had seen on board the Hulk, I transmitted the substance of their statement to my Responsible Advisers. The report from the Sanitary Officer for Her Majesty's troops contains nothing but the details of the statement which he had made verbally in general terms to me in May last, and with which I instantly acquainted my Ministers.

6. In reference to the complaint that the Governor, although the Hulk lay within 500 yards of Government House, and the Governor believed all the time that atrocities were being committed there, never once during the eight months that it lay there visited it himself, although it was suggested to him on one occasion at least by the Colonial Secretary, nor once sent an authorised person to make an inspection, I beg to report that the Hulk lay about 1300 yards from Government House, and that I declined to visit it because I believed that some of the prisoners were innocent men and ought to be