

FURTHER DESPATCHES

FROM

HIS EXCELLENCY THE

GOVERNOR OF NEW ZEALAND,

TO THE

RIGHT HON. THE SECRETARY OF STATE FOR THE COLONIES.

(In continuation of Papers presented 22nd July, 1869.)

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

WELLINGTON.

—
1870.

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DESPATCHES

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

No. 1.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to His
Grace the Duke of BUCKINGHAM.

(Confidential.)

Government House, Wellington,

MY LORD DUKE,—

New Zealand, 7th December 1868.

It may probably be interesting to your Grace to read the opinion of the present condition of affairs in this Colony entertained by so able, experienced, and dispassionate a person as Sir George Arney, the present Chief Justice of New Zealand. He had lately been at Wellington, as President of the Court of Appeal, and on his return voyage to Auckland, where he generally resides, he encountered the vessel carrying some of the fugitives from the cruel massacre of English settlers perpetrated at Poverty Bay on the 10th ultimo. I enclose an extract from Sir George Arney's letter to me, to which I refer. I annex also a copy of Mr. Justice Johnston's charge to the Grand Jury at the late assizes at Wellington.

2. It will be seen that the Chief Justice sums up his opinion in the following terms:—"I will not venture to speculate on what may be done: but of this I feel convinced, that the Colony must . . . brace itself up to hold its own until the time may arrive when the Native race may feel constrained to respect us in our strength as they now despise us in our weakness. Meanwhile, I do not envy you having to take up the government of this beautiful country at precisely that period of its history when, I believe, it has been left more embarrassed in its finances, more crippled, relatively, in its power, and more exposed, from its advanced settlements and increased cultivations, to the savagery of the Maori race, than it has been left to any preceding Governor. I only hope that we may find our respite from destruction in the distracted councils and divided allegiance of the Natives, the mass of whom know full well that they have received little wrong and much good from the settlers."

3. Since the control of Native affairs, including, practically, the conduct of the present and of future Maori wars, was transferred in 1862 from the Governor to the Ministers of the Colony for the time being, a number of able public men have succeeded each other in office in New Zealand, all doubtless animated with a sincere desire to promote the welfare of their adopted country. But if the exigencies of parliamentary government have sometimes embarrassed elsewhere the conduct of even foreign wars, it will be easily understood that those exigencies have created still greater difficulties in the conduct of the internal Maori war; when, as in New Zealand, the Legislature is so equally divided between the two conflicting political parties, that neither of them can make sure of a working majority of more than two or three votes in the House of Representatives,—when almost every leading member of both Houses has a Native Policy of his own, and is swayed by various kinds of personal and local feelings and interests. Under such circumstances, as will be manifest without entering into any details, there can be but little consistency of policy or unity of action.

4. Mr. Herman Merivale, in his able and elaborate work on the Colonies,* has shown at length that even in England the establishment, definitively and on a solid basis, of any fixed system of colonial policy, "requires a degree of consistent firmness on the part of the Executive, which it is difficult to secure under constitutional government. No Colonial Minister can venture to oppose with deliberate steadiness the supporters of any prevalent and popular doctrine. . . . The consequence of these opposing political tendencies is a vacillation of purpose

* See "Colonization and Colonies," (edition, 1861). Appendix to Lecture 18, pages 513-523.

“greatly to be regretted. . . . The subject, in short, is one which has been dealt with by perpetual compromises between principle and immediate exigency. “Such compromises are incidental to constitutional government.”

5. It could easily be shown, by many illustrations, that the above-cited remarks apply with still greater force to a Colony circumstanced as New Zealand now is. To take one example: the politicians who adopted,—in some measure from party motives, and to some degree, it is said, under the influence of temporary irritation against certain military officers,—what is termed the “self-reliant policy,” have not been strong enough in the Legislature to establish a local defence force numerous or efficient enough to take the place of the Imperial Troops; hence many disasters have already ensued, and (as I reported fully in my Despatches Nos. 80 and 100,) both Houses of the Colonial Parliament have passed resolutions praying that at least one regiment may be left here on the conditions offered by the Imperial Government. It seems to be now generally admitted (as was always foreseen by many practical men here and elsewhere,) that it is chimerical to attempt to create an effective Colonial force without a nucleus of regularly trained officers and soldiers. Probably no such attempt has ever been successful in any country. The often-quoted example of the American army during the War of Independence is not really a precedent to the contrary, for Washington himself, together with General Lee, and all his best officers and soldiers, had previously served either in the British army itself, or in Colonial regiments which had been brigaded for many years with the regular troops during the French and Indian wars. Moreover, the Poles, Kosciusko and Pulaski, and a number of German officers who had studied their profession in the Seven Years War, joined the American cause; which, even with all these advantages, was well nigh desperate before the arrival of the French army under Count Rochambeau.

6. A portion of the population of the Northern Island of New Zealand, under the pressure of the long-continued Maori war and of the recent disasters, would regard with complacency the suspension of the existing constitution* in this Island, or at least a return to the system in force up to the year 1862, under which the Governor, directed by the Secretary of State for the Colonies, possessed the control of Native affairs. Former experience, however, has proved that (in the words of Mr. Merivale) “the suggestion of establishing in the same Colony responsible government for the settlers, and a separate administration of Native affairs under the Imperial authorities, is unpractical. There cannot be two Governments in the same community: certainly not, unless some mode can be devised of having two public purses.”

7. It has often been observed that the immediate causes of the Indian rebellion of 1857-8 were mainly—

- (A.) Religious and national fanaticism.
- (B.) The recent reduction in the number of the English Troops employed in India.

(C.) The annexation of the entire territories of the King of Oude. So the main causes of the long continuance of the Maori war, which has now raged in New Zealand, with some periods of intermission, ever since 1860, are generally believed to be:—

- (a.) The outbreak of the Hauhau fanaticism in connection with the national or (as it is termed) the “Native King movement.”
- (b.) The removal of the English regiments before any tender of submission was made by, or any peace was ratified with, the Maori King, and the tribes which adhere to him.
- (c.) The confiscation of a small portion† of the territories of the rebel Natives.

8. With regard to the first of these three causes, it may be observed that the religious and national fanaticism of the Hauhaus is analogous to the periodical outbreaks of a similar nature among the Malays (who are probably of kindred

* A prominent member of the New Zealand Parliament lately exclaimed, “What an absurdity it was to set up the British Constitution in a country where all the landed gentry are savages, and, for the most part, hereditary or relapsed cannibals.” The suspension of the constitution in the North Island has been publicly advocated of late by, among others, Sir David Monro, the Speaker of the House of Representatives.

† See the map transmitted with my Despatch, No. 22, of 17th March, 1868.

race with the Maoris,) and among the Hindoos and Mussulmans of India. It may not be altogether impertinent to mention that the "lily" fills the same place in the mysterious proclamations of the Maori King, as the "lotus" filled in the missives of some of the native princes in Hindostan.

9. With regard to the second of the causes mentioned above, it is often a matter of surprise, both here and in England, that two experienced Generals, successively at the head of nearly 10,000 regular soldiers and 5,000 of the Colonial Militia, and with all the means and appliances of modern warfare, should not have succeeded in subduing King Tawhiao and his adherents, who are believed to have never brought into the field 2,000 fighting men at the same time. But it should be recollected that, in the opinion of all competent judges, New Zealand presents as difficult obstacles as Abyssinia to an invading army attempting to penetrate the mountains and forests of the interior, while the Maoris are, beyond all comparison, more formidable enemies than the Abyssinians. It has often been observed that the British army did not lose a single man even at the capture of the Royal Fortress of Magdala, whereas the loss of the regular troops and of the Naval Brigade has been heavy before every Maori village and earthwork; while at the Gate Pa, near Tauranga, in 1864, the 43rd Regiment appears to have lost more officers than any single regiment lost at Waterloo. In a word, it seems to be very generally agreed that the conquest of King Tawhiao and the Hauhaus would have been a much greater military feat than the conquest of King Theodore and the Abyssinians.

10. Few will probably be found to advocate another aggressive war in the interior of New Zealand. It is generally felt that we must content ourselves with protecting our existing settlements, and punishing the cruel outrages and massacres recently perpetrated. For these purposes, as also to prevent the horrors of a war of race and extermination between the Colonists and the Maoris, to serve as a nucleus for the Colonial Forces, and to maintain in the eyes of the Natives the prestige of the Queen's name and of Imperial power and authority, a garrison of Her Majesty's Troops is of proved value. As I reported in my Despatch No. 49, of 30th June ultimo, "The Arawas and the other tribes that have fought gallantly and suffered much for the Crown, are disposed to regard the entire removal of the Queen's Troops with alarm and dissatisfaction, as a sign that they can expect henceforward little moral or physical support against their hostile countrymen; and that (in their own phrase) 'the Queen is *riri* (*i.e.*, angry) with the Pakehas'; in other words, that the Imperial authorities are displeased with the Colonists. It has been represented, in short, that the loyal clans in New Zealand at the present day would view the entire withdrawal of the Imperial Troops with feelings similar to those with which the Hanoverian clans in Scotland 150 years ago, while exposed to the vengeance of their Jacobite neighbours, would have regarded the removal of the English garrisons from Inverness, Fort William, and Stirling." On my recent visit to the Wanganui tribe, and on many other occasions, I have had personal experience of the truth of the above remarks. Several chiefs have addressed me to this effect: "O Governor, you call upon us to fight once more for the Queen and the law. We have so fought during the last eight years, losing many of our bravest chiefs and warriors, who have fallen for the Queen in battle against our own countrymen. But hitherto we have fought by the side of the Queen's Troops. Now, to our surprise and dismay, we find that the Queen's Troops are forbidden to go forth to fight with us; and we have learned that the few English soldiers still left in the towns will shortly be withdrawn altogether. The enemies of the Queen have written to us, saying, 'Stand aside, our quarrel is not with you, who are of the same race and lineage with ourselves; our quarrel is only with the Pakehas; leave us to drive the Pakehas into the sea.' It seems to us, the Queen's Maoris, that we shall be abandoned to the vengeance of the Queen's enemies. O Governor! why is this? Why do not the Queen's soldiers now, as heretofore, help us to fight for the Queen's authority and her laws? O Father! our hearts are dark, and our eyes are misty; we do not understand the mind of the Queen and of her officers."

11. Of all the painful feelings excited by the present condition of New Zealand, perhaps the most painful is connected with the effect produced on the

minds of the loyal Natives by the official announcement, in the midst of the most dangerous crisis that has ever occurred in the history of this community, to the effect that the last British soldier will be removed in next February from New Zealand. It is of course impossible to explain to the Maoris the grounds of the complete change which has taken place of late years in the views of the Imperial Government with regard to the military protection of the Dependencies of the Crown, or the mixed motives which induced one of the conflicting parties in the New Zealand Legislature to advocate the so-called "self-reliant policy," without taking any steps to create a permanent or effective defence force.

12. It is earnestly hoped and believed here, now that the Colonial Parliament has signified its compliance with the conditions offered, that the Imperial Government will not insist on the immediate withdrawal of the single regiment which still garrisons (besides Auckland) the towns of Taranaki, Wanganui, and Napier, that is, the chief centres of European population in the districts where the present rebellion is raging. The recent massacre of the English settlers at Poverty Bay* was accompanied with atrocities as dreadful as any perpetrated during the great rebellion in India. The Colonial Government is making every possible exertion to raise, throughout New Zealand and also in Australia, recruits for the permanent force which it maintains in the field; while almost every adult male resident in the disturbed districts is enrolled in the Militia or Volunteer corps. Still it is often urged that raw levies, if deprived of a nucleus of regular troops, are sometimes liable to sudden panics, and that the garrison of Lucknow, and of the other places in which our countrymen held out so heroically in India, were composed mainly of trained soldiers. In short, many competent judges believe that the entire withdrawal of the Queen's Troops from New Zealand at the present crisis, may lead probably to a general rising of the disaffected Natives throughout this Island, and possibly to tragedies as dreadful as those of Delhi and Cawnpore.

13. If any disaster of this nature should ensue, I am confident that your Grace will acquit me of all blame for want of foresight; for it will be remembered that I have repeatedly, in my official and confidential communications to the Colonial Office, respectfully but earnestly solicited attention to this question, showing that the Colonial Parliament and the practical men of all parties in the North Island are now convinced that it would be as dangerous to remove every British soldier from New Zealand in 1868, as it would have been to have removed every British soldier from Scotland in 1715 or 1745, from Ireland in 1798, or from British India in 1857. The impression made on the minds of the rebel Maoris by the announcement of the proposed immediate withdrawal of the English Troops from New Zealand, soon after the massacre at Poverty Bay, is naturally similar to the impression which would have been made on the minds of Nana Sahib and the Sepoy mutineers by an announcement of the immediate withdrawal of the English Troops from India soon after the massacre at Cawnpore.

14. It may appear strange to superficial or ill-informed observers that the English settlers in the North Island are unable of themselves to subdue the Maoris, seeing that their numbers are as two to one—about 80,000 Colonists to 40,000 Maoris. But it will be remembered that the Maoris were not subjugated during the years when an English Army of nearly ten thousand (10,000) regular soldiers, in addition to the Colonial Forces, was employed in this Island. Moreover, the great majority of the settlers in New Zealand are emigrants from the labouring classes in England, and had probably never carried arms of any kind until they found themselves enrolled in the Colonial Militia. On the other hand, every Maori is a born soldier; strong, fleet, and intrepid: accustomed from his infancy to the use of weapons and to the sight of blood, and trained to great skill in bush fighting by the guerilla warfare of the last eight years. Again, the Colonists occupy settlements placed chiefly along and near the sea shore. They occupy, as it were, the circumference of a circle, whereas the Maoris are entrenched in the almost impenetrable mountains and forests of the centre, whence they can send forth forays in every direction. It will be further recollected that, in 1745, 4,000 Highlanders easily conquered all Scotland, except the few fortified posts garrisoned by English

* See Governor's Despatch of 7th December, 1868, No. 125.

Troops, although the Lowlanders were infinitely more numerous in comparison to the Celts than the British Colonists in New Zealand are in comparison to the Maoris; and though the Lowlanders were animated against their assailants by the animosities which spring from differences of race, language, and religion. In short, it is not to be denied that if the small British garrisons which now hold some of the towns, and thus leave the Colonial Forces free to cope with the insurgent Natives in the open field, are withdrawn, the main hope, under Providence, of the Colonists in the North Island must lie in the hereditary feuds which have hitherto prevented the Maoris, like other races living under the tribal system, from acting together against the authority of the Queen. If the entire Maori people were to unite against us now, we could probably hold only the towns of Auckland and Wellington. So, British authority would have been practically annihilated if the British Troops had been removed from Scotland during the rebellions of 1715 and 1745, and if the Hanoverian had joined the Jacobite clans. So, too, the English would have been driven out of all India (except, perhaps, the Presidency cities,) in 1857, if the European army had been withdrawn, and if the Sikhs, together with the Nizam and the other loyal native princes, had joined the Sepoy mutineers. The Bishop of Lichfield (Dr. Selwyn) has remarked on more than one public occasion that there is, in the present condition of this Colony, nothing which is new to the student of the history of other countries where formidable aborigines had recently been brought into contact with alien invaders or settlers. The social state of the Maori districts of New Zealand at the present day is analogous to that of the Celtic districts of Ireland down to the reign of George I., and of the Celtic districts of Scotland down to the reign of George III. In fact, it has often been observed with truth that those who wish to understand the present condition of the Maoris, should read with care the description of the Scotch Highlanders at the end of the 17th century, as contained in the 13th chapter of Lord Macaulay's "History of England."* In my Despatch No. 116, by this mail, I attempted a description of my visit to the Maori camp near Wanganui on the 17th ultimo, but I should have drawn a much fuller and more vivid picture of what I saw there, and especially of the meeting between Colonel Whitmore and the Maori chiefs, if I had simply quoted the following passage describing the Highlanders under Dundee:—"All that was left to the Commander under whom these " potentates (the Highland chiefs) condescended to serve, was to argue with them, to " supplicate them, to flatter them, to bribe them; and it was only during a short " time that any human skill could preserve harmony by these means, for every chief " thought himself entitled to peculiar observance, and it was therefore impossible to " pay marked court to any one without disobliging the rest. The General found " himself merely the president of a congress of petty kings. He was perpetually " called upon to hear and to compose disputes about pedigrees, about precedence, " about the division of spoil. His decision, be it what it might, must offend some- " body. At any moment he might hear that his right wing had fired on his centre " in pursuance of some quarrel two hundred years old; or that a whole battalion " had marched back to its native glen because another battalion had been put in " the post of honor. A Highland bard might easily have found, in the history of " the year 1689, subjects very similar to those with which the war of Troy furnished " the great poets of antiquity. One day Achilles is sullen, keeps his tent, and " announces his intention to depart with all his men. The next day Ajax is storm- " ing about the camp, and threatening to cut the throat of Ulysses."

15. It was remarked above that, in the same sense in which the annexation of the entire territories of the King of Oude was one of the causes which led to the Indian rebellion of 1857, so the confiscation of a small portion of the land of the rebel Maoris may have been one of the causes of the continuance of the Maori war, which has now raged in New Zealand, with little intermission, since 1860. The map which I transmitted with my Despatch No. 22, of 17th March ultimo, will show that the confiscated land embraces but a small part of the surface of the North Island. Much of it, moreover, has been already restored. It appears to be admitted on all sides that forfeiture of land was a just punishment for rebellion, accompanied with cruel murders and

other horrible outrages, and that it was also a punishment in accordance with Maori usage, as well as with the laws of civilized nations. But it also seems to be now generally admitted that it was imprudent at the present time to occupy with settlers distant and isolated positions, such as, for example, Patea on the West, and Opotiki on the East Coast; both those districts being in the immediate neighbourhood of the most hostile tribes, and of the most impenetrable mountains and forests. In fact, what the Secretary of State for the Colonies (Mr. Cardwell) foretold in his Despatch No. 54, of 26th April, 1866, to my predecessor, Sir G. Grey, has now come to pass. Mr. Cardwell then pointed out that “if the proposed new settlements were too far advanced beyond the country already occupied, it might prove impossible to abandon them without discredit, or to protect them without disproportionate expense.” On the whole, I am disposed to concur with those who argue that the military settlements ought to have been placed mainly, if not solely, on the open and easily defensible Waikato plain, and to have been protected by a line of posts drawn across the North Island (advantage being taken of the nature of the ground) from the sea at Aotea, or Whaingaroa, on the West Coast, to the sea at Tauranga, on the East Coast. A frontier might thus have been secured analogous to the old Roman frontier between the Friths of Forth and Clyde.

16. It is believed that in this, and in my previous Despatches on the same subject, I have given a full and accurate account of the present condition of this Colony. It remains for me to suggest what should be done at this crisis, the most dangerous which has hitherto occurred (as the Chief Justice has observed) in the history of New Zealand.

17. It is universally hoped that the battalion of Imperial Troops which still garrisons four of the main centres of population (Auckland, Taranaki, Wanganui, and Napier,) will be left here, in accordance with the earnest desire of the New Zealand Parliament, on the terms offered by the Imperial Government, and under the circumstances stated in my Despatches Nos. 80 and 100. It will be recollected that New Zealand alone is paying for Native purposes, defence, and the interest of the war loan of three millions sterling (£3,000,000) nearly four hundred thousand pounds (£400,000) annually, that is, far more than the aggregate payments for similar purposes of all the Australian Colonies put together; and that these burdens render necessary taxes at the rate of £6 5s. per head of the population; double the rate in the United Kingdom. It is trusted that one battalion will be left as some equivalent for this expenditure. But that battalion (the 2nd, 18th Royal Irish) numbers barely 750 effective officers and men, whereas there is good reason to believe that there are now as many Maoris in arms against the Crown as there ever were while there were 10,000 regular soldiers in the Colony; and the Government has received repeated warnings that the Maori King will, sooner or later, give the signal for a general rising of the hostile tribes, and a general massacre of the Colonists. With the utmost efforts that can be used, my Responsible Advisers appear to be unable to raise in New Zealand a permanent force of above 1,000 really effective men, in addition to the Militia and Volunteers, who are practically available only for the defence of their respective districts. Each private in the permanent force is paid 5s. per diem, and with his rations, clothing, arms, &c., costs the Colony at least £150 per annum.

18. The settlers in the disturbed districts of the North Island are all but unanimous in desiring the help of at least one more regiment from Australia, whence aid was procured on several previous occasions. It appears to be generally agreed that if a second regiment is sent here, it is just that New Zealand should be called upon to pay for it on the same scale as that fixed for the Australian Colonies, *i.e.*, £40 per annum for every officer and man. It is stated that the earnest and thorough-going advocates of what is termed “the self-reliant policy,” are now almost entirely confined to the South Island, where there are hardly any Maoris, and where life and property are perfectly secure. Looking to the tenour of the Despatches from home respecting the Queen’s Troops in this Colony, and to other considerations, the present Ministers are unwilling, except in case of dire necessity, to apply for any extraneous assistance beyond that which can be afforded by Her Majesty’s ships on this station, and by the single battalion of regular

soldiers which the Imperial Government offered to maintain here on the conditions now accepted by the Colonial Government and Legislature.* But my Responsible Advisers concur in the hope (as will be seen from my Despatch No. 125, of even date herewith,) that immediate instructions will be sent to General Chute, authorizing him to detain and send to New Zealand the regiment which is shortly to be removed from Australia, or such other of the troops under his command as can best be spared, in case the Governor of this Colony should send a requisition for them. No such application will be made except in the event of a general rising of the Maoris, or of some other imminent danger threatening the lives of a large portion of Her Majesty's subjects in this Colony. It is submitted that any such additional troops, if paid for by New Zealand at the rate paid in Australia, should be stationed and employed here, as in the other provinces of the British Empire, in accordance with the rules prescribed in the Queen's Colonial Regulations.

*See Sir G. F. Bowen's Despatch No. 100, October 8, 1868.

19. I am strongly inclined to agree with those who, from their long experience of the Native character, believe that if the same number of Imperial Troops, in addition to the Colonial Forces, were maintained in New Zealand for the next few years as was maintained here from 1846 to about 1860, during the interval between the first and second Maori wars, that is, two battalions of the line, and if no further attempt were made to occupy lands in distant and isolated positions, or in the immediate neighbourhood of hostile tribes, this Colony would probably enjoy permanent peace and security. It will be remembered that the Native race is rapidly diminishing, while the Europeans are as rapidly increasing in numbers. In 1848, only twenty years ago, the Maoris in the North Island exceeded 100,000; while now, in 1868, they are under 40,000. Consequently, the Maori difficulty is a question of time,—probably of the next ten years. During that period, every effort should be made to push roads into the interior. Experience has amply shown that the best weapons for the conquest of the Highlands of New Zealand in the 19th, as of the Highlands of Scotland in the 18th century, are the spade and the pickaxe.

20. Further, as I observed in my Despatch No. 49, of the 30th June ultimo, "it appears to be very generally agreed that, since the authority of the Crown and of the law was not established throughout the interior of this country while there was an English army of above 10,000 men in New Zealand, the attitude of the Colonial authorities towards Tawhiao and his adherents must and ought to be, in the main, defensive; that it is at once more politic and more humane to outlive the King movement than to endeavour to suppress it by the strong hand; that the turbulent Natives should receive every encouragement to live peaceably, but that murderous onslaughts, whether on the Europeans or on the friendly Maoris, should be punished with the rigour necessary to prevent a recurrence of unprovoked aggressions. . . . Many of the leading politicians of New Zealand are convinced that the King movement in its early stages might have been made an instrument for elevating the Native race, by the introduction of institutions subordinate to and in harmony with the European Government of the Colony.' It has been suggested that a native province might have been created, to be ruled, like the territories of the semi-independent rajahs in India, nominally by a great Maori Chief, but really by the advice and influence of a British Resident or Commissioner." Many now think that the opportunity for any arrangement of this kind has been lost. Still King Tawhiao has played so moderate a part for some years past, that it may be worth while to make the attempt, especially as it is clear that his conquest by force of arms is impracticable.

21. I will conclude by summing up my practical suggestions with the expression of a strong conviction that permanent peace and security may be restored to New Zealand by adopting the following measures:—

- (a.) The presence, in addition to the Colonial Forces, of a garrison of two battalions of the line, to be maintained on conditions equitable to the Mother Country and to the Colony.
- (b.) The prohibition of fresh settlements in exposed and dangerous districts.

(c.) A peaceful arrangement, not inconsistent with the suzerainty of the Queen, with the chosen chief of the Maoris.

I have, &c.,

His Grace the Duke of Buckingham and Chandos.

G. F. BOWEN.

Enclosure 1 in No. 1.

Sir G. ARNEY to the GOVERNOR of NEW ZEALAND.

MY DEAR GOVERNOR,—

Auckland, 16th November, 1868.

I hope that I am not addressing you too familiarly thus, for indeed my intention is to use a term of loyalty to "my Governor," and not to presume upon the kindness which you have so lately extended to me at Wellington; but at any rate and risk I cannot forbear from offering you my sympathy on the sad intelligence, which I know will have caused you much sorrow, from Poverty Bay, while it will have filled you with anxiety for the future.

It is singular, and now marks your conversations with me as prophetic; I mean how you expressed, earnestly and repeatedly, to myself, your fears for outlying settlements, and your wishes that from some at least of them the scant population of Europeans should for a time retire, and come into those points of concentration at which redoubts might exist, and themselves be protected; and I think you especially named places along the East Coast whence the disastrous news has come. But, certainly, I little dreamed that I should so soon meet the schooner on the waters of Hawke's Bay, which spoke and boarded us on Wednesday last, with her freight of helpless women and children, to realize your worst apprehensions. It was a sight I shall not soon forget. All nature seemed so fresh and fair, sea and sky, and those noble mountain ranges that encircled the Bay at our back, but before us the small schooner's deck, crowded by those poor wan-visaged outcasts from Maori savagedom.

I will not venture to speculate on what may be done. But of this I feel convinced, that the Colony must brace itself up to hold its own until the time may arrive when the Native race may feel constrained to respect us in our strength, as they now despise us in our weakness. Meanwhile I do not envy you, having to take up the government of this beautiful country at precisely that period of its history when I believe it has been left more embarrassed in its finances, more crippled, relatively, in its power, and more exposed from its advanced settlements and increased cultivations to the savagery of the Maori race, than it ever has been left to any preceding Governor; I only hope that we may find our respite from destruction in the distracted councils and divided allegiance of the Natives, the mass of whom know full well that they have received little wrong and much good from the settlers.

You received the sad account of Poverty Bay by telegram (I presume) on Wednesday evening; I wonder if it arrested you from your visit to Wanganui projected for the next day.

It was well I did not venture to attend upon you thither. For on arrival here upon Friday morning I found my Court fixed "In Bankruptcy" for that same morning, and held the sittings at once, and in Chambers afterwards.

I have, &c.,

His Excellency Governor Sir G. F. Bowen, &c.

G. A. ARNEY.

Enclosure 2 in No. 1.

His Honor Mr. Justice JOHNSTON's Charge to the Grand Jury at Wellington.

THE JUDGE'S CHARGE.

His Honor then addressed the Grand Jury as follows:—

MR. FOREMAN AND GENTLEMEN OF THE GRAND JURY,—

It is usual, as you are aware, for judges, in addressing Grand Juries, to advert to the state and condition of the district for which they are acting, in respect of the maintenance of law and order; and although we are, fortunately, able to assemble together to-day in this place in the usual state of tranquillity, and, undisturbed by any immediate fears for ourselves, to assist in the calm administration of public justice, it would be but a stupid affectation in us to ignore what is passing around us, the imminent danger or too well-grounded apprehensions of many of our fellow colonists, the occurrences, unsurpassed for atrocity in the history of the world, which have recently taken place at no great distance from us, and the grave and critical emergency which the Colony is at this moment called upon to meet.

We see around us rebellion and anarchy, rapine and murder, in their foulest and most hideous forms, as developed by an organized fanaticism, devastating our borders, turning the garden into a wilderness, and with indiscriminate and inhuman ruthlessness sacrificing at once the brave man, the devoted woman, and the helpless babe in their demoniacal orgies.

The times are such that in addition to the duties which we are now called upon to perform in the serene and passionless atmosphere of the temple of justice, there are others, not less important, though fortunately extraordinary duties, for the performance of which, in a very different arena, it behoves us to prepare and nerve ourselves without delay.

Boasting, as we do with reason, of free and liberal political institutions, we shall, at so critical a conjuncture as that which is now imminent, be called upon to give practical proof that we are fit for such institutions, and they for us; to show, by the careful formation and emphatic assertion of public opinion, and by the cheerful and manly contribution of our individual personal exertions towards the common weal in its hour of need, that we are no unworthy descendants from those patriots whose wisdom and valour, in the course of generations, raised our mother land to so high an eminence among the peoples of the earth, and made her little islands of the Northern Sea the last safe refuge of the outraged liberties of the world.

The task which the Government and the people of the Colony are now called upon to perform is, doubtless, an arduous and critical, though a noble one, and one of nearly unparalleled difficulty; for a single false step might lead to irretrievable consequences. Unless at such a time there exist sympathy and harmony in feeling, principle, and design between the governing and the governed, there can be no safe augury of real and permanent success.

O that the spirit of true wisdom, therefore, may descend both on the people and its rulers, that all class and party prejudices, all personal jealousies and grudges, may be banished from their hearts and minds! that they may, in common, schooling themselves to humility and self-distrust, seek for and adopt the wisest counsels (whether agreeable to their prejudices or not), and be guided by the good Providence of God, to act with forethought and vigour, with firmness and forbearance, so that their efforts may deserve and be crowned by success, and the peace of the land may ere long be established on the surest and broadest foundations!

One word I would add, prompted by my own recent personal observation in another Province. If it be true that the atrocities and horrors, the recitals of which have but lately made our blood run cold, have been perpetrated by fanatics of the aboriginal race of this country, it is not less true, and I trust it will never be forgotten, that we owe very much in our present emergency, as in respect of former difficulties, to the assistance of other portions of the same race.

When, at the moment of our deep humiliation, discomfiture, and dismay, we were looking around us, almost in vain, for present help from our own people, I witnessed the prompt, zealous, and gallant manner in which the friendly Natives of the neighbourhood, leaving behind them their families and possessions, and abandoning the profitable employment of the shearing floor, and overlooking annoyances which had but recently galled them, flocked to the port to embark for the scene of action, to assist in defending our countrymen against their murderous foes, and in cutting short the career of those inhuman fiends. When I hear how vigorously they have since acted on our behalf, and when I am informed that the recent conduct of the fanatics appears, in the estimation of many of the Maori people, a scandal to their race, I cannot help fervently hoping, and emphatically expressing the hope, that the European colonists and their rulers will always appreciate and honour the services of our Native friends, and abstain from any such course of action as might seem a justification for their hostility or defection.

Gentlemen, I most sincerely trust that ere I have occasion again to address a Grand Jury in this place, the Government of the country, backed by the opinion of the people, will have devised and brought into operation reasonable means for restoring tranquillity throughout the Island; and that the disturbers of its peace will have practically learned that though we may, for want of due preparation, have been comparatively powerless and helpless for a time, we shall not long permit such a state of things to continue; and that, at all events, there is a power behind us never unprepared, which once invoked and evoked in our emergency, will be both willing and able to tread out the last smouldering embers of fanatical rebellion and crime, even here amongst the most distant of all its countless subjects.

No. 2.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 68.)
MY LORD,—

Government House, Wellington,
New Zealand, 18th June, 1869.

In continuation of my Despatch No. 65, of the 5th instant, I have the honor to report that, as I felt unwilling to be absent from the Seat of Government during the Session of the Colonial Parliament for a single day more than was absolutely necessary, and as I found that there would not be a steamer from the Manukau Harbour for another week, I abandoned, for the present, my proposed visit to Taranaki and the West Coast of this Island, and returned to Wellington by the East Coast. I landed here yesterday, the 17th instant, after a very stormy and protracted voyage of five days from Auckland.

Vide Journals of the House of Representatives, 1869, p. 8, and Journals of the Legislative Council, p. 4.

2. I have already transmitted copies of the Speech delivered at the opening of the Legislature on the 1st instant, and I now forward copies of the Addresses in reply which were presented to me on this day by the Legislative Council and by the House of Representatives respectively.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 3.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 72.)
MY LORD,—

Government House, Wellington,
New Zealand, 23rd June, 1869.

In addition to the Statistical Returns transmitted with my Despatch No. 39, of the 25th March last, I have now the honor to forward six copies of the *New Zealand Gazette* (No. 28, of the 31st May ultimo,) containing a Report and Tables relative to the Agricultural Statistics of this Colony in February, 1869. These documents will be found to contain much interesting and important information.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 4.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 73.)
MY LORD,—

Government House, Wellington,
New Zealand, 24th June, 1869.

I am requested by my Responsible Advisers to solicit the early and favourable consideration of Her Majesty's Government for the letter addressed to your predecessor, the Duke of Buckingham, on the 8th June, 1868, by Mr. Fitzherbert, lately the Agent of this Colony in England, concerning the position of the Governor and of the Colonial Ministers, in Colonies governed constitutionally, with regard to disturbances under the existing law, and especially with reference to the Acts of the Imperial Parliament, 11 and 12 William III., cap. 12, and 42 George III., cap. 85.

2. The case is clearly stated in Mr. Fitzherbert's letter, to which Sir F. Rogers replied on the 20th June, 1868, to the effect that he was desired "to state that the subject shall receive consideration."

3. I enclose a printed copy of this correspondence, which has been presented by the Colonial Government to the New Zealand Parliament; also a copy of the opinion on the case given by Mr. Prendergast, the Attorney-General of the Colony. I have, moreover, been requested to transmit a copy of the charge (referring in pointed terms to this subject,) which was recently delivered by Mr. Justice Richmond to the Grand Jury at Nelson.

4. Mr. Stafford and his colleagues entirely agree with Mr. Fitzherbert in the opinions which he expressed in his letter to the Duke of Buckingham.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

P.S.—July 2.—Since the above Despatch was written, a change of Ministry has taken place; but Mr. Fox and his colleagues request me to state that they entirely concur with their predecessors respecting the questions mooted by Mr.

Fitzherbert, and the anomaly of the present position of the Governor and Ministers of a Colony possessing Parliamentary Government, under the circumstances referred to.

G. F. B.

P.S.—July 6.—I annex a further opinion, given on the 30th June ultimo, on the subject of this Despatch, by Mr. Prendergast, the Attorney-General of New Zealand.

G. F. B.

Enclosure 1 in No. 4.

The Hon. W. FITZHERBERT to His Grace the Duke of BUCKINGHAM.

MY LORD DUKE,—

21, Cockspur Street, S.W., 8th June, 1868.

I have the honor to draw your Grace's attention to the recent proceedings against Governor Eyre, and to the principles laid down in that case as affecting the Colonies generally, and more particularly the Colony of New Zealand.

In that Colony, as your Grace is aware, there has been for a long time, and still is, a state of disturbance. Martial law has been from time to time proclaimed, and under it many acts have been done, and no doubt are doing at the present time, in excess of the ordinary authority of law.

The Colonists have consented, with the sanction of the Imperial authorities, to assume the risk and responsibility of their own internal defence. Responsible Government has been established, and the Governor, in accordance with the directions of the Imperial Government, acts in all matters under the advice of his Responsible Ministers. Bills of Indemnity have been from time to time passed by the Colonial Legislature.

The proceedings, however, to which I have referred, disclose a state of risk affecting all persons in authority in Colonies circumstanced like New Zealand, from the Governor downwards, against which I respectfully submit that Her Majesty's Government is imperatively bound to protect them.

It is true that in Governor Eyre's case the proceedings have led to no result, Grand Juries having ignored the indictments preferred against him; but although it has been held that the circumstances did not, in the opinion of the Grand Jury, justify the prosecution, the party accused has been arraigned before a Criminal Court, at the suit of private individuals, and subjected to great anxiety, and no doubt to severe pecuniary loss.

I venture, very respectfully, to submit to your Grace that the Acts under which prosecutions of this nature may be instituted—viz., the Act of the 11th and 12th Wm. III., c. 12., and the 42nd Geo. III., c. 85—should be altered to the following effect:—

1. That in the case of all Colonies in which Responsible Government is established, a Colonial Governor shall not be held to incur personal responsibility in respect of any act done by him under the advice of his Responsible Ministers, who shall be alone held responsible.

2. That in all cases in which an Act of Indemnity shall have been passed by the Representative Legislature of a Colony and not disallowed by Her Majesty, such Act of Indemnity shall be a bar to all proceedings in the ordinary Courts of Law—saving to the House of Commons and the Imperial Parliament the right of impeachment.

The importance of the question must be my excuse for bringing it under the notice of your Grace; for I cannot but think that, unless some protection of the kind suggested is afforded to Colonial Governors and persons in authority in distant dependencies of the Crown, it will be impossible for any one safely to undertake the risk and responsibility of government in those places.

I have, &c.,

The Right Hon. the Duke of Buckingham and Chandos,
Secretary of State for the Colonies.

WILLIAM FITZHERBERT.

Enclosure 2 in No. 4.

OPINION by the ATTORNEY-GENERAL of NEW ZEALAND.

I HAVE considered the subject referred to in the letter of the Hon. William Fitzherbert to His Grace the Duke of Buckingham and Chandos, dated 8th June, 1868.

I am of opinion that if the Colonial Legislature, by Act, authorizes the Governor or any officer or other person to adopt any measures for suppression of rebellion or other disturbances, no Court of Law in Great Britain could adjudge any act done under such authority to be a crime. The Legislature of New Zealand may also, after unauthorized and illegal acts have been done in suppression of rebellion, by Act, indemnify or pardon the person so acting on account of and for such acts, and I am of opinion that such an Act, if not disallowed by the Queen, would be pleadable in all Courts in England, and be a discharge there as well as here. Some doubt has, I am aware, been expressed whether a Colonial Indemnity Act has that effect: but though the Crown can pardon without Act, it may also do the same thing by concurring with the Legislature in an Act of Indemnity. I cannot, therefore, appreciate the objection made to such legislation.

The question really under discussion is, whether a Governor of a Colony having a Representative Legislature and what is called a "Responsible Government," ought to be himself liable for any illegal acts done in his name and by his order, acting under the advice of his Ministers? The question is one of policy, and it therefore does not become me to make any remark on the matter further than that it seems to me, as the law stands, the existence of Responsible Government in a Colony, and the fact that the Governor of such Colony in any particular matter may have acted on the advice of his Ministers, would not exonerate him from the consequences of any act done by his orders, and I think that if such an act would amount to a criminal offence, if done without advice of Ministers, it would also be no less criminal if done upon such advice.

Enclosure 3 in No. 4.

CHARGE of His Honor Mr. JUSTICE RICHMOND to the Grand Jury at Nelson, 1st March, 1869.

HIS HONOR, in his charge to the Grand Jury, congratulated them on the fact that the cases to be brought before them were few in number and of an insignificant nature, there being but a single charge of violence to the person, and the others consisted of four minor cases, including larceny and embezzlement, and housebreaking by day. No district was in a state of more profound tranquillity than the district of Nelson, where the most perfect security as to person and property prevailed, as much as in any part of Her Majesty's dominions. This offered a marked and painful contrast to the position of settlers in the North Island. When last he addressed the Jury on an occasion like the present, he adverted to the state of affairs in the North Island, but he must say that the prospect of things was rather worse now than then,—worse now than ever he had seen it. It occurred strongly to his mind, and he had no doubt it would impress itself upon the minds of the gentlemen of the Jury, that provisions of the law for the administration of justice are not applicable to such a state of things as now exists in some districts of the North Island. When a country had to do with a savage foe, which respects neither age nor sex, the ordinary criminal law was inadequate to deal with the occasion. But the power of colonial legislation to deal with a difficulty thus arising had been called in question in the Mother Country. There was a case before the Queen's Bench, arising out of the Jamaica insurrection, in which the validity of the Indemnity Act passed by the Colonial Legislature of Jamaica had been called in question. It was denied that a Colonial Indemnity Act was available in the Mother Country. This was a case which greatly concerned New Zealand. It was probable that the Court of Queen's Bench may by this time have decided that the Indemnity Act of Jamaica was invalid; at least from the strong opinion given expression to on the case by the Lord Chief Justice—an opinion, however, expressed by his Lordship before hearing the argument in favour of the Act—he gathered that the judgment would probably be that no power existed in the Colonial Legislature to pass Acts of Indemnity for action taken prior to the passing of such Acts. Not that it would be held that the Colonial Legislatures had not power to make certain laws which should operate in the future and be prospective, but that they had not power to pass Acts having a retrospective effect. It was a question of great importance, and one touching the future action of the Supreme Court of the Colony. If the news was true that he (the Judge) had heard that morning [respecting the removal of all the British Troops from New Zealand], there would be devolved upon this Colony the responsibilities of an independent State. But if we are to have the responsibilities, we must be allowed the powers of an independent State. We must be allowed to meet the urgent necessities of our position by such measures as we may here deem expedient and just. He could not doubt that English statesmen would see the fairness of such a demand. He mentioned this subject because at any moment this Court might be called upon to apply to cases—civil or criminal, arising out of the insurrection, and the measures taken to suppress it—principles and modes of procedure which everybody here must see to be quite inapplicable to such a state of things. It was possible that by the Colonial Legislature some prospective provisions might be made to meet the exigency of the case. But at all events, in the position now assumed towards us by the Mother Country, it was manifestly fair that Imperial legislation should, if necessary, remove all doubts as to the power of the Colony to grant indemnity for acts *bonâ fide* done under proper authority to suppress insurrection. The subject is one which might tempt to further observation; but the Judges of this Court, whose duty it was to restrain within the proper limits of their functions every other officer in the State, should be specially careful themselves to observe those limits. He would, therefore, without further comment on events and transactions which were moving us all deeply, dismiss the Grand Jury to the proper business of the day.

Enclosure 4 in No. 4.

FURTHER OPINION by the ATTORNEY-GENERAL of NEW ZEALAND.

SINCE I wrote the opinion annexed (October 29, 1868), not only the validity but the effect of Colonial Acts of Indemnity have been under the consideration of the Courts of Law in England. It has been decided that such Acts are valid, and moreover that they are as effectual in England as in the Colony by the Legislature of which they have been passed.

The responsibility of a Governor of a Colony for acts in suppressing rebellion or other disturbances, has also been the subject of a charge to a Grand Jury by one of the Judges of the Court of Queen's Bench in England, and has also been the subject of remark by the Lord Chief Justice. Governor Eyre was indicted for misdemeanour under the English Act enabling Governors of Colonies to be tried for great crimes and misdemeanours committed in the Colonies of which they are Governors. The offence charged was of illegal and oppressive conduct in proclaiming martial law and for continuing martial law during an unnecessary period, and for allowing the undue and excessive

execution of martial law, so that the question of the Governor's responsibility for acts done in exercise of martial law was raised.

The indictment contained twenty counts.

It is not easy in a few words to convey the rule laid down. It is sufficient for the present purpose to say, that if the Governor, in what he himself does or orders, is actuated by honesty of purpose, and there appears to him to be,—exercising his judgment conscientiously,—cause under the circumstances for what he does or orders, he commits no offence. He is not responsible for mere errors of judgment; and as to acts done under his orders, but in excess of his orders and in excess of what is reasonable, the Governor is not responsible.

The Lord Chief Justice assented to so much of the charge of Mr. Justice Blackburn. Referring to the charge of the Puisne Judge, he said as follows:—"There was a proposition of law which seemed to be sufficient for the guidance of the Jury, and which we understood was to form (if I may so express myself) the basis of the charge, on which proposition we were all agreed, namely, that assuming the Governor of a Colony had, by virtue of authority delegated to him by the Crown or conferred upon him by local legislation, the power to put martial law in force, all that could be required of him, so far as affects his responsibility in a Court of Criminal Law, was, that in judging of the necessity which it is admitted on all hands affords the sole justification for resorting to martial law, either for putting this exceptional law in force or prolonging its duration, he should not only act with an honest intention to discharge a public duty, but should bring to the consideration of the course to be pursued, the careful, conscientious, and considerate judgment which may reasonably be expected from one invested with authority, and which, in our opinion, a Governor so circumstanced is bound to exercise before he places the Queen's subjects committed to his government beyond the pale of the protection of the law. Having done this, he would not be liable for error of judgment, and still less for excesses or irregularities committed by subordinates whom he is under the necessity of employing, if committed without his sanction or knowledge. Furthermore, we consider that a Governor sworn to execute the laws of a Colony, if advised, by those competent to advise him, that those laws justify him in proclaiming martial law in the manner in which Governor Eyre understood it, cannot be held criminally responsible if the circumstances call for its exercise, and though it should afterwards turn out that the received opinion as to the law was erroneous. On the other hand, in the absence of such careful and conscientious exercise of judgment, mere honesty of intention would be no excuse for a reckless, precipitate, and inconsiderate exercise of so formidable a power, still less for any abuse of it in regard to the lives and persons of Her Majesty's subjects, or in the application of immoderate severity in excess of what the exigencies of the occasion imperatively called for. Neither could the continuance of martial law be excused, even as regards criminal responsibility, when the necessity which can alone justify it had ceased by the entire suppression of all insurrection, either for the purpose of punishing those who were suspected of having been concerned in it, or of striking terror into the minds of men for the time to come."

With reference to this subject, namely, the responsibility of Governors for their acts or orders, when such acts are done or orders are given under the advice of their Ministers, the fact that such advice is given, though it does not of itself exculpate a Governor, yet is no doubt a most material matter for consideration, when the question is whether the Governor acted with honesty of intention and with reasonable cause. An illustration of this principle may be found in the action for malicious arrest or prosecution: if he who causes the arrest of another on some criminal charge is not actuated by malice in fact, and has reasonable cause for what he did, he is excused, though in fact he who suffered the injury by having been arrested on the charge is in fact entirely innocent. Information received and believed is good evidence in support of the allegation that the act done was not without reasonable cause.

It is to be observed that the Chief Justice says that a Governor, if advised by competent authority that the laws of his Colony justify him in proclaiming martial law, would not be responsible if such advice were in fact erroneous.

The Chief Justice probably means that the fact that such advice was given was, in the absence of other evidence, sufficient to found an honest belief that he had legal power to proclaim martial law, and from that honest belief it would result that he would not be responsible for the errors in law.

No. 5.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 74.)

Government House, Wellington,

MY LORD,—

New Zealand, 25th June, 1869.

I have the honor to acknowledge the receipt of your Lordship's Despatch No. 43, of the 20th April ultimo, commenting—(on the authority of statements which have appeared in a letter addressed to a provincial newspaper published in this Colony)—on certain alleged acts of the Hon. J. C. Richmond, Minister for Native Affairs, while accompanying the Colonial Forces at the capture of the rebel stronghold at Ngatapa.

2. The first intimation of charges of this nature having been made, reached me, and also Mr. Richmond, through your Despatch now under acknowledg-

ment. I requested Mr. Richmond to furnish me with an explanation for transmission to your Lordship; and I now enclose a copy of the letter which he has addressed to me on the subject.

3. It will be seen that the story of the payment for the head* is as follows:—

“A party of Arawas pursuing the enemy through the forest, after he had evacuated Ngatapa, killed, among others, the Chief Nikora, a leading man among the Hauhaus. Proud of his luck, the man who killed him cut off his head and brought it back to camp, and it was proposed to dry it in Maori fashion, and carry it about as a trophy. Hearing of this, and being anxious to prevent the broad distinctions in humanity and civilization between our own allies and the Hauhaus from being obliterated by the revival of such a practice, I rewarded the man and purchased the head by a sum of £50, directing that the head should be buried.”

4. It will be observed that Mr. Richmond further states that one of the Hauhaus captured at Ngatapa “was afterwards killed, as is universally believed, by a man whose child the Maori had barbarously butchered. An inquest was ordered on the body of the dead prisoner; but the jury returned an open verdict; and no evidence has been procurable of an act in which, under the excited circumstances of the times, every neighbour sympathized.” The case here referred to is that mentioned by Mr. J. C. Firth, of Auckland, in the 15th paragraph of his letter addressed to your Lordship on the 15th March ultimo, (transmitted with my Despatch No. 46, of the 7th April ultimo,) and into the facts of which I had desired (as I have already reported) that an inquiry should be made.

5. With regard to the general questions raised in your Lordship’s Despatch under reply, I beg permission to refer to several of my previous communications to the Colonial Office; and especially to the following paragraph of my Despatch No. 129, of the 18th December ultimo:—“It is often remarked by many of the most competent and experienced observers here, that the character of the war which has raged, with some periods of intermission, since 1860, is now changing to a lamentable degree. It is, unfortunately, impossible to disguise the fact that, during the last two or three years, and especially since the removal of the regular troops from all share in active operations in the field, the war is becoming—so far, at least, as regards a large portion of the Natives—not only a struggle of race against race, but also a deadly contest between, on the one hand, the rekindled passions of heathenism and cannibalism, and, on the other, Christianity and civilization. The ultimate issue of a contest of such a nature, here or elsewhere, cannot, of course, be doubtful. The English race must prevail in the end. But it is feared that if the Colonists and the loyal Native tribes should be entirely deprived of the aid and countenance of the Queen’s Troops, (in pursuance of the policy recently announced officially,) the existing contest will become a lingering and cruel struggle, in which it will be difficult to enforce, especially on our Maori allies, the usages of civilized warfare.”

6. I have no wish or intention to re-open here the correspondence about the Imperial Troops, on the entire removal of which I have been officially informed that Her Majesty’s Government has finally decided. Still less do I desire to take any credit for foreseeing,—what no one can have doubted,—that a mitigation of the inevitable horrors of barbarian warfare would not be found among the benefits expected from that removal. Cruel murders of men, women, and children, and other outrages too terrible for description, have been perpetrated by the Hauhaus, not only on the English settlers and their families, but also on those Maori tribes which have so long and so gallantly fought for the Crown. According to the traditional laws and customs of their race, the clansmen of the sufferers are bound to exact *utu* (the “vendetta” of Corsica) for these murders and outrages. Hence it was to be expected, however much it is to be deplored, that savage atrocities on the one side would lead to savage vengeance on the other side. I am informed that one of the loyal tribes recently refused to advance a second time against the rebels, because they had been prevented from putting summarily to death the

* As to the practice of carrying about the heads of slaughtered enemies, see the Despatch of the Governor of New Zealand to the Secretary of State, No. 49 of 1868, paragraph 13.

murderers of their kinsmen, who had been taken prisoners in a previous engagement. It is also stated that it was with extreme difficulty that, on a late occasion the relatives of those Maoris whose bodies had been mutilated and devoured by the Hauhaus, were induced to refrain from indulging, in their turn, in a cannibal feast. I need scarcely add that the Colonial Government has done, and is doing, its utmost to prevent the recurrence of such horrors. But it will be recollected that warfare has been carried on during a portion of the last twelve months, by the Maori clans, in the almost impassable forests and mountains of the interior of this Island, at a distance of several hundred miles from the Seat of Government, and from the chief centres of the European population.

7. In addition to the remarks made by Mr. Richmond in the enclosed letter, respecting the Press of this Colony, I have been requested to observe that, in this as in all countries where party spirit runs high, it must be expected that the Ministers in power for the time being will be subjected to all kinds of attacks from their political opponents. Moreover, it will be remembered that, owing to the peculiar position of New Zealand, and the manner in which it was originally colonized, there is not here, as in each of the Australian Colonies, a capital which is the chief centre of population, and the head-quarters at once of politics, law, and commerce. Many of the provincial newspapers seem to be conducted with ability and intelligence; but as there is in fact no metropolis, so there is no metropolitan Press. I am informed, indeed, that the local newspapers are seldom read beyond the districts in which they are published; and that it is (generally speaking) as difficult to procure, for instance, an Auckland newspaper at Dunedin, or a Canterbury newspaper at Taranaki, as it would be to procure an Aberdeen newspaper at Exeter, or a Galway newspaper at York. It has been further observed here, that above eighty (80) newspapers are published in New Zealand, throughout a territory nearly equal in extent to the United Kingdom; and that (even if any great public advantage could be gained by such an effort) it would be impossible for any Minister or other public man in this Colony to keep himself informed of what is written about him in the journals of Hawke's Bay, (from which your Lordship has quoted,) and of the other eight Provinces of New Zealand; just as it would be impossible for any Minister or other public man at home to keep himself informed of what is written about him in the journals of any nine counties in the United Kingdom;—of Tipperary, Mayo, or Antrim in Ireland; of Dumfries, Caithness, or Fife in Scotland; or of Cumberland, Kent, or Cornwall in England. However, files of all the principal Colonial newspapers will continue, as heretofore, to be forwarded to the Colonial Office by every monthly mail, in pursuance of the standing instructions from that Department.

8. With regard to the concluding paragraph of the Despatch No. 43, in which your Lordship remarks as follows,—“I feel convinced that the Government of New Zealand does not consider that, under the circumstances of the Colony, the shooting of a prisoner would be justifiable merely because he had been in arms against Her Majesty,”—I have much pleasure in reporting that the present Ministry, and the leading politicians of all parties in this country, concur in this view, which I have always advocated, although a portion of the public and of the Press calls for a very different policy, and the most summary measures of repression. The truth is, that the Maori prisoners hitherto taken in open rebellion have not only had their lives spared, but have been so slightly guarded, that during the last five or six years they have all effected their escape not long after their capture;—the prisoners taken in the Waikato from Kawau; the prisoners taken on the West Coast from Wellington; and the prisoners taken on the East Coast from the Chatham Islands. It will be remembered that the rebels who perpetrated, in 1865, the cruel murders of Messrs. Volkner, Fulloon, and others, were tried before the Supreme Court in the ordinary course of law; and that five of their number were convicted and executed in pursuance of the sentence passed upon them by the Chief Justice (Sir George Arney). It is intended by the Colonial Government to place on their trial also the more prominent criminals recently captured; but it would be obviously improper to prejudice in any way, or even to anticipate, the future

decision in their case of the proper tribunals. The opinion of the Attorney-General of New Zealand respecting the legal *status* of the Maoris will be forwarded by this mail for your Lordship's information.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 5.

Hon. J. C. RICHMOND to Sir G. F. BOWEN, G.C.M.G.

DEAR SIR G. BOWEN,—

Wellington, 22nd June, 1869.

I hope you will accept of a private note in answer to your questions on Lord Granville's Despatch of 20th April last. It would be an oppressive precedent to require of a New Zealand Minister to reply officially to every charge founded on statements in a local newspaper. As you are aware, the means of a newspaper proprietor in New Zealand rarely admit of his paying the price necessary to secure intelligence carefully and conscientiously gathered. The Government generally, and I myself in particular, have always been willing to supply the best information in our power in matters of public interest; but we are seldom asked. In the case of the affairs at Ngatapa referred to by Lord Granville, there was, I believe, no newspaper correspondent at the front. No one asked me for the authentic facts, and in a camp among mountains and forests, I need hardly say there was no *Gazette* or other means of publishing officially an account of the offers or acts of the Government. The press writers depended wholly on gossip brought down from the front by word of mouth.

The story of the payment for the head is as follows. A party of Arawas, pursuing the enemy through the forest, after he had evacuated Ngatapa, killed, among others, the chief Nikora, a leading man among the Hauhaus. Proud of his luck, the man who killed him cut off his head, and brought it back to camp, and it was proposed to dry it in Maori fashion, and carry it about as a trophy. Hearing of this, and being anxious to prevent the broad distinctions in humanity and civilization between our own allies and the Hauhaus from being obliterated by the revival of such a practice, I rewarded the man and purchased the head by a sum of £50, directing that the head should be buried.

A thousand pounds was on the same day offered for Te Kooti, the ringleader of the murderers and marauders, and would certainly have been paid for his body, dead or alive.

Five pounds was also offered for every one of the Chatham Islands prisoners brought in alive, and this reward has been claimed in two or three cases. One of the men so captured was afterwards killed, as is universally believed, by a man whose child the Maori had barbarously butchered. An inquest was ordered on the body of the dead prisoner, but the jury returned an open verdict, and no evidence has been procurable of an act in which, under the excited circumstances of the times, every neighbour sympathized, and not unpardonably.

I cannot forbear remarking that if suggestions of censure on the action of the Government and people of New Zealand are to be founded on statements gathered from the local press, the leading English newspapers might be cited to justify us in passing such censures by in silence. The following from a leading article of the *Times* of the 2nd February last is not an unfair statement of the position. The writer has been declaring for absolute non-intervention for the assistance of the Colonists, and concludes:—

“On the other hand it is but reasonable that the Colonists should exercise their judgment in their dealings with the rebel Natives. If they have to do the work they must be allowed to choose the measures. The Home Government has hitherto interfered continually in this matter, as it had a right to do when it was fighting the battles of the Colonists. But we have now abdicated the position, with its privileges as well as its duties. Henceforth the two races must be left to settle accounts with each other; and the Colonists may justly be credited with a better knowledge than a Minister at this side of the globe, of what is for the advantage of their own country.”

I need hardly say that I do not mean to imply that your Excellency is not entitled to all the information you require, and in an official form, whenever you wish it.

I remain, &c.,

J. C. RICHMOND.

P.S.—Since writing the above I have read an article in the London *Economist*, which takes a similar view to that of the writer in the *Times*. The writer, in the concluding paragraph, expresses himself as follows:—“It may be said, and will be said, that if the settlers and the Maoris are left to fight it out, the Maoris will perish. That is quite possible, but it is not our business to preserve them from the consequences of their own acts.”

This is, no doubt, cool philosophy, but the first sentence is precisely the view put by the Colony and the Address of the House of Representatives to the Queen in 1862, and the second is practically admitted by the non-intervention of the Imperial Government. The article ends:—“The settlers and the Maoris should, in our judgment, be left to fight out a quarrel as incidental to the settlement of a civilized race upon uncivilized territory, as fever to the breaking up of virgin lands.”

J. C. RICHMOND.

No. 6.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 77.)
MY LORD,—

Government House, Wellington,
New Zealand, 1st July, 1869.

I have the honor to report that, soon after the commencement of the

present Session of the New Zealand Parliament, Mr. Fox, the leader of the Opposition, and formerly Prime Minister of the Colony, moved a vote of want of confidence in Mr. Stafford's Administration. After a debate of seven days, this motion was carried last week by a majority of eleven, the numbers being forty to twenty-nine. Consequently, Mr. Stafford tendered his resignation on behalf of himself and his colleagues, when I entrusted Mr. Fox with the task of forming a new Ministry. Mr. Fox has now become Premier and leader of the House of Representatives; Mr. William Gisborne, Colonial Secretary and Representative of the Government in the Legislative Council; Mr. Julius Vogel, Colonial Treasurer; Mr. Donald McLean, Minister for Native Affairs and also for Defence; and Mr. Francis Dillon Bell, Member of the Ministry without a department.

2. I transmit herewith copies of the New Zealand *Hansard*, in which (as I have already intimated elsewhere) will be found corrected reports of the debates in the Colonial Parliament; full discussions, from every possible point of view, of the condition and prospects of this Colony; and the opinions of the late and present Ministers, and of the other leading public men of all parties. The *Hansard*, and printed copies of all the papers laid before Parliament, (many of which contain valuable information,) will continue to be forwarded by every monthly mail.

I have, &c.,
G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

No. 7.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 78.)

Government House, Wellington,

MY LORD,—

New Zealand, 2nd July, 1869.

I have the honor to transmit herewith an Order of the Executive Council of New Zealand, passed at the instance and with the advice of the Responsible Ministers of this Colony, and making regulations "for conferring a Decorative Distinction on members of the Militia, Volunteers, and Armed Constabulary, who may particularly distinguish themselves by their bravery." It will be seen that it is provided that "this Distinction shall only be conferred upon those officers or men who, when serving in the presence of the enemy, shall have performed some signal act of valour or devotion to their duty, or who shall have performed any very intrepid action in the public service; and neither rank, nor long service, nor wounds, nor any other circumstance or condition whatever, save merit of conspicuous bravery, shall be held to establish a sufficient claim to the honor."

2. This step was taken by the Colonial Government on the urgent recommendation of Colonel Whitmore, who represented that, in organizing the Colonial Forces for action in the field, he found it in the highest degree expedient to be enabled to hold out to the officers and men composing it, whether Europeans or Maoris, some personal distinction in lieu of the Victoria Cross and of the many other rewards of honor, rank, and promotion, which are powerful incentives in all regular armies. It was once said by the late Major Von Tempsky, (a brave and skillful officer, who fell in the assault of the rebel pa at Te Ngutu-o-te-Manu in last September,) that, in common with his brethren in arms, he felt bitterly that a Colonial Force had neither "a past nor a future,"—no gallant spirit of fellowship founded on glorious antecedents, and on prospects of future fame and rewards.

3. It is, of course, known here that the Queen is the "fountain of honor," and alone can institute Orders of Merit, or other distinctions of Imperial value; but the Colonial Government does not pretend to any power of this kind. The proposed "Decorative Distinction" is simply a local honor, instituted and awarded (as it has been truly said) on a principle analogous to that on which (for example) the Royal Geographical Society or the Humane Society grant their medals. Personally, I would have preferred that this question should have been referred home in the first instance; but my Responsible Advisers represented that Colonel

Whitmore urged strongly, on public grounds, that there should be no delay; that the enclosed Order of the Executive Council should be passed forthwith, for the immediate reward, on the spot, of the Europeans and Natives who had most distinguished themselves in his campaigns on the East and West Coasts, which had terminated respectively in the capture of the main strongholds of the rebel leaders, Te Kooti and Titokowaru, at Ngatapa and Nukumarū. Among other observations to the same purport, Colonel Whitmore wrote:—"Distinctions of this kind, to be prized, should be conferred at once;" and "the decoration will do more good than anything else to stimulate our men; and to have that result it is desirable that the institution should be made to take effect as soon as possible, and before any portion of the force is broken up."

4. It is generally felt here that, since the defence of this country has been thrown entirely on the local forces, the Colonial Government must not neglect, at the present dangerous crisis, any of the means which experience has proved to be necessary to promote the efficiency of even regular and national armies.

5. Hitherto the "Decorative Distinction" has been conferred, for acts of valour, on five (5) persons—four (4) Europeans and one (1) Maori.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure in No. 7.

EXTRACT from the *New Zealand Gazette*, No. 14, of 11th March, 1869.

G. F. BOWEN, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this tenth day of March, 1869.

Present:—His Excellency the Governor in Council.

WHEREAS it is expedient that Regulations should be made for conferring a Decorative Distinction on members of the Militia, Volunteers, and Armed Constabulary, who may particularly distinguish themselves by their bravery:

Now, therefore, His Excellency the Governor, with the advice of the Executive Council of New Zealand, and in exercise of all powers and authorities enabling him in this behalf, doth by this present Order institute a Decorative Distinction, to be conferred on members of the Militia, Volunteers, or Armed Constabulary, who may particularly distinguish themselves by their bravery in action, or devotion to their duty while on service:

And doth, with the like advice and consent, make and ordain the following regulations under which such Distinction shall be conferred:—

Firstly, The decoration shall consist of a Silver Cross, with the name of the Colony and the name of the recipient engraved thereon.

Secondly, It shall be suspended from the left breast by a crimson riband.

Thirdly, Any person upon whom the Distinction has been conferred, who shall afterwards perform any act of bravery which would, had he not been already decorated, have entitled him to the honor, may receive for every such act a silver bar, to be attached to the riband by which the Cross is suspended.

Fourthly, The Distinction shall only be conferred upon those officers or men who, when serving in the presence of the enemy, shall have performed some signal act of valour or devotion to their duty, or who shall have performed any very intrepid action in the public service; and neither rank, nor long service, nor wounds, nor any other circumstance or condition whatever, save merit of conspicuous bravery, shall be held to establish a sufficient claim to the honor.

Fifthly, The Distinction shall be awarded by the Governor only. It shall not be claimed by any individual on his own account, but the claim must be made in favour of the person considered to be entitled to it by the Commanding Officer of the Force or District to which such person belonged, and the Governor shall call for such description and attestation of the act as he may think requisite.

Sixthly, Every person upon whom this Distinction is conferred, shall be publicly decorated before the force or body to which he belongs, or with which the act of bravery for which he is to be rewarded shall have been performed; and a Roll shall be kept in which shall be inscribed the names of the recipients, with a brief description of the special act for which the Distinction has in each case been awarded; and every inscription on the Roll shall be published in the *Government Gazette*.

Seventhly, If any person on whom such Distinction shall have been conferred be convicted of treason, felony, cowardice, or of any infamous or disgraceful offence, his name shall forthwith be erased from the Roll.

Eighthly, Constables and privates decorated with this Distinction will take command of other constable or privates on duty, when no officer or non-commissioned officer is present.

FORSTER GORING,
Clerk of the Executive Council.

No. 8.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 84.)

Government House, Wellington,

MY LORD,—

New Zealand, 8th July, 1869.

In continuation of my Despatch No. 52, of the 2nd May ultimo, transmitting a Memorandum from Colonel Haultain, I have now the honor to forward a Memorandum from Mr. McLean, the new Minister for Native Affairs and for Defence, showing his view of the progress of warlike operations and of the general condition of this Colony during the months of May and June.

Enclosure 1.
Memorandum by
Mr. McLean
July 3, 1869.

2. It will be perceived that the present Ministry intend shortly to express their opinions as to the state of the country at greater length in a separate Memorandum, which I shall also transmit when I receive it. It appears from several of your Lordship's recent Despatches, and especially from No. 30 and No. 43, that statements have been made, in certain newspapers and other quarters in England, reflecting on the capacity, honor, and humanity of the public men who have been struggling, against great and manifold difficulties, to maintain the Queen's supremacy, and to protect the lives of Her Majesty's subjects in New Zealand against the Maori rebels. It seems, therefore, to be a matter of simple justice that I should continue, as heretofore, to forward periodically official reports from the Ministers for the time being, stating their own case. I shall also continue to forward by the mail of every month copies of the New Zealand *Hansard*, containing the debates in the local Legislature; of all Parliamentary and other official documents of importance; and of the principal newspapers of all political views.

Enclosures 2 to 4
See Appendix to
Journals of the
House of
Representatives,
1869.

3. On the present occasion I transmit herewith, in addition to Mr. McLean's Memorandum, "Papers relative to Military Operations against the Rebel Natives," containing the letters and reports received from Colonel Whitmore and other officers in the field; also Maps, showing the districts in which the fighting has been carried on, together with the "States" exhibiting the strength and distribution of the Colonial Forces on the 30th June ultimo.

A.—No. 3.
A.—No. 3A.
A.—No. 3B.
Enclosures 5 to 8
See Appendix to
Journals of the
House of Repre-
sentatives, 1869.
A.—No. 3H.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosures 9 and
10. "States."

P.S.—I annex also a Parliamentary Paper containing "Reports from Officers in Native Districts."

G. F. B.

Enclosure 11.
See Appendix to
Journals of the
House of Repre-
sentatives, 1869.
A.—No. 10.

Enclosure 1 in No. 8.

MEMORANDUM by Mr. McLEAN.

Wellington, 3rd July, 1869.

SINCE the date of the last Memorandum, the 1st May, several expeditions have been undertaken into the enemy's country, in the interior of the Island, but these expeditions have not been attended with any beneficial result.

Colonel Whitmore having penetrated, to a certain extent, the rough Uriwera country, found himself obliged to retire, and established a post on the edge of the forest, in the Rangitaika District, within reach of his base of operations at the Bay of Plenty.

The column from Wairoa, mentioned in Colonel Haultain's Memorandum of 1st May, having been unable to effect a junction or operate successfully against the enemy, is being recalled.

The enemy, however, has been on the alert, and finding himself no longer followed up, he broke out of the bush country and made for Lake Taupo, probably with a view of ultimately joining his forces with those of the King party. His numbers are estimated at from 300 to 400, horse and foot. On his march he fell in with a small party of cavalry at a village on the road, of whom he killed ten men, one officer alone escaping of the party. He also took by surprise the pa of a friendly chief, who was himself absent with most of his men. A total of twenty-one were killed at this place, including women and children.

He then established himself at a Hauhau pa on the southern shore of the Taupo Lake, and has since succeeded in capturing Te Heu Heu, a young friendly chief of high caste, whom, at the latest advices, he was holding as a prisoner.

The scouting operations on the West Coast have resulted in the capture of the Maoris recently arms against us, who have surrendered to the number of about 300—men, women, and children.

These operations are described in detail in the various Despatches and Reports from officers in the field, which have been published, and are hereunto appended.

The state of the tribes throughout the Island is unsettled and unsatisfactory. The attitude of the Maori King, with a force of 1,700 men, exclusive of numerous adherents in different parts of the

Island, occupying the central positions of strength, is such as to give rise to grave feelings of doubt as to his intentions—which, however, are still stated to be peaceful—and a general appearance of restlessness is observed throughout all the tribes.

The Colony, exhausted by the struggle, which has been beyond its means, finds itself obliged to reduce its armaments, and can only look forward with apprehension to what the future may bring forth.

Ministers will have the honor to express their views as to the state of the country at large at greater length to His Excellency in a separate Memorandum.

His Excellency the Governor.

DONALD McLEAN.

Enclosure 9 in No. 8.

RETURN of the NUMBER (of all ranks) of the COLONIAL FORCES, European and Native, on Active Service and Pay, 30th June, 1869.

District or Force.	Distribution.	No.	Total.	Remarks.
Waikato	Alexandra	51	162	
	Cambridge	46		
	Hamilton	41		
	Harapipi	2		
	Kihikihi	8		
	Ngaruawahia	11		
	Raglan	1		
	Rangiwahia	1		
	Whata Whata	1		
Opotoki	Opotoki	62	62	
Tauranga	Te Papa	54	107	
	Gate Pa	22		
	Various Posts	31		
Poverty Bay	Turanganui	63	63	Europeans, 21; Henare Potae's Contingent, 42—63.
Napier	Napier	37	41	
	Petane	4		
Wairarapa	6	
Wellington	2	
Wanganui	Wanganui	17	106	
	Nukumarua	27		
	Wereroa	62		
Taranaki	510	510	Europeans, 391; Natives, 119—510.
Patea	Patea	330	Europeans, 104; Ngatiporou, 189; Wanganui, 37—330.
	Manawapou	55		
	Wairoa	65		
Wairoa Field Force	Head Quarters	382	450	Europeans, 164; Ngatiporou, 123; Wairoa Natives, 81; Boat's Crew, &c., 14—382.
	Stopford Redoubt	26		
	Te Kiwi	74		
	Corfield Redoubt	32		
	Te Kapu	113		
	Wairoa	88		
	715	Europeans, 68; Wairoa Natives, 20—88.
Head Quarters, Field Force	Fort Galatea	197	Europeans, 60; Arawas, 64—124.
	Fort Clarke	124		
	Fort Alfred	106		
	Wakatane	39		
	Matata	33		
	499	Europeans, 22; Arawas, 11—33.
			2,723	

No. 9.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 94.)
MY LORD,—
Government House, Wellington,
New Zealand, 27th July, 1869.

With my Despatch No. 77, of the 6th August, 1868, I transmitted copies of the Inaugural Address with which I last year opened the New Zealand Institute, and explained the various practical objects which the Colonial Legislature had in view in founding and endowing this Institution, with the Public Museum, Library, and Laboratory attached to it.

2. I have now the honor to transmit copies of the Address with which, as President, I opened the annual session for 1869, and passed in review the contents of the first volume of Transactions and Proceedings. I forward also two copies of this volume, which will be found to contain a large mass of valuable information respecting New Zealand, including the language, annals, and customs of the Maoris.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure 1.
See Transactions and Proceedings of the New Zealand Institute, Vol. II., 1869, p. 3.
Enclosure 2.
Transactions and Proceedings of the New Zealand Institute, 1868, vol. 1.

No. 10.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 95.)
MY LORD,—
Government House, Wellington,
New Zealand, 28th July, 1869.

With reference to your Lordship's Despatch No. 49, of the 30th April ultimo, concerning the proposed establishment in New Zealand of a branch of the Royal Mint, I am requested by my present Responsible Advisers to transmit the enclosed Memorandum, stating that they do not now see their way to the establishment of a Mint here; but they will keep this subject in view, and bring it forward hereafter, should circumstances show it to be desirable to take that step.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 10.

MEMORANDUM by Mr. FOX.

Wellington, 28th July, 1869.

In reply to Lord Granville's Despatch No. 49, of the 30th April, 1869, on the subject of a New Zealand Mint, Ministers would request His Excellency to inform His Lordship that they do not at present see their way to the establishment of a Mint, but will keep the subject in view.

Should circumstances show it to be desirable hereafter, they will bring it under His Excellency's notice.

For His Excellency the Governor.

WILLIAM FOX.

No. 11.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 99.)
MY LORD,—
Government House, Wellington,
New Zealand, 2nd August, 1869.

I have the honor to transmit herewith, printed copies of the annual "Financial Statement," delivered in the House of Representatives on the 29th ultimo by the present Colonial Treasurer (Mr. Vogel).

2. The "Statement," and the Tables annexed to it, show the present financial position of New Zealand.

3. With regard to the Maori war, I have been requested to incorporate with this Despatch the following Memorandum, furnished to me by the Treasurer:—

"The revenue raised during the last year (1868-9), after deducting extra-neous amounts brought in to aid of revenue and exclusive of Territorial

“Revenue, was £1,005,748. Out of this the sum of £486,354 was spent for
 “Defence and Native purposes, (including the sum of £225,310 for Interest
 “and Sinking Fund on War Loans,) besides £3,849 paid as pensions or
 “gratuities to widows, children, and disabled men, many of whom will remain as
 “a permanent burden upon the Colony. There was also a sum of £61,205
 “expended out of Loans, thus making the whole expenditure for Defence and
 “Native purposes, and charges arising out of the War, to amount to £551,408.
 “According to the latest returns, the male population between the ages of fifteen
 “and sixty-five, numbers about 90,000. These may fairly be considered as
 “the bread-winners on whose industry the main weight of the heavy taxation
 “rests.

“Since 1860, the Colony has been compelled to raise three several Loans.
 “The first of these, for £150,000, was applied entirely to purposes arising out
 “of the Native rebellion. The second Loan was for £3,000,000, out of which
 “only £115,135 has been applied to any other purposes than Defence (including
 “the formation of military settlements, and the various charges incident to
 “the confiscated lands). A third Loan (or portion of a Loan) has been nego-
 “tiated, amounting to £260,000, out of which the sum of £157,051 has been
 “spent for Defence purposes; and, in addition to all this, there is a floating debt,
 “in the shape of Treasury Bills, amounting to £378,000, the whole of which has
 “been brought in aid of revenue, in consequence of the heavy expenses to which
 “the Colony has been subjected through the Native insurrection. In other
 “words, debts have been incurred amounting to £3,788,000; and out of this, all
 “that has been expended for Lighthouses, Telegraphs, Marine Survey, and Public
 “Domains, has been £218,083, leaving over three and a half millions of debt,
 “with no return in the shape of railways or other large works for which colonies
 “usually borrow money.

“When these results are compared with those at the Cape, the troubles
 “of which Colony bear a striking analogy to the troubles with which New
 “Zealand has had to contend, the enormous sacrifices which the latter Colony has
 “made are remarkably illustrated.”

4. It will be seen that, during the financial year ending June 30th, 1869,
 alone, the charges incurred for Native purposes and Defence, amounted to
 £551,408; that is, to more than a moiety of the general revenue, which little
 exceeded one million sterling (£1,005,748); also, that during the nine years
 of the Maori war, which has now lasted with little intermission since 1860, New
 Zealand has incurred over three and a half millions of debt for War Loans only,
 in addition to the heavy annual expenditure caused by the Native insurrection.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 12.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
 Right Hon. Earl GRANVILLE, K.G.

(No. 103.)

Government House, Wellington,

MY LORD,—

New Zealand, 5th August, 1869.

I have the honor to transmit herewith copies of two Ministerial
 Memoranda, showing the action taken by the Government and Parliament of this
 Colony in consequence of the alarming intelligence recently received from the
 disturbed districts. At the same time, I forward copies of my Memorandum in
 reply.

2. These documents contain a full statement of the case in its present aspect.
 In my general confidential report of the 7th December, 1868, and in many other
 communications, I have submitted at length my own views with regard to the
 condition and requirements of this Colony.

3. It has been positively asserted here, on what appears to be high authority,
 that General Chute still possesses discretionary powers as to the removal or
 otherwise of the 18th Regiment from New Zealand. It will be remembered,
 moreover, that when all the necessary arrangements had been made in last
 March, 1869.

* See Governor of
 New Zealand to
 Secretary of State,
 No. 28 of 8th
 March, 1869.

February for the embarkation of this regiment in H.M.S. "Himalaya," in pursuance of your Lordship's instructions to me, those instructions were overridden in consequence of different orders having been sent by telegraph, (without any notice to me,) from the Horse Guards and Admiralty respectively, to the Major-General Commanding and to the Naval authorities on this station. Nor have I received from home any copy of the orders now issued to General Chute, so that I am not in a position to deny authoritatively the existence of his alleged discretionary powers. It will be seen, however, that in my Memorandum of the 24th ultimo (of which I beg to solicit an attentive perusal), I repeated the opinion which I had endeavoured to impress on the Ministers before the Parliamentary Resolutions respecting the troops were proposed, viz.: "that all action of this kind is now too late, and that General Chute has no choice but to carry out his orders." I thought it right to add that no intimation of the existence of the alleged discretion as to the removal of the 18th Regiment had been given to me either by the Imperial Government or by General Chute himself.

4. It will be further perceived that I felt it to be my duty "earnestly to recommend Ministers not to relax, in the slightest degree, on the chance of retaining Imperial aid, the exertions already made, or which can be made hereafter, for internal self-defence." I hope that I shall be informed whether I have rightly interpreted the views of Her Majesty's Government, especially with regard to my practical suggestions concerning the Militia, the Armed Constabulary, and the defensive works.

5. As I have already intimated elsewhere, I have as yet no information as to the exact period at which the last battalion of the Queen's Troops will be removed from this Colony; nor is it probable that I shall know General Chute's final decision on this question before the departure of this month's English mail. I enclose copies of my last letters to General Chute and Commodore Lambert respectively, forwarding, at the urgent request of my Ministers, and simply for the information of those officers, the above-mentioned Ministerial Memoranda.

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

P.S.—August 7th.—I have the honor to forward herewith the usual monthly Memorandum from the Minister for Native Affairs and Defence. I enclose also a copy of the telegraphic message which, at the request of my Ministers, I this day send to your Lordship through the Governor of Ceylon. Finally, I forward six copies of "An Act to make provision by Law for the Payment of Imperial Troops," (32 and 33 Victoria, No. 17,) which has been passed almost unanimously by both houses of the New Zealand Parliament.

G. F. B.

Enclosure 1 in No. 12.

MEMORANDUM by Mr. FOX.

Wellington, 22nd July, 1869.

THE alarming news contained in the enclosed communications just received from Waikato and elsewhere of the arrival of Te Kooti and his armed band at Tokangamutu, the head-quarters of the Maori King, and of the probability of a combined attack on the settled districts in the neighbourhood of Auckland, renders it imperative on His Excellency's Responsible Advisers to lay again before His Excellency an urgent representation of the disasters which the removal of the only Imperial regiment in the Colony at such a critical moment would in all probability occasion.

Apart from all questions of general policy with respect to the retention of Imperial Troops in New Zealand, the only question now for consideration is the immediate result which may ensue from the instant departure of the 18th Regiment from this Colony, and the effect it may have on the hostile Natives who are now gathered on the outskirts of our settlements near Auckland, and who are seriously deliberating whether or not to attack those settlements.

Ministers cannot, consistently with their duty to the Colony, conceal from His Excellency their opinion that the removal of this regiment at such a juncture will precipitate a conflict, and will directly invite the rebels in arms and the King party, the latter of whom alone can at once muster on the spot 1,700 armed men, to unite in devastation and massacre. Independently of this large number of men at one place, the Maori King has numerous adherents throughout the whole of the Northern Island, who would almost certainly, in concert with their party, rise at once. All the exertions of the Colony, strenuous as they have been, to place itself in a position of self-defence and to suppress insurrection, are paralyzed by this step, the effect of which is not merely of a negative and passive character, such as the withdrawal of so much support, but of positive and active injury, tantamount to that which would be caused by the desertion of a large part of an army on the field of battle in the face of the enemy.

Ministers gratefully recognize the efforts repeatedly made by His Excellency in his Despatches to induce the Home Government to reconsider their determination to withdraw all Imperial Troops from New Zealand, and the sense which His Excellency has thus shown of his responsibility for the lives of Her Majesty's subjects, and for the safety of that portion of Her Majesty's Dominions to the government of which he has been appointed,—a responsibility inseparable from his position. There is a paramount consideration when a large sacrifice of human life is imminent; and Ministers respectfully submit that, whatever the orders given several months ago at the distance of half the globe may be, the Imperial Officer to whom such orders were given would be justified, both morally and otherwise, in not carrying those orders into effect if he conscientiously believed that new circumstances had arisen which would cause that sacrifice of life to be the result. It cannot be contended that the Imperial Government could regard otherwise than with horror such a result of literal obedience to their orders given at such a distance of time and place, and in ignorance of those circumstances. Ministers cannot but believe that the Major-General Commanding in Australia has some discretion in the matter.

The new circumstances in this case are of a special character, and aggravate the evils likely to ensue. For the first time Te Kooti, the author of the massacre at Poverty Bay, and who for the last twelve months has been constantly engaged in every kind of atrocity on the East Coast, has visited the head-quarters of the Maori King party. Titokowaru, who has been similarly engaged in ravages and atrocities on the West Coast, has been asked and is expected to join Te Kooti, in whose immediate vicinity he is at present. The King party have been for some time in an excited state, and the impression already produced by the advent of Te Kooti has resulted in their making cartridges and filling their cartouch-boxes. It may truly be said that a general rising of the Natives, and a special attack on the settled district of Auckland, is trembling in the balance. At such a moment, and under such critical circumstances, the only Imperial Regiment in the Colony is being massed in Auckland with a view to its immediate removal to Australia. Practically, though of course unintentionally, the very form of the removal of the regiment is such as to parade ostentatiously in the eyes of the hostile Natives, and most forcibly to impress on their minds, the favourable opportunity thus presented to them of a combined attack. It is inconsistent with common prudence to rely so much on the forbearance, under such great temptation, of fanatical enemies, as to think that they will not regard that removal as the tocsin of a general war, and the auspicious omen of their future success. The then disastrous result—for disastrous it must be under any circumstances—need not be described. It is sufficient to state that all the Imperial Troops will have been removed to Australia, where they are not urgently required, and that their abandonment of New Zealand will have been the immediate occasion of making this Colony a general scene of misery and bloodshed.

It is too late, of course, with a view to meeting the immediate emergency, to appeal to the Imperial Government for the detention of the 18th Regiment; but Ministers earnestly trust that His Excellency will communicate this Memorandum to General Sir Trevor Chute, and to the Governors of the Australian Colonies, and, in concert with them, take such steps as will, until the question can be reconsidered by the Imperial Government, avert the fearful loss of life which the removal of the Imperial Force, at this perilous juncture, would probably entail.

Ministers also strongly urge on His Excellency to represent to Commodore Lambert, C.B., how exceedingly desirable and necessary the presence of one or more of Her Majesty's vessels is at a time of such critical emergency.

For His Excellency the Governor.

W. Fox.

Sub-Enclosures to Enclosure 1 in No. 12.

MR. SEARANCKE to the Hon. D. McLEAN.

SIR,—

Alexandra, 12th July, 1869.

I have the honor to hand you herewith original letter received by me this day from Tamati Manuhiri, informing me of the arrival of Te Kooti at Te Kuiti. This letter, I may state, though dated 30 June, was written on the 10th July—Saturday last.

I have ascertained that Te Kooti is accompanied by only sixty of his own followers and his five wives. The former are all mounted, and armed alike with breech-loading rifles, revolvers, and swords. The other Natives accompanying him are from Taupo, principally Te Ngatituwharetoa Tribe, and amongst them Te Heu Heu.

At all the settlements visited by Te Kooti at and about Taupo, he demanded that all the pouamau (greenstones) which had descended to them from their ancestors, whether Patu, Heitiki, or Whakakai, be given up to him to be destroyed: in many cases they were given up. Te Kooti yesterday made a demand of a similar nature to the King Natives, but I have reason to believe his request will not be complied with; but should it be, his next demand is to be that his form of religion be adopted by the Hauhaus. I hear that Rewi was willing to consent to all the greenstones being given up, but the Waikatos refused; the discussion is still going on. I look upon this demand of Te Kooti's as a very bold stroke, and one which, if complied with, would lead me to the conclusion that Waikato had joined him in his policy and views.

Te Kooti gives out amongst his followers that his career is to be similar to that of Jehu, the son of Jehosaphat, as written in the 9th and 10th chapters of the Second Book of Kings.

The report I heard that Te Kooti is accompanied by six Europeans is, I am glad to say, false.

The attitude of the Waikatos at the present time is peculiar: they appear to be partially paralyzed by Te Kooti's presence amongst them; they say they have nothing to say to him, but are awaiting to hear what he has to say; but at the same time I am credibly informed that they are all quietly filling up their cartridge-boxes.

A large party of the Waikatos were anxious that Tawhiao should go away during Te Kooti's

visit, but Tawhiao absolutely refused to consent. Te Kooti will not, however, be allowed to see him.

The Hon. the Defence Minister,
Wellington.

I have, &c.,
WILLIAM N. SEARANCKE,
R.M., Waikato and Raglan.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 11th July, 1869.

MEETING to take place at Te Kuiti; all the Waikatos and Ngatimaniapotos assembled. Te Kooti not yet arrived there but expected daily. A Native just arrived from Te Kuiti. I cannot hear any rumour of war on the part of the Waikatos.

W. N. SEARANCKE, R.M.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 11th July, 1869 (delayed a day).

TE KOOTI, with about four hundred followers, has arrived at Tokangamutu this day. A greater number of King Natives assembled to meet them than were assembled together previously at any meeting. Will have particulars of meeting to-morrow or Monday.

W. N. SEARANCKE, R.M.

Telegram from the Hon. Dr. POLLEN to Mr. SEARANCKE.

Auckland, 11th July, 1869.

RECEIVED your telegrams of yesterday this morning. Keep Colonel Moule fully informed of every particular of Native intelligence that you obtain.

DANIEL POLLEN.

Telegram from Lieut.-Colonel MOULE to the Hon. Dr. POLLEN.

Hamilton, 12th July, 1869.

TE KOOTI arrived yesterday at Tokangamutu, with over three hundred followers. Fully sixty of them armed with breech-loaders, revolvers, and swords. Te Kooti's attitude domineering. I am just leaving for Cambridge, but will be back to-day.

W. MOULE, Lt.-Col.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 12th July, 1869.

I have received a letter from Tamati Manuhiri informing me of Te Kooti's arrival. Waikatos profess to be utterly ignorant of what Te Kooti's visits are. He has requested that all the old family heir-looms, greenstone, to be given up to him. Subject now under consideration by the Waikatos; will not be acceded to, I believe. Waikato very quiet, but anxious, and privately filling up their cartridge-boxes.

W. N. SEARANCKE, R.M.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 12th July, 1869.

I was last week at considerable expense for messengers and obtaining information, and have now guaranteed a further expense for messengers from Tokangamutu this week. I have not any vouchers, but wish to know whether I am to be at the expense, or will the Government reimburse me the amount expended. If I am to be at the expense, please let me know.

W. N. SEARANCKE, R.M.

Telegram from the Hon. Dr. POLLEN to Mr. SEARANCKE.

Auckland, 13th July, 1869.

It is your duty to take all necessary measures to obtain information for the Government relative to affairs at Tokangamutu. I do not know that the Colonial Government has ever required its officers to perform such service at their personal charge. I do not understand the difficulty of obtaining receipts for money which you pay, but, if it is unavoidable, you will be able to show how it comes to be so, and that will no doubt be sufficient.

DANIEL POLLEN.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 13th July, 1869.

TE KOOTI gives out amongst his followers, and the Natives generally, that his career is to be similar to that of Jehu, as written in the ninth and tenth chapters of the Second Book of Kings.

W. N. SEARANCKE, R.M.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 14th July, 1869.

No news arrived. I expect a Native down this afternoon with particulars of proceedings of meeting at Te Kuiti.

W. N. SEARANCKE, R.M.

Telegram from Lieut.-Colonel MOULE to the Hon. Dr. POLLEN.

Hamilton, 15th July, 1869.

TE KOOTI, with over 300 armed followers, being now within an easy march of our frontier settlements, and as I think it unlikely he will retire without making an attempt on Waikato, I beg to recommend that 150 Volunteers be sent here at once to occupy the redoubts, and thus enable me to concentrate the Constabulary at Te Awamutu, to move to the support of any place attacked. It would be desirable that Te Kooti should be checked in his first onset. I purpose starting for Kihikihi and Alexandra this afternoon.

W. MOULE, Lieut.-Colonel.

Telegram from the Hon. Dr. POLLEN to Colonel MOULE.

Auckland, 15th July, 1869.

If you think it is necessary to concentrate the Constabulary Force as a military movement for the defence of the district, the local Militia, I think, should first be called upon to hold the redoubts. The Waikato people must show that they are willing to help themselves before they can expect men from Waiuku and Wairoa Districts to leave their homes and families and go to their aid.

DANIEL POLLEN.

Telegram from Mr. SEARANCKE to the Hon. Dr. POLLEN.

Alexandra, 15th July, 1869.

TITOKOWARU daily expected at Te Kuiti. Te Kooti, on his arrival at Taupo, sent his principal man (Anaru) to tell him to meet him there. Tito said to be at Mokau. Waikatos are treating Te Kooti very coolly, and not paying him any attentions. Natives at out-settlements refusing to go to Te Kuiti to meet him. Letter arrived at Tokanganutu from the two great Hauhau prophets (John and Te Whiti) saying—"Ka tae atu Te Kooti ka maroke, ka tae atu Titokowaru ka maroke." Everything both here and at Waikato settlements very quiet.

W. N. SEARANCKE, R.M.

Telegram from WI TE WHEORO to the Hon. Dr. POLLEN.

(Translation.)

15th July, 1869.

A LETTER has been received by Heta Tarawhiti containing intelligence from Tokanganutu, to the effect that Te Kooti is still at Taupo, engaged fighting against Epepe, a pa belonging to the Kupapas and Pakehas.

Te Kooti was coming in this direction, but that pa stopped his progress; but he may perhaps succeed in pushing through.

Another letter—a letter to the Hauhau kauri gum diggers, requiring them to return—saying that Te Kooti was coming, but the intention is not known. The letter was made known, but the man to whom it was due was not seen. The letter is in the (mail?).

TE WHEORO.

Telegram from Lieut.-Colonel MOULE to the Hon. Dr. POLLEN.

Hamilton, 15th July, 1869.

PLEASE instruct me to call out for active service as many of the first-class Militia as may be required to garrison the redoubts in Waikato.

W. MOULE, Lieut.-Colonel.

Telegram from Lieut.-Colonel MOULE to the Hon. Dr. POLLEN.

Hamilton, 15th July, 1869.

I WILL concentrate the Armed Constabulary with as little delay as possible at Te Awamutu. The whole of the Militia were called out for active service on 1st December, 1867. Twenty tents are required.

W. MOULE, Lieut.-Colonel.

Telegram from Lieut.-Colonel ST. JOHN to the GOVERNMENT.

Fort Galatea, 1 a.m., 20th July, 1869.

MAIL just in; I send extracts from letters. Dr. Pollen, July 13—"Te Kooti at Tokanganutu; has announced himself as a second Jehu. Dr. P. fears for Waikato. Wishes to know what I could do to help." Mr. Clarke, 16th July—Native matters in Tauranga in a very precarious state. Disaffected Natives preparing for a visit from the enemy. Hakaraia has written to them to join him at Patetere. Reason to believe most have gone. St. George reports Te Kooti's force as 510 men and 300 women. Clarke thinks this exaggerated. Pairau, of the Urewera, and Haperona (Kohi) with him; Te Heuheu and Pauriri of Taupo also. Hepere Paetara writes to say has joined through fear, and that a meeting is to be held at Tokanganutu. Clarke and Fraser write for the mounted men I have. Within a short

time I expect to be called upon either by Mr. Clarke or Dr. Pollen. If any danger at Tauranga, I must go there; only Fraser there. Let me have some instructions by telegram. I fancy help is to be given. I must abandon down to Alfred. If Clarke reports enemy as actually at Tauranga I shall not wait for orders, but support. I do not believe Tauranga to be in danger. I believe Waikato to be the object. The other movements are feints. I have only ten mounted men effective; cannot possibly spare them. Best way to support both Tauranga and Waikato would be to march from former to latter *via* Matamata. There would be opposition. If this should be done, No. 2 or 3 from East Coast ought to be sent to meet me at Tauranga.

ST. JOHN.

Telegram from Lieut.-Colonel St. JOHN to the GOVERNMENT.

NEWS just received from Whakatane. Ureweras, under the notorious Hauhau leader Tamaikowha, ravaging upper Whakatane Valley. Cattle and horses destroyed or driven off. Ngatipukeko too weak to do anything. This letter was found at Whakatane (Ohiwa):—"Friends, we have been here; the Europeans burned at Ruatahuna have been eaten by me; the Pakehas were very fat. Friends, we shall again fight in these days.—ERUETI TAMAIKOWHA." I gather that Tamaikowha intends to take the field, or follow his old tactics of cutting off small parties. Road between Whakatane and Opotiki not considered safe for travelling. Am I to send a force of Arawas?

CLARKE, Civil Commissioner.

NOTE.—Received 15th July, 6 p.m., and is dated July 11th, 1869, 9 a.m.

ST. JOHN.

Telegram from Lieut.-Colonel St. JOHN to the GOVERNMENT.

Fort Galatea, 16th July, 1869.

ERU TAMAIKOWHA has been the leader of every ambush about Opotiki; he can easily lay them at Waiotahi, where White was killed, or between Ohiwha and Whakatane, and retire up the Waimana if discovered. No opportunity to send Clarke's telegram before. My few horsemen (5) gone with provisions to Tapuaharuru by way of St. George's homestead. Food went as far as Arowhata.

J. H. H. ST. JOHN, Lt.-Col.

Telegram from Lieut.-Colonel St. JOHN to the GOVERNMENT.

Fort Galatea, 19th July, 1869.

MR. CLARKE writes that Whakatane Natives are so cowed they intended abandoning their pa. I have sent men there to prevent this. He reports Ohinemutu Natives in great dread; that Te Kooti was last heard of at Pukerimu at the foot of Titi-Raupenga, joined by Hakaraia, and said to be so by Rewi; his force increased by 100 Taupos. I believe Waikato to be his destination. To quiet the Ohinemutus, Mr. Clarke has sent to St. George for fifty of his Arawas.

Sheep have come up by canoes as far as Kao-kao Hinau, and thence driven up. Rations along the line on 15th:—

Biscuit	...	...	...	...	12,778 rations.
Flour	...	...	...	...	13,016 "
Sugar	...	...	...	...	34,479 "
Tea	...	...	...	...	30,622 "
Coffee	...	...	...	...	36,661 "

Being very much in want of a shoeing smith, none in the force, have tried both at Tauranga and Opotiki; cannot get one; have written to Major Tisdall. Average daily number of sick is thirty now, including the hospital at Matata. I have just ascertained that Pukerimu is only about twenty miles from Tokangamutu.

7 p.m.—Convoy just returned from Taupo. Horses knocked up for want of shoes. St. George has 200 men and 150 women and children. He is sending for more provisions.

ST. JOHN.

Enclosure 2 in No. 12.

MEMORANDUM by Mr. Fox.

Wellington, 23rd July, 1869.

MR. FOX has the honor to enclose for His Excellency's information copies of Resolutions—one passed unanimously by the House of Representatives, the other by a majority of nineteen to two in the Legislative Council—requesting His Excellency to urge on General Sir Trevor Chute the expediency of temporarily detaining the 18th Regiment in New Zealand.

The large margin given by the Resolutions as to the rate of payment for the services of the 18th Regiment, leads Ministers to hope that the offer of the Legislature may be regarded as falling within the spirit of the Despatch of the Right Honorable the Secretary of State for the Colonies, No. 127, of 1868; in which it is suggested that "the Government and Legislature of New Zealand might have withdrawn from the position thus taken by Mr. Stafford, and have sought, if they considered the emergency so great, to retain the services of a portion of Her Majesty's Troops while organizing their own forces, on the conditions on which those troops are retained in the neighbouring Colonies."

Ministers also hope that the offer of the Legislature will be considered as meeting the spirit of Lord Granville's Despatch No. 62, of the 21st May, 1869, in which it is implied that the 18th Regiment might have been left in the Colony if Mr. Stafford had accepted the usual conditions, or intimated that the Colony was prepared to "make sacrifices" satisfactory to the Imperial Government.

The Legislature has now done this. It has pledged itself to pay whatever sum the Imperial Government may choose to impose as the condition of the temporary detention of the 18th Regiment.

The Resolution of both Houses of the Legislature will, it is hoped, be considered sufficient to justify an application to General Chute for the temporary detention of the Regiment. Ministers will propose to the House of Representatives a Bill to make legislative provision for the fulfilment of this pledge, which there is no doubt the Legislature will pass. Want of time alone prevented the Government bringing down a Bill instead of a Resolution.

Ministers beg to advise His Excellency that Dr. Featherston, a Member of the House of Representatives, (who is prepared to undertake the mission,) should be despatched to Melbourne for the purpose of conveying to General Chute such information in relation to the state of the Colony as may enable him to appreciate the critical position of affairs, which has led to the adoption by the Legislature of the Resolutions which His Excellency is requested to communicate to him.

For His Excellency the Governor.

WILLIAM FOX.

Sub-Enclosures to Enclosure 2 in No. 12.

Copy of a Resolution passed by the Legislative Council the 22nd July, 1869.

RESOLVED:—That a respectful Address be presented to the Governor, praying that His Excellency will be pleased to represent to Sir Trevor Chute, K.C.B., the disastrous consequences which may follow the removal of the 18th Regiment at this critical period, and will be also pleased, pending further reference to the Imperial Government, to move the General to accept the responsibility of detaining one regiment within the Colony, and to assure him that this Council will concur in legislation making provision to pay such sum as the Imperial Government may require for the time the troops are detained until its decision is made known.

Copy of a Resolution passed by the House of Representatives the 22nd July 1869.

RESOLVED:—That a respectful Address be presented to the Governor, praying that His Excellency will be pleased to represent to General Sir Trevor Chute, K.C.B., the disastrous consequences which may follow the removal of the 18th Regiment at this critical period, and will be also pleased, pending further reference to the Imperial Government, to move the General to accept the responsibility of detaining one regiment within the Colony, and to assure him that this House will pay such sum as the Imperial Government may require for the time the troops are detained until its decision is made known.

Enclosure 3 in No. 12.

MEMORANDUM by the GOVERNOR.

Government House, Wellington, 24th July, 1869.

THE Governor has read with great attention the Ministerial Memorandum of the 22nd instant, stating that "the alarming news contained in the enclosed communications just received from Waikato, and elsewhere, of the arrival of Te Kooti and his armed band at Tokangamutu, the head-quarters of the Maori King, and of the probability of a combined attack on the settled districts in the neighbourhood of Auckland, renders it imperative on His Excellency's Responsible Advisers to lay again before His Excellency an urgent representation of the disasters which the removal of the only Imperial regiment in the Colony, at such a critical moment, would in all probability occasion."

The Governor has also considered with no less care the Ministerial Memorandum of the 23rd instant, submitting copies of "Resolutions, one passed unanimously by the House of Representatives, the other by a majority of nineteen to two in the Legislative Council, requesting His Excellency to urge on General Sir Trevor Chute the expediency of temporarily detaining the 18th Regiment in New Zealand."

With regard to Mr. Fox's previous Memorandum of the 6th instant, the Governor stated to Ministers in the Executive Council that he regretted that it was entirely beyond his power to delay the departure of the 18th Regiment from this country. He explained that in his Despatches to the Secretary of State for the Colonies he had repeatedly recommended (as indeed General Chute and Commodore Lambert had also recommended), on grounds of Imperial as well as of Colonial policy, that the 18th Regiment should be left in New Zealand for the present, on conditions similar to those proposed by Lord Carnarvon; but that he had been informed in reply, in the most positive terms, that Her Majesty's present Government declined to repeat Lord Carnarvon's offer, and have resolved on the entire and immediate removal of the Queen's Troops, for the reasons stated in Despatches already presented to the Colonial Legislature. The Governor further reminded Ministers that all control over the troops remaining in this Colony had been taken out of his hands; that he had not received from the Colonial Office copies of the orders respecting those troops issued to the naval and military authorities in this command; and that when the Under Secretary of State (the Right Honorable W. Monsell) had recently been asked in the House of Commons if the Governor of New Zealand had power, under any circumstances whatever, to delay the departure of the 18th Regiment, Mr. Monsell had replied most emphatically in the negative; that, in fact, the final orders for the immediate and entire removal of the troops had been sent not to the Governor but to General Chute, and that General Chute (as was seen from his letter of the 17th June ultimo) had already taken steps, without any reference to the Governor, to carry out those orders forthwith; further, that though styled in his Commission "Commander-in-Chief" of New Zealand, the Governor was left so entirely without discretion, and even information, with regard to the Queen's Troops, that (as was already known) he had no means of acquainting the Colonial Ministers with the dates at which the head-quarters of the 18th Regiment at Auckland, and the detachments now garrisoning the principal towns in the disturbed districts (Taranaki, Napier, and Wanganui), would be withdrawn, so that the necessary arrangements might be made for replacing them with detachments of the Colonial Forces.

In the Ministerial Memorandum of the 23rd instant, it is stated as follows:—"The large margin given by the Resolutions as to the rate of payment for the services of the 18th Regiment leads

“Ministers to hope that the offer of the Legislature may be regarded as falling within the spirit of the despatch of the Right Honorable the Secretary of State for the Colonies, No. 127, of 1868; in which it is suggested that ‘the Government and Legislature of New Zealand might have with- drawn from the position thus taken by Mr. Stafford, and have sought, if they considered the emergency so great, to retain the services of a portion of Her Majesty’s Troops, while organizing their own forces, on the conditions on which those troops are retained in the neighbouring Colonies.’

“Ministers also hope that the offer of the Legislature will be considered as meeting the spirit of Lord Granville’s Despatch No. 62, of the 21st May, 1869, in which it is implied that the 18th Regiment might have been left in the Colony if Mr. Stafford had accepted the usual conditions, or intimated that the Colony was prepared to ‘make sacrifices’ satisfactory to the Imperial Government.

“The Legislature has now done this. It has pledged itself to pay whatever sum the Imperial Government may choose to impose as the condition of the temporary detention of the 18th Regiment.

“The Resolution of both Houses of the Legislature will, it is hoped, be considered sufficient to justify an application to General Chute for the temporary detention of the regiment. Ministers will propose to the House of Representatives a Bill to make legislative provision for the fulfilment of this pledge, which there is no doubt the Legislature will pass. Want of time alone prevented the Government bringing down a Bill instead of a Resolution.”

After full deliberation, the Governor has decided that it would be improper on his part to obstruct the action of Parliamentary Government by declining to forward to General Chute and to Commodore Lambert respectively, for the information of those officers, the above-mentioned Ministerial Memoranda and the Resolutions passed all but unanimously by both houses of the Colonial Legislature. At the same time, it is the duty of the Governor to repeat the opinion which he endeavoured to impress on Ministers before the Resolutions were proposed, viz., that all action of this nature is now too late, and that General Chute has no choice but to carry out his orders. It has, indeed, been positively asserted here (though not by Ministers), that General Chute possesses discretionary powers as to the removal or otherwise of the 18th Regiment. No intimation, however, of the existence of such discretionary powers has been given to the Governor, either by the Imperial authorities or by General Chute himself.

It will be recollected, moreover, that the Secretary of State has recommended the Colonial Government to attempt a peaceful solution of the existing complications—(1) By a prohibition of outlying settlements; and (2) by a modified recognition, within certain districts, of the so-called Maori King—on a plan similar to that formerly suggested by Mr. Fox. (*See Mr. Fox’s “War in New Zealand,”* page 32.)

With regard to the general question of Imperial assistance, the Governor is strongly of opinion, looking to the general tenor of the communications from the Colonial Office, that the Home Government will be disinclined—after all that has passed on the subject—to allow any portion of the Queen’s Troops to be stationed in New Zealand; and that, if they should to any extent accede to the earnest requests now made by the Colonial Ministry and Legislature, it will be only on the express understanding (sanctioned by an Act of the Colonial Parliament), that the cost of such troops will be defrayed by the Colony. Imperative orders will also probably be given to the same purport with those contained in the Secretary of State’s Despatches of 1st December, 1866, and 1st February, 1867, which “in effect confine the Imperial Troops to the duty of garrisoning the main centres of population, and leave to the Colonial Forces the conduct of active operations in unsettled or partially settled districts.” In a word, if this Colony should succeed in obtaining a certain portion of Imperial aid, it must probably be prepared to accept, at the same time, a certain measure of Imperial control.

The Governor has never underrated the moral impression which a small garrison of Imperial Troops is calculated to produce on both the hostile and the friendly Natives. But it is his duty earnestly to recommend Ministers not to relax, in the slightest degree, on the chance of retaining Imperial aid, the exertions already made, or which can be made hereafter, for internal self-defence. Indeed the Governor feels convinced that the Imperial authorities would demand, as a necessary preliminary to granting assistance of any kind, clear proof that this community had done its utmost for its own protection. In particular, it would probably be necessary to show that the Militia had been called out for training and exercise throughout the North Island, and also that the Volunteers and other local forces, as well as the redoubts and stockades in the disturbed districts, had been placed on the most efficient footing which may be found practicable.

The Governor is glad to know that Ministers entirely agree with him as to the necessity of the most strenuous exertions at the present crisis. Further, he wishes to take this opportunity of referring to his former Memorandum, showing the increased efficiency and economy which could be realized by the organization of an Armed Constabulary for the whole Colony (or, at all events, for the North Island), on a system similar to that of the Royal Irish Constabulary, and of the excellent Police Forces now established in Victoria and in the other principal Australian Colonies. In the Despatches of General Cathcart, while Governor of the Cape Colony during the last Kaffir war, there will be found many practical suggestions respecting the kind of Police Force, and the nature of the redoubts and other defensive works, which are most suitable for a warfare closely resembling, in most respects, that waged by the rebel Maoris.

There are other questions which the Governor has on several occasions discussed with the late and the present Ministers, but to which it seems now unnecessary to refer.

In conclusion, it need scarcely be said that the Governor is most anxious to co-operate heartily with his Responsible Advisers in all measures calculated to secure the safety and to promote the welfare of New Zealand. He is fully aware, moreover, of the manifold difficulties, political and military, which surround the questions to which he has alluded. The main object of this Memorandum is to attempt to put in a clear light before the Colonial Ministers the views of the Imperial Government, now that it is desired to solicit Imperial assistance. Nothing can be further from the wish or intention

of the Governor than to interfere, in any unconstitutional manner, with the control of Native Affairs, which was formally transferred, six years ago, to the Colonial Government.

G. F. BOWEN.

Enclosure 4 in No. 12.

The GOVERNOR of NEW ZEALAND to Major-General Sir TREVOR CHUTE, K.C.B.

SIR,—

Government House, Wellington, New Zealand, 23rd July, 1869.

In continuation of my letters of the 30th ultimo and of the 19th instant, I have the honor to inform you that I have this day been requested by my Responsible Advisers to transmit for your consideration a Ministerial Memorandum, with printed copies of telegrams attached to it, and also a second Memorandum, with, appended to it, certain Resolutions passed almost unanimously last night by both Houses of the New Zealand Parliament, respecting the 2nd Battalion, 18th Regiment.

I am further requested to inform you that the Superintendent of Wellington, Dr. Featherston, who accompanied you on your West Coast campaign, is about to proceed to Melbourne, and has been deputed by the Ministry of this Colony to furnish you with any explanations which you may require concerning the enclosed papers, and the present state of New Zealand.

It will be seen that the Colonial Parliament has now pledged itself to "pay such sum as the Imperial Government may require for the time the troops are detained until its decision is made known."

As you already know, no control or discretion whatsoever has been left to me in the matter of the removal of the 2nd Battalion, 18th Regiment; and the instructions of Her Majesty's Government have placed it beyond my power to take any action, or to exercise any responsibility in the matter. I have told the Ministers that I am not aware if any discretionary powers have been left to you.

There can be no doubt that the North Island of New Zealand is in a very critical position, and that there is a strong probability of a general rising of the disaffected Natives after the entire removal of the troops.

Major-General Sir Trevor Chute, K.C.B.,
Head-quarters, Melbourne.

I have, &c.,

G. F. BOWEN.

Enclosure 5 in No. 12.

The GOVERNOR of NEW ZEALAND to Commodore LAMBERT, C.B.

SIR,—

Wellington, New Zealand, 24th July, 1869.

In continuation of my letter of the 19th instant, I have now the honor to transmit, for your information, two further Memoranda from my Responsible Advisers, respecting the present critical state of this Colony, and the Resolutions passed by the New Zealand Parliament, pledging itself to pay such sum as the Imperial Government may require for the 18th Regiment, if detained in this country.

Commodore Lambert, H.M.S. "Challenger."

I have, &c.,

G. F. BOWEN.

P.S.—I beg to request your attention to the concluding paragraph of the Memorandum of the 22nd instant, in which Ministers strongly urge how exceedingly desirable the presence of one or more of Her Majesty's ships is at this critical time.

G. F. B.

Enclosure 6 in No. 12.

MEMORANDUM by Mr. McLEAN.

Wellington, 6th August, 1869.

SINCE the date of the last Memorandum (of 3rd July) to your Excellency, giving a narrative of events from the 1st May, no fresh military operations have been undertaken against the rebel Maoris, and no collision between them and the Colonial Forces has occurred.

The Colonial Forces were employed in garrisoning a line of posts extending from the Bay of Plenty towards Waikare-Moana.

The inclemency of the weather at this season of the year, the danger to which the working parties and convoys were exposed from ambuscades of the enemy, the impossibility, except at a cost beyond the resources of the Colony, of keeping up supplies, and lastly, the fact that the posts maintained were of no advantage for defensive purposes, rendered it advisable that the force should be withdrawn, reduced in numbers, and re-distributed as garrisons where most necessary.

A force under Lieut.-Colonel Herrick, composed chiefly of Natives, and which was originally intended to co-operate with Colonel Whitmore against the Uriweras when that officer withdrew from the Uriwera country, commenced operations at Waikaremoana, with a view of punishing the Uriwera tribe, who had taken part with Te Kooti in the massacres at Poverty Bay and Mohaka, and was now occupying fortified pas on the Lake.

This expedition required very extensive and costly preparations. Pontoons and boats had to be built, and the *materiel* and provisions for the force to be conveyed a distance of thirty miles over tracks which the incessant rains had made almost impassable; the enemy also had managed to send parties round to our rear, (on one occasion an orderly with despatches was killed within three miles of camp,) thus increasing the difficulty of communication and supply.

The nature of the country and the difficulty of crossing the Lake rendered success at best doubtful; and as the result would not be commensurate with the cost, this enterprise was abandoned and the expedition withdrawn.

The Natives have returned to their homes, and the remainder of the force, consisting of Armed

Constabulary, will be stationed at posts protecting the frontiers of settlements, and the line of telegraph now in process of extension from Napier towards Taupo, ultimately to join the wire from Auckland to Waikato, when accomplished, will place all the chief towns of New Zealand in communication with each other.

About the date of the last Memorandum, Te Kooti left the pa he had been occupying on the southern shore of Lake Taupo, and being joined by Te Heu Heu, the principal chief of that part of the Island, proceeded to Waikato, with a following of about 300, for the purpose of seeing the Maori King. He was met and received by Rewi Maniapoto, and by Tamati Manuwhiri, uncle of Tawhiao, whose influence with the latter was expected to be sufficient to induce him to receive favourably, if he did not join, Te Kooti.

It was also believed that Titokowaru, Kereopa, and Hakaria would meet at Waikato, and it was for some days unknown what attitude Tawhiao would assume towards these men.

During this period, the settlers in the Waikato District, and all who foresaw the disasters which would probably result to the Colony from a union of the rebel leaders, were in a state of anxious suspense, and war in its worst forms threatened the country.

At this time, when a threatened outbreak, not clearly defined but none the less dangerous, was hanging over the Colony, your Excellency will no doubt recognise the spirited manner in which the Volunteers of the Wairoa, Waiuku, and Thames Districts came forward for the defence of their fellow-settlers in the Waikato. The reports of Majors Tisdall and Cooper on the subject are attached.

Among the Natives matters soon assumed an unexpected form, for no sooner had Kooti arrived in Waikato, than he commenced to make demands which even those most desirous of joining him regarded as outrageous. He ordered the greenstone ornaments and other heirlooms, so valued by the Maori people, to be given up to him or destroyed; he also demanded to be recognised as their prophet, that the religion he taught should be embraced, and that Orakau, a valuable tract of land, should be given up to him as payment for the Uriwera who fell in its defence when taken by the Imperial and Colonial Forces under General Cameron. This was tantamount to asking for all Waikato, and Tawhiao, no doubt feeling that his next step would be to proclaim himself King, (indeed, he had likened himself to Jehu already,) refused to see him, and used all his influence against him.

Copies of letters and telegrams received by the Government, detailing these occurrences, are enclosed, from which it will be seen that Te Kooti was compelled to leave Waikato, and the more imminent danger which threatened the district has for the present subsided, although it cannot be said to have passed away, for there is no knowing under what circumstances Te Kooti might return.

On the West Coast the Pakakohe tribe, who are more or less implicated with Titokowaru in the murders of settlers, and other unprovoked outrages, have, to the number of between 300 and 400, including men, women, and children, either been brought in by scouting parties of the Colonial Forces and friendly Natives, or given themselves up. Of these, about 95 men have been removed from Patea to Wellington, and, while awaiting trial by the Supreme Court, are placed on board a hulk in this harbour.

Though there are no military operations to report this month, there is yet no doubt that the danger of the Colony is very great. The hostile Natives are numerous and unsubdued, and only waiting their opportunity to pounce upon that settlement which shall seem to them most to invite attack.

The central position occupied by Te Kooti enables him to threaten Waikato, Taranaki, Tauranga, Opoiki, Poverty Bay, Napier, and other places. Titokowaru also threatens Taranaki, or again, he can descend upon the Patea and Waitotara, and were it not for the restraining power exercised over the rebels by the presence in New Zealand of Her Majesty's 18th Regiment, there is no doubt that active hostilities would before now have been resumed.

DONALD McLEAN.

Enclosure 7 in No. 12.

Telegram from the GOVERNOR of NEW ZEALAND to the SECRETARY of STATE for the Colonies, London.

Wellington, New Zealand, 7th August, 1869.

MINISTERS request me to state that Resolutions have been passed almost unanimously in both Houses of the New Zealand Parliament, praying for the retention of the Eighteenth Regiment as a garrison and moral support. An Act has also been passed, and transmitted by this mail, binding the Colony to pay whatsoever contribution the Imperial Government may demand. If the retention of the Eighteenth is sanctioned on these terms, it is requested that a telegram may be sent immediately to General Chute, at Melbourne.

G. F. BOWEN.

No. 13.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 105.)
MY LORD,—

Government House, Wellington,
New Zealand, 20th August, 1869.

In continuation of my Despatch No. 94, of the 27th ultimo, I have now the honor to transmit copies of the following Official Reports and Papers, all containing interesting and valuable information respecting this Colony:—

- (1.) Abstract Report on the Progress of the Geological Survey of New Zealand during 1868-9.
- (2.) Second Report on the Thames Gold Fields, in the Province of Auckland.

- (3.) Meteorological Report for 1868.
 (4.) Essays on the subject of the Settlement of the Gold Mining Population in New Zealand.

2. Perhaps your Lordship will see fit to cause copies of the above Papers to be transmitted to the Royal Geographical and other Scientific Societies in London.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 14.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 106.)

Government House, Wellington,

MY LORD,—

New Zealand, 21st August, 1869.

All the Papers printed for the New Zealand Parliament are transmitted regularly to the Colonial Office; but it may be desirable that I should request attention, among others, to the following Papers recently so printed, some of the contents of which will probably be found useful in the General Post Office, the Board of Trade, the office of the Hydrographer to the Admiralty, and in other departments of the Imperial Administration. I refer more particularly to the documents of which I now enclose copies, viz. :—

- (1.) The Tenth Report (for 1868) on the Postal Service of New Zealand.
- (2.) Papers relative to Conveyance of Mails *viâ* Suez.
- (3.) Papers relative to Conveyance of Mails *viâ* Panama.
- (4.) Fifth Report of the Marine Department, for 1868-9.
- (5.) Returns of General Imports and Exports of the Colony of New Zealand, for 1868.

2. I may take this opportunity of also forwarding (though these Papers treat of a somewhat different subject from the above documents,) the "Reports of the Commission of Inquiry into the condition and nature of Trust Estates for Religious, Charitable, and Educational Purposes." This Commission was appointed by me, with the advice of the Executive Council, in last February, and the evidence already taken contains much practical information of a valuable character, and affecting the interests of both the European and the Maori inhabitants of this Colony.

Enclosure 1.
 See Appendix to Journals of the House of Representatives.
 E.—No. 1.
 Enclosures 2 and 3.
 E.—No. 3.
 Enclosures 4 and 5.
 E.—No. 2.
 Enclosure 6.
 E.—No. 4.
 Enclosure 7.
 See *New Zealand Gazette*, 1869.
 Enclosures 8 and 9.
 A.—No. 5, and A.—No. 5A.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 15.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 109.)

Government House, Wellington,

MY LORD,—

New Zealand, 28th August, 1869.

In continuation of my Despatch No. 103, of the 5th instant, I have the honor to report that Major-General Sir Trevor Chute has informed me, in a letter dated on the 4th instant, that, looking to the present circumstances of this Colony, he has "taken the responsibility of detaining the 18th Regiment in New Zealand, pending further instructions from the Imperial Government."

2. Immediately on the receipt of this intelligence, both houses of the New Zealand Parliament unanimously passed the votes of thanks to General Chute of which I now enclose copies.

3. A few days afterwards, it became known that Commodore Lambert, who accompanied His Royal Highness the Duke of Edinburgh to New Zealand, and has since remained here, was about to return to Sydney, for which place he sailed in H.M.S. "Challenger," on the 24th instant. Before his departure, both houses of Parliament unanimously passed votes of thanks (of which copies are annexed) to Commodore Lambert and his officers.

Vide Journals of the L.C., 1869, p. 76; and Journals of the H. of R., 1869, p. 134.

Vide Journals of the L.C., 1869, p. 84; and Journals of the H. of R., 1869, p. 160.

4. As your Lordship is already aware, the late and present Ministers of New

Zealand, the other leading men of all political parties, and the overwhelming majority of the Colonial Legislature, (including Mr. McLean, Mr. Fenton, and all those who are intimately acquainted with the language and feelings of the Natives, together with the Maori representatives themselves,) believe that the presence in this country of a portion of Her Majesty's Naval and Military Forces, though they are precluded from taking an active part in warlike operations, is requisite for a peaceful solution of the existing difficulties, on account of the moral impression thereby made on both the friendly and the hostile clans. As I have reported elsewhere, the Colonial Parliament has, with this view, made legal provision for the payment of whatever sum may be demanded by the Imperial Government for a garrison of one regiment of the line.

See Governor of N.Z., to the Secretary of State, No. 103, of 5th Aug., 1869, No. 110, of 3rd Sept., 1869.

5. The positive instructions of the Admiralty have, of course, precluded Commodore Lambert from following the example of Sir William Wiseman, Captain Beauchamp Seymour, and others of his predecessors on this station, by landing parties of seamen and marines in support of the operations of the Colonial Forces against the rebels; but it is considered by all competent judges that the presence of two of Her Majesty's ships in the waters of this Colony has produced a most salutary effect; and, in particular, that their occasional visits to the harbour of Tauranga, in the Bay of Plenty, (often threatened by Te Kooti, and other insurgent leaders,) has probably prevented a repetition at that settlement of the horrors of the recent massacre at Poverty Bay (Turanganui).

6. At the instance of my Responsible Advisers, I would request your Lordship to cause copies of the enclosed votes of thanks to General Chute and Commodore Lambert to be forwarded to the Secretary of State for War and to the Lords of the Admiralty respectively.

I have, &c.,
G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

No. 16.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G.; to the Right Hon. Earl GRANVILLE, K.G.

(No. 110.)
MY LORD,—

Government House, Wellington,
New Zealand, 3rd September, 1869.

In continuation of my Despatches Nos. 103 and 109, of the 5th and 28th ultimo, I have the honor, at the request of my Responsible Advisers, to transmit herewith, and to recommend to your Lordship's early and favourable consideration, a Ministerial Memorandum by Mr. Fox, respecting the Military Defence of New Zealand, covering copies of the Resolutions agreed to on the subject by the Parliament of this Colony, and also of the following Acts, viz.—(a) "An Act to make provision by Law for the payment of Imperial Troops" (32 and 33 Victoria, No. 17); and (b) "An Act to authorize the appointment of Commissioners to enter into agreement with the Imperial Government for the employment of an Imperial Force in New Zealand; and also to enter into arrangements for organizing a Force for Service under the Colonial Government, and to make provision for payment of the cost of such Imperial and Colonial Forces" (32 and 33 Victoria, No. 25).

2. At the same time I forward the usual monthly Report by Mr. McLean, the Minister for Native Affairs and Defence, and solicit attention to its contents.

3. I further transmit a copy of a Telegram, which I have this day, at the request of my Ministers, forwarded to your Lordship.

4. My Ministers are anxious that I should request particular attention to that part of Mr. Fox's Memorandum (Enclosure No. 1) from which it will be seen that the Commissioners (Dr. Featherston and Mr. Dillon Bell) deputed by the Colonial Legislature to confer with the Imperial Authorities "will proceed to England as early as possible, probably by the October mail *via* Suez, so as to reach England before the usual period of the meeting of Parliament; and it is hoped that, with reference to the temporary detention of the 18th Regiment by General Chute, as well as to the questions of further detention

“and fixing the cost, Her Majesty’s Government will postpone any action till the
“Commissioners shall have had an opportunity of laying the case of the Colony
“before it.”

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure 1 in No. 16.

MEMORANDUM by Mr. FOX.

[This Memorandum has been mislaid and cannot be found. Application will be made to the
Colonial Office for a copy.]

Enclosure 2 in No. 16.

MEMORANDUM by Mr. McLEAN.

No military operations of any magnitude have been undertaken during the past month. Te Kooti has been wandering about the country at the head of a band of brigands, well armed and desperate, and accompanied by Rewi Maniapoto, with a few of his tribe.

Occupying the centre of the Island, this band has had the power of falling upon any of the Coast settlements, and has thus kept the Thames, Tauranga, Opotiki, Poverty Bay, Wairoa, Napier, and Taranaki, in a state of anxious watchfulness.

Every effort has been made to reorganize and arm the Militia and Volunteer forces, so as to render them available for the defence of their respective districts.

A body of loyal Natives at Rotoaira, near Taupo, having been threatened by Te Kooti, reinforcements were despatched from Napier, consisting of 190 of the Maori Militia of the Province, and about 20 mounted Armed Constabulary, under Lieut.-Colonel Herrick. A party of Natives, whose exact number is not yet known, simultaneously proceeded up the Wanganui River to the relief of the beleaguered party.

Titokowaru has remained passive since his retreat to the Ngatimaru country about four months ago, and has given no further trouble as yet.

The temporary detention of the last regiment of Imperial Troops, and the determination of the Colony to make every effort to induce the Government of Great Britain to make that detention more permanent, has had the effect of reassuring the minds of the friendly Natives, and of removing a feeling which was beginning to give rise to some uneasiness on the part of those best acquainted with the temperament of the Maori race.

This feeling arose, not unnaturally, from observing the gradual withdrawal of British Troops from New Zealand, and the consequent suspicion on the part of those tribes who had fought for the Government that they were being abandoned and betrayed. Overtures of peace had actually been made between the rebels and some of the most staunch of the loyal tribes; but when it became known that the last emblem of British power was not yet to be withdrawn, and that efforts were being made to render its retention permanent, the confidence of those tribes was at once restored, and the inchoate negotiations were abruptly broken off.

DONALD McLEAN.

Wellington, 2nd September, 1869.

Enclosure 3 in No. 16.

TELEGRAM from the GOVERNOR of New Zealand to the SECRETARY of STATE for the COLONIES,
London.

Wellington, 3rd September, 1869.

PARLIAMENT prorogued to-day. Act passed appointing Commissioners to Imperial Government. Dr. Featherston and Dillon Bell are Commissioners, and will sail for England, if possible, by next mail. Act provides for payment of one British regiment, and for local defence force to be organized with advice of the Home authorities. Colonial Government hopes Imperial Government will not decide anything without hearing Commissioners.

G. F. BOWEN.

No. 17.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 111.)

Government House, Wellington,

MY LORD,—

New Zealand, 4th September, 1869.

I have the honor to transmit herewith copies of the Speech with which, by the advice of my Ministers, I yesterday closed the Session for 1869 of the New Zealand Parliament. See Journals of the House of Representatives, 1869, p. 257.

2. As the English mail for September leaves Wellington this day, it will not be possible to send home by it copies of the Acts passed during the late Session,

with the usual report on them, but they will be forwarded by next month's mail, together with copies of all the Parliamentary Papers not yet forwarded, and of the New Zealand *Hansard*.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

No. 18.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 117.)
MY LORD,—

Government House, Wellington,
New Zealand, 12th September, 1869.

At the request of my Responsible Advisers, I have the honor to transmit, and to recommend to early and favourable consideration, the enclosed Ministerial Memorandum respecting the amount of gold exported from New Zealand.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure in No. 18.

MEMORANDUM by Mr. VOGEL.

On the 25th November last, Mr. Fitzberbert submitted to the Secretary of State for the Colonies a Memorandum, in which he requested that arrangements might be adopted by which the returns published by authority in London should show the total quantity of gold, the produce of New Zealand, imported into the United Kingdom.

In reply to that Memorandum, a copy of a Report from the Commissioner of Customs was forwarded to Mr. Fitzberbert by Sir F. Rogers, in which it was stated that gold, the produce of New Zealand, reaching the United Kingdom through Australia, could only be classified and treated as gold from Australia.

During the year 1868, the total value of gold exported from New Zealand to the United Kingdom amounted to £2,492,709; of this, only gold to the value of £470,989, or less than a fifth of the whole, was shipped direct; the remainder passed through Australia in transit, and would accordingly be classified in the returns published in England as Australian gold. The returns in question, therefore, exhibit the quantity of gold imported from this Colony in most unfair and unfavourable contrast to that shown as imported from Australia.

It is a matter of the highest importance, both as bearing on the credit of the Colony and on its character as a field for emigration, that accurate information respecting its production of gold should appear in the official returns published in the United Kingdom. Ministers therefore desire that your Excellency will be good enough to bring this question again under the notice of the Secretary of State for the Colonies, with a view to its being submitted to the Lords of the Treasury, accompanied by a request that they will be pleased, if there are no departmental objections in the way, to issue such instructions to the Customs authorities in England as will cause the total quantity of gold imported into the United Kingdom from this country to be shown in the Board of Trade Returns, instead of showing, as at present, only the small proportion which is imported direct.

In order to show that full and precise information on this point reaches the Customs in England, it is only necessary to refer to the enclosed copies of letters from the Governments of Victoria and New South Wales, which state that New Zealand gold shipped to England through those Colonies, is always clearly distinguished on the outward manifests of the vessels on board which it is shipped.

Sub-Enclosure 1 to enclosure in No. 18.

Treasury, New South Wales,

SIR,—

Sydney, 4th August, 1869.

I have the honor to acknowledge receipt of the Honorable the Chief Secretary's letter of the 17th June last, addressed to Mr. Robertson, with reference to the classification, in the Board of Trade Return, of gold shipped from your Colony to this port for transshipment to England, as the produce of "Australia," and requesting information with regard to the manner of entering and clearing same at our Custom House.

I have the honor to inform you, in reply, that the Collector of Customs, to whom the communication was referred, has reported upon the same as follows:—

"The confusion here complained of must, I think, rest with those who compile the return for the Board of Trade. In the clearance of all ships taking gold from this Colony, such gold is clearly distinguished as the produce of 'New South Wales,' 'New Zealand,' and 'Queensland,' &c.

"It is true that during the last quarter of 1868 this practice was abolished by the officer then in charge of the department, but I immediately restored it upon my return to office in January last, and it is impossible to give the required distinction more clearly than it is given in our present clearances."

Trusting that this explanation will prove satisfactory so far as the Customs authorities here are concerned,

The Under Colonial Secretary, Wellington,
New Zealand.

I have, &c.,

HENRY.

Sub-Enclosure 2 to Enclosure in No. 18.

(No. 2,030.)

Victoria, Chief Secretary's Office,

Melbourne, 21st July, 1869.

SIR,—

I have the honor to forward the enclosed Report, received from the Commissioner of Trade and Customs, in reply to the inquiry contained in your letter of the 17th June, as to whether gold reaching Melbourne from New Zealand for transmission to England, can be entered as to be transhipped, so as to distinguish it from the produce of this Colony.

You will perceive from the Report that this Government always takes precautions to prevent the gold of the two Colonies being confounded, although there are practical difficulties in the way of adopting your suggestions.

The Hon. the Colonial Secretary, Wellington,
New Zealand.

I have, &c.,

JAMES McCULLOCH.

"Gold coming from New Zealand is not entered to be 'transhipped,' as frequently there are, at the time of arrival, no vessels on the berth which are ready to sail, and gold is never placed on board until the last moment. It is in consequence necessarily dealt with as an import from New Zealand, and subsequently as an export from hence, but is always distinctly borne on the outward manifest as New Zealand gold, and can never be confounded with gold the produce of this Colony.

" J. GUTHRIE."

No. 19.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 118.)

Government House, Wellington,

MY LORD,—

New Zealand, 13th September, 1869.

In continuation of my Despatch No. 111, of the 4th instant, and in the terms of the 261st article of the Colonial Regulations, I have now the honor to transmit herewith, under separate cover, nineteen copies of each of the Acts passed during the Session for 1869 of the New Zealand Legislature, together with the customary synopsis. Enclosure 1—
Copies of Acts.

2. Copies of the Papers laid before the Legislature have been transmitted by every monthly mail. The annual volume of Papers, or "Appendix to the Journals," for 1869, will be forwarded when issued by the Government Printer.

3. I forward also, on this occasion, copies of the New Zealand *Hansard*, or Reports of the Parliamentary Debates, to the end of the recent Session, in continuation of the numbers already forwarded.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure 2 in No. 19.

SYNOPSIS OF THE ACTS OF 1869.

- No. 1. *The Imprest Supply Act* is an Act to allow the advance by way of imprest for the service of the current financial year in anticipation of sum to be appropriated of any sum of money not exceeding £150,000.
- No. 2. *The Treasury Bills Act* allows the issue of Treasury Bills to the amount of £150,000.
- No. 3. *The Inquiry into Wrecks Act* repeals "The Inquiry into Wrecks Act, 1863," and re-enacts it with amendments, most of which are taken from "The Merchant Shipping Act, 1862."
- No. 4. *The Restriction on Marine Re-assurance Removal Act* repeals the Imperial Statute, 19 Geo. II., c. 37, so far as it forbids re-assurance of sea risks.
- No. 5. *The Merchant Shipping Acts Adoption Act*. This Act is made in pursuance of section 288 of "The Merchant Shipping Act, 1854," and adopts parts of that Act and of the Merchant Shipping Acts of 1862 and 1867.
- No. 6. *The Bridges and Ferries Act, 1868, Amendment Act*. This enables the Governor to extend the operation of "The Bridges and Ferries Act, 1868," to districts within Provinces: the principal Act extended only to the County of Westland.
- No. 7. *The Public Payments without Probate Act* enables the General and Provincial Governments to pay sums not exceeding £50, after the death of a creditor, without requiring probate or letters of administration.
- No. 8. *The Nelson Marriages Act* removes doubts as to the validity of certain marriages in the Province of Nelson.
- No. 9. *The Southland Provincial Debt Acts Amendment Act* removes the limitation of time within which certain debts of the Province of Southland were to be paid by the Colony.
- No. 10. *The Auckland Gold Fields Proclamations Validation Act* removes doubts as to the validity of several Proclamations made by the Superintendent and Deputy Superintendent of the Province of Auckland under the Gold Fields Act.

- No. 11. *The Otago Settlements Act* enables the Superintendent and Provincial Council of Otago, before 1st January, 1874, to set apart sites for special settlements, and authorizes the issue of free grants to settlers thereon.
- No. 12. *The Nelson and Cobden Railway Act Amendment Act* alters the boundaries of the district comprising the land on which payment for the construction of the railway is to be made.
- No. 13. *The Canterbury Waste Lands Act* makes provision for fixing the rental of certain runs, and for allowing the sale of sites originally reserved for towns but not sold as such.
- No. 14. *The Naval and Military Settlers Act* enables Naval and Military Settlers, in certain cases of hardships, to leave their respective Provinces without forfeiting their right to a grant of land.
- No. 15. *The Wellington and Hawke's Bay Public Debt Apportionment Act Extension Act, 1869*, extends the time for making an award under the principal Act.
- No. 16. *The Provincial Elections Act Amendment Act* provides for the formation of electoral rolls in Provinces when the electoral districts are altered, and removes doubts as to the form of writs.
- No. 17. *The Military Contribution Act* provides for payment on account of the detention of the 18th Regiment in the Colony, pending communication with the Imperial Government.
- No. 18. *The Mining Companies Limited Liability Act Amendment Act* explains and amends the principal Act, and imposes fees on formation of new Companies.
- No. 19. *The Railways Act* removes doubts as to level crossings on several railways.
- No. 20. *The Disturbed Districts Act (Temporary)*. This Act enables the Governor in Council to proclaim districts within which the powers given by the Act may be exercised. Officers in the Imperial and Colonial Forces to arrest and detain suspected persons. Special sittings of the Supreme Court are to be held. At these sittings the procedure is simplified by dispensing with a Grand Jury, and by making the delivery of lists of jurors and witnesses, &c., in cases of treason, unnecessary, except where ordered by the Court. When a person charged with an offence is acquitted, he may be called upon to show that he has been for twelve months a person of good behaviour, and if he fail so to do, he may be committed to prison, as a disorderly person, for a term not exceeding eighteen months, in default of finding sureties for good behaviour. Justices may commit any person in like manner as a disorderly person. Powers are given to search for arms, and to disarm.
- No. 21. *The Intestate Estates Act Amendment Act* enables the Governor to fix the amount of security to be given by Curators of Intestate Estates.
- No. 22. *The Otago Hundreds Regulation Act* provides for due inquiry before the proclamation of a hundred, and for compensation to runholders injured by such proclamation.
- No. 23. *The Public Revenues Act (No. 2)* provides for settlement of differences between the Treasury and the Comptroller as to the amount at credit of the Public Account.
- No. 24. *The Shortland Beach Act* prohibits all dealing by subjects with a part of the sea shore below high water-mark, adjoining the Thames Gold Fields.
- No. 25. *The Gold Fields Act Amendment Act* explains and alters, in some minor particulars, the Acts of 1866 and 1868.
- No. 26. *The Native Lands Act* alters the practice as to dating certificates of title issued by the Native Lands Court and the preparation of Crown grants thereon; as to granting a re-hearing; as to duties; and as to execution of deeds by married Maori women.
- No. 27. *The Canterbury Temporary Mining Reserves Act* enables the Superintendent of Canterbury to make reserves of supposed gold-bearing land, without waiting for the recommendation of the Provincial Council.
- No. 28. *The Auckland Waste Lands Act, 1867, Amendment Act* amends the Act of 1867 in some minor details, and forbids the withdrawal of land proclaimed as open for sale.
- No. 29. *The Otago Waste Lands Act, 1866, Amendment Act, 1869*, amends the law relating to pasturage of cattle within hundreds in Otago.
- No. 30. *The Crown Lands (Nelson) Leasing Act* enables holders of pastoral licenses to exchange them for leases.
- No. 31. *The Poverty Bay Grants Act* enables the Governor to carry out certain engagements to grant land at Poverty Bay to Natives and others.
- No. 32. *The New Zealand Cross Endowment Act* enables the Governor to reserve 5,000 acres of confiscated land, and to grant pensions out of the income arising therefrom to holders of the New Zealand Cross, instituted in March, 1869.
- No. 33. *The Commissioners of Crown Lands Act* amends the law relating to the appointment of Commissioners of Crown Lands.
- No. 34. *The Bailments of Stock and Chattels Registration Act* protects persons letting stock, &c., from the operation of order and disposition clause of "The Bankruptcy Act, 1867," if the lease is duly registered.
- No. 35. *The Delivery of Goods and Lien for Freight Act* is an adaptation of sections 66-77 of "The Merchant Shipping Act Amendment Act, 1862."
- No. 36. *The Dangerous Goods Act* regulates the keeping and carriage of dangerous kinds of petroleum and of nitro-glycerine. It is founded on the Petroleum Acts, 1862 and 1868, and "The Carriage and Deposit of Dangerous Goods Act, 1866."
- No. 37. *The Building and Land Societies Amendment Act* explains "The Building and Land Societies Act, 1866."
- No. 38. *The Joint Stock Companies Amendment Act* alters the majority necessary to pass a special resolution under "The Joint Stock Companies Act, 1860."
- No. 39. *The Post Office Savings Bank Amendment Act* provides for closing ordinary Savings Banks, and transferring the accounts to the Post Office.
- No. 40. *The Timaru and Gladstone Board of Works Act Amendment Act* provides for the construction of bridges over the Rangitata and Waitangi Rivers.
- No. 41. *The Oamaru Town Reserves Management Act* vests certain public reserves in the Corporation of Oamaru for public purposes.

- No. 42. *The Greymouth Quays Act* removes doubts as to the powers of the Council of the Borough of Greymouth, under "The Municipal Corporations Act, 1867," sections 181-186, schedule 13, Part III.
- No. 43. *The Westland Public House Ordinance Amendment Act* makes further provision for the licensing and management of public houses and dancing saloons in Westland.
- No. 44. *The County of Westland Amendment Act* provides for the management of the accounts of the County, gives limited borrowing powers to the County Council, provides for the transfer of the control of the County Police to the Governor, and empowers the County Council to make rates for hospital purposes.
- No. 45. *The Canterbury Rivers Act Amendment Act* alters the mode of repaying money borrowed under the principal Act (1868).
- No. 46. *The Provincial Councils Legislation Appeal Act* furnishes a mode of trying the validity of Bills passed by Provincial Councils, by stating a special case for the Supreme Court.
- No. 47. *The Provincial Acts Validation Act Continuance Act* continues the Validation Acts of 1867 and 1868 till the end of next Session of the General Assembly, and validates six Provincial Ordinances which were deemed repugnant to parts of these Acts.
- No. 48. *The Provincial Audit Act Amendment Act* enables Provinces to borrow, to the extent of one-fifth of their revenue, by overdraft or deficiency bills, sums necessary for the management of their affairs.
- No. 49. *The Gold Fields Officers Salaries Act* empowers the Governor to pay out of gold field revenue certain officers, if not sufficiently provided for by the Provinces in which they are.
- No. 50. *The Oyster Fisheries Act Amendment Act* enables the discoverers of natural oyster beds to obtain exclusive licenses to take oysters therefrom during a period not exceeding five years.
- No. 51. *The Medical Practitioners Registration Act* repeals the Act of 1867, and makes new provisions for the registration and qualification of medical practitioners.
- No. 52. *The Contagious Diseases Act* is similar in its terms to the Imperial Contagious Diseases Act, 1866. It is to apply only to districts proclaimed by the Governor.
- No. 53. *The Vagrant Act, 1866, Amendment Act* imposes penalties on prostitutes loitering in public places, and on persons allowing bad characters to assemble in public rooms, &c.
- No. 54. *The Gaolers and Prisoners Act* removes doubts as to the removal of sick prisoners to and from hospitals, and imposes a penalty on persons holding communications and delivering tobacco, &c., to prisoners under sentence.
- No. 55. *The Justices of the Peace Act Amendment Act* repeals "The Indictable Offences Act, 1863," which was accidentally omitted in the schedule to "The Justices of the Peace Acts Repeal Act, 1866," and explains and amends "The Justices of the Peace Act, 1866."
- No. 56. *The Trustees Powers Delegation Act* enables trustees abroad, of land in New Zealand, to delegate their powers to their agents here, for the purpose of selling, letting, &c. This Act was passed in consequence of the inconvenience of having to refer to England, and other distant places, before a sale could be effected by trustees having merely discretionary powers of sale, &c.
- No. 57. *The Arms Act Amendment Act* furnishes a more complete system of registering the holders of licenses to have arms, and makes the offence of selling arms to or for the use of rebels a capital felony.
- No. 58. *The Armed Constabulary Act Amendment Act* alters the period of service for which constables may be sworn in, and imposes on the constables some of the duties of peace officers.
- No. 59. *The New Zealand Commissioners Act* authorizes the appointment of Commissioners to treat with the Imperial Government for a force to put down the present rebellion, and also to raise another force for the service of the Colony.
- No. 60. *The Government Annuities Act* provides for the sale of Government Annuities and the Insurance of Lives by the Colonial Treasurer. A Commission or Board to be appointed.
- No. 61. *The Registration Act Amendment Act* alters the mode of adding a name to the entry of the birth of a child, originally registered without a name.
- No. 62. *The Crown Bonds and Securities Act* enables officers of the Government to give security by guarantee policy in lieu of their personal bond.
- No. 63. *The New Zealand Law Societies Act* incorporates the barristers and solicitors of the Supreme Court, with powers to make bye-laws for their own government. The Act is founded on the Charter of the English Incorporated Law Society.
- No. 64. *The Hugo Max Bucholz Naturalization Act* was passed in consequence of an informality in the administration of the Oath of Allegiance on the naturalization of Mr. Bucholz.
- No. 65. *The Acclimatization Society of Southland Grant Act* appropriates 2,000 acres of land as an endowment for the purpose of introducing salmon and trout into the rivers of the Province.
- No. 66. *The Botanic Garden Act* provides for the establishment of a Botanic Garden at Wellington.
- No. 67. *The Public Libraries Act* is a permissive Act, enabling municipal bodies to establish free libraries, and to make rates for that purpose.
- No. 68. *The Whiteley Pension Act* grants a pension to the widow and daughter of the Reverend John Whiteley, the Missionary who was murdered at the White Cliffs in February, 1869.
- No. 69. *The Walsh and others Pension Act* grants pensions to the families of James Walsh and James Wilson, who were murdered at Poverty Bay by the rebel Natives; and to the family of James Duff Hewett, who was murdered by rebel Natives in 1865. Grants of land to the two latter families are also authorized.
- No. 70. *The Stamp Duties Act Amendment Act*, which is to be brought into force by proclamation, makes some amendments in the details of the Acts of 1866 and 1867, and provides that bills and notes shall, after the proclamation, be drawn only on stamped paper.
- No. 71. *The Public Revenue Act* makes some alterations in the management of the Public Accounts under "The Public Revenue Act, 1867."
- No. 72. *The Public Debts Sinking Funds Act Amendment Act* enables the Governor to release the

- sinking funds of certain Provincial loans from the operation of "The Public Debts Sinking Funds Act, 1868."
- No. 73. *The Consolidated Loan Application Act* brings three loans of the Province of Wellington, amounting to £72,000, under the operation of "The Consolidated Loan Act, 1867." Two of these loans being raised on mortgage, provision is made for vesting the securities in the Governor.
- No. 74. *The Treasury Bills Regulation Act Amendment Act* authorizes the circulation and payment of Treasury Bills in the other Australasian Colonies.
- No. 75. *The Treasury Bills Act, No. 2*, authorizes the issue of Treasury Bills to the extent of £150,000.
- No. 76. *The Appropriation Act* appropriates out of the Consolidated Fund, for the service of the year ending 30th June, 1870, in addition to the sum of £150,000 applied by "The Imprest Supply Act," a sum of £662,780 18s. 5d. It provides for the transfer of a balance of £58,739 3s. 1d. from the Public Debts Act Account to the Consolidated Fund Account; and indemnifies the Treasurer for a charge of £105,190 8s. 1d., on the moneys raised under "The New Zealand Loan Act, 1863;" for an over expenditure of £406 9s. on account of the fifth division of the Special Fund; for an over expenditure of £8,143 6s. 2d. for the year ending June 30th, 1868; and £16,245 16s. 6d. for the year ending June 30th, 1869.

No. 20.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 119.) Government House, Wellington,
MY LORD,— New Zealand, 13th September, 1869.

With reference to my Despatch No. 118, of even date herewith, I have the honor to transmit a copy of a letter from the Speaker of the Legislative Council, enclosing a protest signed by eleven out of the forty members of that body against "The Joint Stock Companies Amendment Act, 1869" (32 and 33 Victoria, No. 38).

2. My Responsible Advisers request me to state that this Act (which was not a Government measure), having been amended in the Legislative Council, became the subject of a compromise, and was finally carried unanimously in the House of Representatives. The Colonial Government see no reason why it should be disallowed.

The Right Hon. Earl Granville, K.G. I have, &c.,
G. F. BOWEN.

Enclosure in No. 20.

SIR,— Wellington, New Zealand,
Legislative Council, 1st September, 1869.

In accordance with the Standing Order, No. 25, of the Legislative Council, I have the honor to forward to your Excellency, for transmission to Her Majesty's Principal Secretary of State for the Colonies, the enclosed Protest, entered by the Honorable Mr. Mantell and other honorable Members of the Legislative Council, upon the passing of the Bill intituled "The Joint Stock Companies Amendment Act, 1869."

His Excellency Sir G. F. Bowen, G.C.M.G., &c., I have, &c.,
Government House, Wellington. J. L. C. RICHARDSON,
Speaker.

No. 21.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 124.) Government House, Wellington,
MY LORD,— New Zealand, 18th September, 1869.

In conformity with the practice established in the Australian Colonies, I have the honor to recommend that the members of the late Ministry of New Zealand, viz., Messrs. Edward William Stafford, William Fitzherbert, John Hall, James Crowe Richmond, and Colonel Theodore Minet Haultain, may receive Her Majesty's gracious permission to retain the title of "Honorable."

2. Mr. Stafford has been at the head of two Colonial Administrations, and has acted in that capacity for, altogether, about nine years; while each of his recent colleagues named above, has been a member of the Executive Council for more than three years.

The Right Hon. Earl Granville, K.G. I have, &c.,
G. F. BOWEN.

No. 22.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 126.) Government House, Wellington,
MY LORD,— New Zealand, 18th September, 1869.

With reference to your Lordship's Despatch No. 47, of the 26th April, and No. 59, of the 20th May ultimo, on the subject of the grant of the New Zealand War Medal to Volunteers for service with the Regular Troops, I am requested by my Responsible Advisers to transmit, and to recommend to favourable consideration, the accompanying Ministerial Memoranda.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure 1 in No. 2.

MEMORANDUM by Mr. FOX.

Wellington, 16th September, 1869.

MINISTERS beg to enclose a Memorandum by the Honorable the Minister for Colonial Defence, and respectfully request that His Excellency will communicate it to Her Majesty's Government.

The Medals and instrument referred to may, it is presumed, be forwarded by Mr. John Morrison, the Agent for the Colonial Government in London, who will be directed to apply to Her Majesty's Secretary of State for the Colonies on the subject.

For His Excellency the Governor.

WILLIAM FOX.

Enclosure 2 in No. 22.

MEMORANDUM by Mr. McLEAN.

13th September, 1869.

WITH reference to the Despatches from the Right Honorable the Secretary of State for the Colonies, No. 47, of 26th as per margin, relative to the issue of the New Zealand War Medal to the Colonial Forces, at the cost April, 1869. of the Colonial Government, the Defence Minister would recommend that, as considerable delay would arise in obtaining the names of persons entitled to the decoration, and it would not be possible for a long time to prepare "a list of persons to whom the honor ought to be given," as requested in the last paragraph of Earl Granville's Despatch No. 47, a supply of five thousand medals should be sent out, Her Majesty's Government being at the same time assured that the greatest care will be taken in carrying out the resolutions of the Assembly in regard to the distribution. No. 59, of 20th May, 1869.

The Defence Minister also recommends that when the medals are forwarded, a machine (which he understands is in use in England,) for stamping the name of the recipient on the medal, should be sent at the same time.

The Hon. the Premier.

DONALD McLEAN.

No. 23.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 127.) Government House, Wellington,
MY LORD,— New Zealand, 18th September, 1869.

I have the honor to acknowledge the receipt of your Lordship's Despatch No. 83, of the 12th July ultimo, informing me that the Secretary of State for War had, on your Lordship's recommendation, directed two thousand (2,000) Snider rifles, with the usual proportion of ammunition, to be handed over immediately to the Crown Agents for shipment to New Zealand, with a view to their issue to the Colonial Forces on the conditions hitherto in force.

2. I am requested by my Responsible Advisers to transmit the enclosed Ministerial Memorandum, in which they, on behalf of this Colony, express their grateful sense of the action thus taken by your Lordship and by Mr. Cardwell.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure in No. 23.

MEMORANDUM by Mr. FOX.

Wellington, 16th September, 1869.

MINISTERS beg to acknowledge the Despatch of Her Majesty's Principal Secretary of State for the Colonies to His Excellency the Governor, dated 12th July, 1869, intimating that the Secretary of

State for War has directed 2,000 Snider rifles to be forwarded to New Zealand for the use of the Colonial Forces.

Ministers have to request that His Excellency will convey to Lord Granville their thanks for the readiness with which his Lordship and the Secretary of State for War have assented to the request for these arms preferred by his Excellency.

For His Excellency the Governor.

WILLIAM FOX.

No. 24.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 128.)
MY LORD,—

Government House, Wellington,
New Zealand, 19th September, 1869.

In continuation of my Despatch No. 110, of the 3rd instant, I have now the honor to transmit, and to recommend to favourable consideration, a further Ministerial Memorandum respecting the Commissioners who will shortly be sent to England to confer, on behalf of the Colonial Government and Legislature, with the Imperial Government.

2. It will be seen that Mr. Fox states the heads of the instructions which will be given to the Commissioners, and concludes with these words:—"One great object the accomplishment of which is hoped for from the action of the Commissioners, is the re-establishment of cordial relations between the Imperial and Colonial Governments, which appear to have been more or less disturbed by the manner in which the question of the maintenance of Imperial Troops in the Colony, and some other matters, have lately been discussed."

3. I am confident that the advances of the accredited representatives of the people of New Zealand will be met in a fair and generous spirit by Her Majesty's Government. The views of my present Ministers will be found in the Papers which I now enclose, and in those which I have forwarded on several previous occasions; and I would request permission to draw attention to the opinions on the same subject which were recently expressed in the Colonial Parliament by Mr. Fitzherbert, the Treasurer and Delegate to England of the late Ministry. In a debate on internal defence, Mr. Fitzherbert, in common with the leading men of all parties, strongly urged the necessity of the provision for the maintenance of a garrison of regular troops, which has now been made in the Acts transmitted with my Despatch No. 110, of the 3rd instant, and recommended that the application to the Imperial Government on this subject should be put something in this way:—"We inhabit a country of mixed races. We have at any rate inhabited it with your sanction. We have attempted a difficult work of colonization. We are at war with the Natives. That war began when you were ruling the country. Whatever our faults may be, we will not attempt to hide them. We are not here to cast recrimination on you; but the fact remains that we did relieve you of the government of the country at a time when it was disturbed. We have solved, or endeavoured to solve, the greatest problem ever given to a country to solve—to carry on colonization and settlement among an uncivilized people; and we ask you not to encourage rebellion among this half-civilized people by permitting them to believe, by your withdrawing your countenance from us, that you have deserted us for ill-behaviour. We have to appeal to them on these well-known grounds, and to ask them to endeavour to influence the Maoris by an appeal to that higher chieftainship, to the Queen, which operates on a semi-civilized people, and on the Maori race particularly. We should remind them that many of this race are still friendly to us, and that the withdrawal of the Imperial countenance and protection might have the effect of prolonging for years a civil war that would reflect upon the character of Great Britain by injuring, not the hostile Natives with whom we have not so much sympathy, but the friendly Natives, who have so frequently shed their blood for us. Let the Government at home be reminded of that. I am not one of those who believe that a Government has no conscience. There is a public conscience, and I say that the Government at home would answer to that appeal." Mr. Fitzherbert further said, in the course of the same speech:—

* See New Zealand *Hansard*, 6th August, 1869.

“ I now come to another subject, which, so far as I know, has not been touched upon in this debate, and yet it is one of deeper interest to humanity—of deeper interest to Parliament and the Government—than any point yet touched upon. I may say it is the very core and essence of the whole subject we have been debating. I may tell the Committee why I was earnestly wishing that there should be one regiment. I have already said that the great difficulty as to a Colonial Force is not to be under-rated. It is of no importance what you may call them. I believe I was the first person to introduce the term ‘ Constabulary.’ What I intended by that was that we should, so far as possible in this country, avoid the establishment of a standing army. I dreaded that financially, and as Finance Minister I objected to it. I saw, however, that by whatever name we called the force, it was desirable that we should have something like a standard of discipline,—that you should have some rallying point upon which, in times of emergency, you should, as it were, be able to hang on your other troops. It is very important at times to have some rallying point. Very often a country is saved, an army saved, or a battle gained, by having a rallying point. There is another question to be considered. What is the great danger this day in New Zealand? The great danger is that if the Government—I do not mean any particular Government—should be too weak, from any cause whatever, to afford protection to life and property in this Island, that terrible consequences would ensue, namely, that the people of the country would take the government into their own hands. You would in such an event have one terrible scene of internecine slaughter, that would bring this country not only into absolute disgrace, but ruin. It has grown upon my mind, and become a deep settled conviction, that it is of the highest importance that we should have one regiment to help, by its countenance and presence, to avert such a calamity.”

4. I will take this opportunity of forwarding a Memorandum by Mr. McLean, the Minister for Native Affairs and Defence, in continuation of his Report of the 2nd instant.* It will be seen that Te Kooti has again attacked the friendly Natives near the central lake of Taupo, and that there have been several skirmishes in that quarter. Reinforcements from the Armed Constabulary and from the Native Contingent have been sent up from Napier, on the East and from Wanganui on the West Coast. Titokowaru with the remnant of his band is supposed to be still in the dense forests near the base of Mount Egmont, not far from Taranaki, where it is believed that he is seeking aid from Wiremu Kingi te Rangitiki, the William King of Waitara, who began the present war in 1860. In short, the hostile clans are now planting their crops and endeavouring to recruit their stores of ammunition. They have been hitherto supplied, to a large extent, by renegade European dealers; and several military deserters are known to be among them. But some emissaries of the rebels were lately captured in the Waikato; and it is hoped that the organized police which the Colonial Government is now creating may be able to stop effectually the illegal sale of arms and gunpowder. The Maoris have a proverb similar to that of old, respecting the “time when kings go to war.” Like the Red Indians of North America, whom, as it has been often observed, they closely resemble in many respects, the Maoris are accustomed to renew hostilities in the late summer, when their crops have been gathered. Fresh raids on the settlements may then be expected in New Zealand, as in the Western States of North America; but such partial outbreaks can be dealt with by the Colonial Forces and by the loyal clans, always provided that the moral support of the Imperial garrison is not entirely withdrawn; for (as I have already frequently reported,) it is the unanimous opinion of all those who are best qualified to judge, that such withdrawal would probably lead to a general rising of the adherents of the Native King, and to the desertion of the loyal clans, who would then consider themselves to have been abandoned by the Queen, to whose paramount chieftainship alone they look. This feeling was expressed by one of the leading friendly chiefs to Sir Charles Wentworth Dilke, M.P., on his visit, in 1867, to a large meeting of Maoris on the West Coast of the North Island. I remarked in a previous Despatch* that the portion of “Greater Britain” which relates to New Zealand is admirably true and graphic, and I would venture to request attention to the speech now referred to:—†

Enclosure 2.
Memo. by Mr. McLean, 17th September, 1869.
*See Governor of New Zealand to Secretary of State, No. 110, of 3rd September, 1869.

*See Governor of New Zealand to Secretary of State, No. 41, of 29th March, 1869.

†See Sir C. W. Dilke's Greater Britain, Part II., chapter 4.

“O my guests,” said Kawana Hunia, of the Ngatiapas, “when ye return to our great Queen, tell Her that we will fight for Her again, as we have fought before. She is our Queen as well as your Queen—Queen of Maoris and Queen of Pakeha. Should wars arise, we will take up our rifles and march whithersoever she shall direct. You have heard of the King movement. I was a Kingite; but that did not prevent me fighting for the Queen—I and my chiefs. My cousin, Wiremu, went to England, and saw our Queen. He returned. When you landed in this Island he was already dead. He died fighting for our Queen. As he died, we will die, if need be—I and all my chiefs. This do you tell our Queen. I have said.”

“This passage, spoken as Hunia spoke it, was one of noble eloquence and singular rhetoric art. The few first words about Wiremu were spoken in a half indifferent way; but there was a long pause before and after the statement that he was dead, and a sinking of the voice when he related how Wiremu had died, followed by a burst of sudden fire in the “as he died, *we will die*—I and all my chiefs.”

5. Speeches to a similar effect have often been addressed to me by the loyal Maoris. On this subject I would solicit a re-perusal of the 10th and 11th paragraphs of my general Report of the 7th December, 1868.

6. I intend to spend a large portion of the ensuing spring and summer (that is, from September to April,) in visiting the Native districts, a measure from which much public advantage is expected to result. In the first place, I shall this week proceed, accompanied by Mr. Fox, the Prime Minister, and Mr. McLean, to Wanganui, whence we propose to ride overland, through the fertile country lately devastated by Titokowaru, to the post held by a detachment of the Colonial Forces at Patea. Arrangements will be made forthwith for planting on the fertile lands near Patea, a number of the loyal Ngatiporou clan from the East Coast, under their chief Ropata. It is believed that they will form the best practicable advanced guard for the settlers to the west of Wanganui against the raids of the wild and savage tribe of the Ngatiruanuis, to which Titokowaru belongs. It will be remembered, moreover, that a similar policy has proved successful on the frontier of the Cape Colony.

7. From Patea I shall proceed to Taranaki, and thence visit the Natives at the Waitara and elsewhere in the neighbourhood, and the scene of the recent massacre at the White Cliffs. From Taranaki I intend to sail for Auckland by the Manukau Harbour, off which Her Majesty's ship “Orpheus” was wrecked in 1863, when Commodore Burnett and nearly all his officers and crew perished. On the voyage I shall, if possible, call at the ports of Kawhia, Waingarua, and Aotea, and at the mouth of the river Waikato. There are Native villages at all these points.

8. From Auckland, which is the centre of the Native districts, I shall make several expeditions, in company with my Ministers and several of the principal officers of Government. We shall visit, in the first place, the Thames and Coromandel Gold Fields, where it has become necessary to make fresh arrangements with the Maori owners of the soil. Afterwards we shall make an extended journey through the Waikato, and the centre of the North Island; proceeding, if it should be feasible, as far as Lake Taupo. At a later period we hope to visit the Native tribes to the north of Auckland; that is, the Ngatiwhatuas at Kaipara; the Ngapuhis at the Bay of Islands and Hokianga; and the Rarawas at Mongonui. Finally, I intend to visit the English settlements and Maori clans on the East Coast, spending some time in the Bay of Plenty, at Poverty Bay, and at Hawke's Bay.*

9. The journeys thus shadowed forth will occupy portions of several consecutive months. During that period I shall continue, as heretofore, to do my utmost to keep your Lordship acquainted with the progress of events in New Zealand; but it will be easily understood that it may be sometimes impossible for me to be at head-quarters at the arrival and departure of the monthly English mails. The Despatches from the Colonial Office should continue to be addressed to Wellington.

* Any good map of New Zealand will show all the places here referred to.

10. So far as can be foreseen at present, the Session of the New Zealand Parliament for 1870 will not begin before the usual period, *i.e.*, the month of June or July. In this Colony the financial year closes on 30th June.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure 1 in No. 24.

MEMORANDUM by Mr. FOX.

Wellington, 16th September, 1869.

As His Excellency will probably not be in Wellington at the date of the departure of the next mail for England, Ministers beg respectfully to inform him that they are preparing to carry into effect as quickly as possible the resolutions of the Legislature empowering them to send Commissioners to England to confer with Her Majesty's Government.

The gentlemen who have been asked to accept the office of Commissioners, are the Hon. F. D. Bell, a member of the Ministry, and Dr. Featherston, the Superintendent of the Province of Wellington, and, should nothing occur in the meantime to prevent it, those gentlemen will proceed to England by the November mail. Public and private engagements render their earlier departure impossible; but it is conceived that the delay is not, at the present season of the year, a matter of much consequence. It is hoped that they will reach England in sufficient time to enable them to confer fully with Her Majesty's Government before the next Session of the Imperial Parliament.

The instructions given to the Commissioners will be substantially to the same effect as expressed in the resolutions of the two Houses of the General Assembly, and in the New Zealand Commissioners Act, already forwarded through His Excellency, that is to say, they will be instructed to negotiate with the Imperial Government for the services of the Imperial Troops, not exceeding 1,000 men, on such terms, as to payment, as they may be able to arrange with Her Majesty's Government; and also to endeavour to obtain the assistance of Her Majesty's Government towards the organization of a further force to be placed under the control of the Colonial Government. The functions of the Commissioners, as far as legislative power has conferred them, will be limited to those two points; but they will be separately instructed on many other matters, such as postal services with England by way of San Francisco, immigration, railways, and defence of harbours, in reference to which it is hoped they will be able to enlist and avail themselves of the co-operation and assistance of the Imperial Government. Finally, one great object the accomplishment of which is hoped for from the action of the Commissioners, is the establishment of cordial relations between the Imperial and Colonial Governments, which appear to have been more or less disturbed by the manner in which the question of the maintenance of Imperial Troops in the Colony, and some other matters, have lately been discussed.

For His Excellency the Governor.

WILLIAM FOX.

Enclosure 2 in No. 24.

MEMORANDUM by Mr. McLEAN.

Wellington, 17th September, 1869.

SINCE the 2nd instant, when the last monthly Memorandum of current events was forwarded for His Excellency's information, no occurrence of any importance in a military point of view has taken place. Te Kooti has in the interval remained in the neighbourhood of Aoto-oira, and the south of Taupo. A few skirmishes have taken place without a decisive result on either side, and at the date of the latest telegram from Napier, Te Kooti had retreated to Moerangi, on the west side of the lake, a country within the King's boundaries. His object in moving in this direction, instead of retiring upon his own or the Urewera country, is at present unknown; but if it be in pursuance of a preconcerted arrangement with the Waikato tribe, the most serious complications will probably result from such a junction.

Rewi Maniapoto is said to be no longer with Te Kooti, but to be at the head waters of the Wanganui River. Of his movements, however, the Government have no positive information.

Nothing certain has been heard of Titokowaru since the date of the last Memorandum.

DONALD McLEAN.

For His Excellency the Governor.

No. 25.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 129.)

Government House, Wellington,

MY LORD,—

New Zealand, 19th September, 1869.

With reference to your Lordship's Despatch No. 51, of the 30th April ultimo, enclosing letters from the Admiralty and from the Board of Trade, respecting certain alleged inaccuracies in the new editions of the Charts of New Zealand, I am requested by my Responsible Advisers to transmit the accompanying Memorandum.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure in No. 25.

MEMORANDUM by MR. GISBORNE.

Wellington, 16th September, 1869.

ADVERTING to Despatch No. 51, of the 30th April last, from the Right Honorable the Secretary of State for the Colonies, respecting certain alleged inaccuracies in the new edition of the Charts of New Zealand, the Postmaster-General would observe that the Colonial Government does not anticipate that the words "Light Building" at Cape Saunders, will lead to any serious consequences, as a beacon is about to be erected there—a simple circular wall about fifteen feet high and fifteen feet in diameter, and painted white. It is suggested that the best way to correct future issues of the Chart would be to insert the words "Beacon resembling," so that the sentence would read, "Beacon resembling a "Light Building."

With regard to the paragraph in Mr. Romaine's letter to the Under Secretary of State for the Colonies, of date 15th February, 1869, (enclosed in the Despatch,) which refers to the non-receipt of official information relative to the buoys and beacons of the South Channel of Manukau Harbour, His Excellency is respectfully requested to forward the accompanying extracts from the *New Zealand Gazette*, for the information of the Admiralty, as it is considered that they will satisfactorily explain the reasons for the apparent neglect.

For His Excellency the Governor.

W. GISBORNE,
(for the Postmaster-General).

Sub-Enclosure to Enclosure in No. 25.

Extract from *New Zealand Gazette* No. 44, of 14th August, 1869.

NOTICE TO MARINERS.—No. 21 of 1869.

Marine Department, Wellington, 30th July, 1869.

THE following Notice to Mariners, announcing the replacement of the Buoys in Manukau Harbour, is reprinted from the Auckland Provincial *Gazette* for general information.

JAMES M. BALFOUR,
Colonial Marine Engineer.

Harbour Department, Manukau, 6th July, 1869.

NOTICE is hereby given, that all the Buoys connected with the Manukau Harbour have recently been repaired and moored in their proper places, and Mariners are to observe that all the Buoys and Beacons painted red are placed on the starboard side of the channel, and the black Buoys on the port side of the channel, inwards.

The "Tranmere" Shoal Buoy (black) is now moored in four (4) fathoms at low water spring tides, close to the S.E. part of the Shoal, and Mariners are to avoid the more southern part of the Shoal by paying attention to the pointing of the Semaphore arms at the Signal Station, or by keeping the South Head Beacons open (about three breadths) southwards.

The South Head Beaconways will shortly be extended, and the Beacons adjusted to the course of the Channel; and, when completed, due notice will be given. The least water now found in the course of the Southern Channel is three (3) fathoms at low-water spring tides, deepening quickly to four (4) and five (5) fathoms.

THOMAS WING, Harbourmaster.

No. 26.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.(No. 133.)
MY LORD,—Government House, Auckland,
New Zealand, 13th October, 1869.

With reference to previous correspondence respecting the disposal of the Barracks and Imperial Stores in New Zealand on the removal of Her Majesty's Troops, I have the honor to acknowledge the receipt of your Lordship's Despatch No. 88, of the 10th August ultimo, informing me that "the Lords Commissioners of the Treasury have approved of the transfer to the Colony of all lands held by the War Department from the Colonial Government, together with the buildings erected thereon."

2. I would take this opportunity of reporting that I have also received from Major-General Sir Trevor Chute, copies or extracts of War Office letters addressed to him on the 16th and 18th June ultimo, respecting the disposal of the Imperial Stores in New Zealand, stating that "the guns mounted in the Fort at Auckland, together with the ammunition and stores belonging to them, may be handed over to the Colony, free of charge;" and directing the General "to arrange for the disposal of all stores belonging to the service by public sale, offering the Colonial Government the option of purchasing them at a fair and moderate price, with the exception of warlike stores, when it will first be ascertained if

“the Colonial Government object to the sale on political grounds, such as apprehending that powder or arms might pass into the hands of the insurgents.”

3. Sir Trevor Chute writes to me, with respect to the guns and their appurtenances, that “as these instructions were evidently communicated on the supposition that the Imperial Troops were about to be withdrawn from the Colony, your Excellency, I presume, will agree with me that the matter should remain in abeyance until the departure of the Troops from New Zealand.” I have signified to the Major-General my entire concurrence, and that of the Colonial Government, with this view in regard both to the guns and also to the land and barracks referred to in your Lordship’s Despatch No. 88, now under acknowledgment.

4. My Responsible Advisers request me to express to your Lordship their sense of the liberal consideration shown to the Colony in this matter, and their hope that there will be no need to take advantage of it at present, as they are confident that a Regiment will be left here, now that the Legislature has pledged itself by Act to pay whatever military contribution may be required by the Imperial Government.

5. I am further requested to forward the enclosed Ministerial Memorandum concerning the disposal of the “warlike stores,” (chiefly powder and ammunition for Enfield rifles,) not expressly included in the above-mentioned transfer of the guns, &c., at Auckland. I beg to recommend this Memorandum (of which I have sent a copy to General Chute,) to the favourable consideration of your Lordship and of the Secretary of State for War, as it appears to be in harmony with the principles laid down by Messrs. Hamilton and Godley, in their Report on the Military Defence of the Colonies, published in the Parliamentary Papers of that year,* and quoted in my Despatch No. 19, of the 9th February, 1869.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure in No. 26.

MEMORANDUM by Mr. McLEAN.

12th October, 1869.

WITH reference to Major-General Sir Trevor Chute’s letter to His Excellency the Governor, dated August 10th, 1869, No. x-923, Ministers request His Excellency to inform the Major-General that the Colonial Government will always be anxious to meet his views as far as possible; but that in their opinion it would be injudicious, on the political grounds referred to in the War Office letter of the 16th June ultimo, (quoted by Sir Trevor Chute,) to offer for public sale, at the present moment, gunpowder or other warlike stores which might possibly fall into the hands of the Maori insurgents. The difficulty of preventing them from being supplied by Europeans with arms and powder is well known.

It appears, however, from the later War Office letter of the 18th June ultimo, (of which a copy is enclosed in Sir Trevor Chute’s letter to His Excellency of the 13th September ultimo,) that the powder and other stores belonging to the guns in the fort at Auckland are to be transferred, free of charge, to the Colonial Government upon the final departure of Her Majesty’s Troops. Ministers are fully sensible of the liberal consideration thus shown, but hope there will be no need to take advantage of it for the present, as they rely on a regiment being left in the Colony.

It is understood that the Commandant has ordered the preparation of a complete list of the Imperial stores of all kinds in New Zealand. When this is done, the Colonial Government will be able to decide on purchasing such portions of them as may be required.

As two Commissioners (Dr. Featherston and Mr. Dillon Bell) are about to proceed to England on behalf of the Colonial Government and Parliament to settle finally with the Imperial Government all questions concerning Her Majesty’s Troops here, the military contribution, the outstanding accounts, &c., it is hoped that the payment for any gunpowder, ammunition, or other warlike stores not included in the above-mentioned transfer of guns, &c., to the Colony, may stand over until this final settlement in England.

A temporary arrangement of this kind would probably be approved in England, as it would obviate much confusion of accounts: looking also to the terms and spirit of the recent communications, and to the strong recommendations of the Imperial Commissioners on this subject contained in Messrs. Hamilton and Godley’s Report of January 24th, 1860.

Meanwhile the Colonial Government has already paid, or will pay forthwith, for all tents, bedding, barrack furniture, &c., and stores of all kinds, not properly warlike stores (*i.e.*, guns, powder, ammunition, &c.).

DONALD McLEAN.

* See Return to an Address of the House of Commons, April 25, 1860.

No. 27.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 140.)
MY LORD,

Government House, Auckland,
New Zealand, 28th October, 1869.

I have the honor to transmit herewith the usual monthly report from the Minister for Defence and Native Affairs. It will be seen that Te Kooti has been defeated with heavy loss in two actions, especially in that fought on the 4th instant at Tokano, not far from the central lake of Taupo. The chief Te Heu Heu, one of the most influential of Te Kooti's adherents, has since surrendered, and will be treated with great leniency by the Colonial Government, as he appears to have been partly forced into joining the rebellion, and does not seem to have been concerned in any murders in cold blood of unarmed persons, or of women and children.

2. I annex copies of two despatches from Colonel McDonnell, who is now in command of the Colonial Forces in the Taupo District, and of one despatch from Major Kemp (Te Kepa Rangihwinui), who behaved with his accustomed skill and gallantry. It will be seen from his report that of the five hundred and forty-two (542) officers and men engaged on the side of the Government in the action at Tokano, only one hundred (100) were Europeans, the remainder having been friendly Maoris under Kemp's immediate command.

3. This is the latest intelligence known here up to this date. The monthly English mail leaves Auckland this day.

I have, &c.,
G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure in No. 27.

MEMORANDUM by Mr. McLEAN.

SINCE the departure of last mail the only military operations have been in the interior of the North Island, at Taupo. The offensive was assumed by Te Kooti on his return from the Waikato country, where he had been during the past month, endeavouring to open negotiations with Tawhiao, the Maori King.

On the West Coast of the North Island nothing authentic has been recently heard of Titokowaru, who is known to be living with his adherents in the fastnesses at the back of Taranaki.

On Te Kooti's return from the Waikato to Taupo, he killed some friendly Natives, burnt their villages, and threatened Wanganui, Napier, and the Bay of Plenty settlements. Our Native allies at Taupo appealed for help from the Government. The Ngatikahungunu, the Arawa from the lakes, and some loyal Wanganui Natives, under Major Kemp, together with two divisions of Constabulary, making in all a considerable force, were sent to Taupo, under Lieut.-Colonel McDonnell's command. A few skirmishes of a desultory nature took place between detached parties of our Native allies and the enemy, with unvaried success on our side. On the 25th September, as will be seen in the annexed copy of Lieut.-Colonel McDonnell's Despatch, Te Kooti, exasperated by his previous defeats, and evidently determined to avenge his losses, attacked our position at Tokano. He was gallantly repulsed and driven back, leaving six of his dead in our hands, our loss being trifling.

Lieut.-Colonel McDonnell pursued the enemy as far as the nature of the country would allow; the troops suffering from continued bad weather, provisions being very scarce, and transport both expensive and difficult. On the 4th October, Lieut.-Colonel McDonnell reached Te Kooti's position, who was strongly posted on the edge of the bush. An action ensued, which resulted in his defeat, leaving thirty-seven dead bodies on the field, and losing twenty-one prisoners, Te Kooti himself being severely wounded; our loss consisting of one, viz., a gallant and promising officer, Captain St. George, New Zealand Militia, and three friendly Natives.

Te Heu Heu, an influential chief of Taupo, who was forced by Te Kooti to join his band, has given himself up to the Government, and it is proposed to treat him with every leniency.

Te Kooti's whole loss in killed during the month is ascertained to have been fifty-seven men.

Confidence is gradually being established in the district between Wanganui and New Plymouth, round the base of Mount Egmont, which for some years past have been continually exposed to the inroads of the rebels, but have recently been more accessible, although not considered quite safe while Titokowaru is at large.

Road-making has been begun in various districts, and Natives are being employed upon them.
Auckland, 27th October, 1869. DONALD McLEAN.

Sub-Enclosure to Enclosure in No. 27.

Lieut.-Colonel McDONNELL to His Honor J. D. ORMOND, Napier.

SIR,—

Camp Poutou, 26th September, 1869.

I have the honor to report, for the information of the Defence Minister, that on the morning of the 25th instant, about 10 a.m., the enemy appeared in force on the hills above Tokano, and

commenced an attack on that position. I was on my way from here to Tokano, accompanied by an escort of ten men, when the enemy fired into us on our left front as we neared the Hauhau track leading up the hill, but putting our horses to a gallop we rode past and reached the friendly Natives, who commenced firing at the enemy. They had taken up four different positions half-way down the hills, and a strong body of the enemy were also in support on a narrow fern ridge, between two densely wooded gullies, which ended at the edge of the bush on the summit of the hill. Our men under their several chiefs, after some sharp skirmishing, drove the enemy from the position they held, back on their supports, leaving some of their killed and wounded in our hands. The enemy rallied again and charged down on us with loud cries, but were met by Henare's people, who again repulsed them with loss, taking a rifle pit on the top of the hill, from which a heavy fire had been maintained; this was rushed, and the enemy broke and fled, leaving three of their number behind. I called a halt here, as I did not wish to pursue the enemy through the bush on to the plains that day. Our men were tired and short of ammunition, and we could not have accomplished much of importance had we gone on, and would only have driven the enemy further than he now is, so I ordered the forces to return to camp. We learnt from a prisoner who was taken the first part of the day, that Te Kooti had led the attack in person, and had all his available men with him, about 250 to 300 men. They fought well, and contested every inch of ground, carrying off their dead and wounded to the fern ridge above them, until forced to break. The enemy is not so short of ammunition as is supposed; in one pouch taken by us, forty rounds of Enfield ammunition and sixty caps were found; another had thirty rounds; and I should say they fired over 2,000 rounds during the day. Six of the enemy fell into our hands, and were left on the field, but there were many others who were carried away. I place their loss in killed and wounded at over thirty. I also append a list of our casualties, which are comparatively light.

I have the honor to bring to the notice of the Government the energy displayed by Captain St. George, and by Lieutenant Preece, who was foremost in all that took place. The chiefs Henare, Iomoana, Paora, Hapi, Hohepa, Taunuamutu, and others, are especially deserving of credit for the good example shown by them to their men. The whole of the friendlies are in high spirits, and, if the weather will keep fine, I intend to attack Te Kooti on two sides on Monday. Kemp, with the Wanganuis, has not yet made his appearance, and I am at a loss to account for his delay. I will not wait any longer.

I omitted to mention that our forces engaged yesterday numbered 240 men.

Since writing the above, another body has been found, making a total of seven killed of the enemy that I am certain of.

I have, &c.,

THOS. McDONNELL,

Lieut.-Colonel Commanding Taupo Field Force.

His Honor J. D. Ormond, Napier.

List of Wounded at Waipape, 25th September, 1869.

1. Ngatikahungunu—Wi Tako, gun-shot wound left side, left lung injured; bullet lodged in left breast; extracting dangerous.
2. Pera Pakuku, gun-shot wound, entered upper third part of left arm, and lodged between the scapulæ; bullet extracted; severe.
3. Himiana, gun-shot wound below right knee; slight.
4. Arawa—Maniapoto, gun-shot wound right side of chest, passing through the lung; dangerous.
5. Henare Poihipi, gun-shot wound through calf of left leg; slight.
6. Ngatikahungunu—Matenga, gun-shot wound right thigh; slight.

J. MURRAY GIBBS,

Assistant Surgeon.

No. 28.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 141.)

Government House, Auckland,

MY LORD,—

New Zealand, 28th October, 1869.

In continuation of my Despatch No. 113, of the 4th September ultimo, I have the honor to report that the trials of the Hauhau prisoners from the bands of Te Kooti and Titokowaru have been completed during the past month, before the Supreme Court of this Colony.

2. Your Lordship is already in possession of the opinion of the Attorney-General of New Zealand as to the political and legal *status* of these men, and is aware that he decided that they should be tried for levying war against the Queen; also, that the learned and able Judge who presided at these trials (Mr. Justice Johnston), in his charge to the Grand Jury, practically indorsed the views of the Attorney-General. I now further transmit a printed copy (corrected by himself) of the Judge's Charge to the Petty Jury in the High Treason cases.

3. Out of the total number of nearly one hundred prisoners, more than twenty of the least criminal were discharged, no evidence against them having been tendered on the part of the Crown; while the remaining seventy pleaded guilty, or have been convicted after long and patient trials before the Supreme Court. As I have already informed your Lordship, the Colonial Ministers and I have been

agreed from the beginning, that under the peculiar circumstances of this country, no capital sentence should be carried out against Natives convicted only of having carried arms against the Queen. Accordingly, all the sentences, with three (3) exceptions, will be certainly commuted, according to the degree of guilt of each individual, to various terms of imprisonment. The three exceptions referred to are those of Hauhaus convicted of treason and rebellion, and found in addition to have been concerned in cruel murders of unarmed men (Europeans or friendly Natives), and of women and children; or in other heinous atrocities, generally abhorred by the Maoris equally with the Colonists. In these three cases, or at all events, in one or two of the worst of them, the law will probably be allowed to take its course. However, the final decision on the report of the presiding Judge cannot (in pursuance of the regulations prescribed in the Governor's Commission and Instructions) be pronounced until after the formal meeting of the Executive Council, which will be held next week. It cannot, consequently, be communicated to your Lordship by this month's mail, which leaves Auckland this day.

4. It need scarcely be said that in any capital executions the aggravations peculiar to sentences for treason will be remitted. Mr. Justice Johnston is of opinion that, in the present condition of the Statute Book, he was bound to pass sentence in the following terms:—"You shall be drawn on a hurdle to the place of execution, and be there hanged by the neck till you are dead; and afterwards your head shall be severed from your body; and your body shall be divided into four quarters, which may afterwards be disposed of according to law." The Judge, with my sanction, stated on each occasion that this sentence would not be carried out in its terms. With regard to this point, I request your Lordship's attention to the following paragraph, which has appeared in one of the leading journals of New Zealand:—"It is a matter of regret to almost every member of the community, that the necessity of pronouncing sentence after the old form established by English law, had not been removed by legislative enactment. Our civilization revolts from the parallel which may be drawn between the horrible mutilations of their victims by the Maoris, which we so emphatically denounce, and the sentence of barbarous mutilation after death to which the law deliberately consigns those condemned for the crime of high treason. This was evidently felt by the Judge whose painful duty it was to pronounce the sentence, and he took care to explain to the condemned that such part of the sentence would not be carried out. Nevertheless, soften it as we may, it gives a handle for recrimination which we would fain avoid."*

5. Mr. Justice Johnston has written to me that, with the exception of the unfortunate circumstance alluded to above, the general result of these trials has been, in his opinion, "most satisfactory;" and that "they will prove of great service to the Colony, as showing the true intentions and objects of the rebels, and silencing the calumniators of the Government and of the settlers in respect of their treatment of the Hauhaus. . . . The real nature of the West Coast rebellion has been made manifest—Te Kooti's professed object clearly having been to exterminate the adherents to the Government of both races, and to enjoy the plunder.† Mr. Justice Johnston further writes that the prosecutions were very well conducted by the Attorney-General on behalf of the Crown; that the prisoners were very ably defended by the counsel procured for them at the expense of the Colonial Government; and that the general demeanour of the jurors left nothing to desire.

6. I will transmit by the next mail full official documents, and details respecting these important trials, and a report of the final decision of myself and my Ministers on the fate of the three most guilty criminals. Meanwhile, I beg leave to submit that the above-mentioned facts and opinions, as stated by the experienced Judge who presided, would of themselves be sufficient to justify the objections raised by me and others to the proposals made a short time ago for superseding the Supreme Court of the Colony by the establishment of Courts-Martial and other special and extraordinary tribunals for the trial of Maori prisoners. To

* *Wellington Independent*, October 2, 1869.

† Compare the emphatic language on this point used by Mr. Justice Johnston in his Charge, transmitted herewith (see the Enclosure).

omit many other obvious considerations, we felt, in the terms used in a previous Despatch,* that “there was no reason to suppose that the Supreme Court and the “ Civil Juries are unable or unwilling to administer with a severity sufficiently “ deterrent, impartial justice to both races of the inhabitants of this country.”

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure in No. 28.

Mr. JUSTICE JOHNSTON'S Charge on the High Treason Cases.

GENTLEMEN OF THE JURY.—We have now come to the last stage of this most interesting and important trial—important in many ways which have been suggested to you by the learned counsel on both sides, and which will also suggest themselves to your own minds. I think it was quite unnecessary for either of the learned counsel to advert for a moment to the possible or probable results of the case, in order to induce you to give it your careful and dispassionate consideration; for if you feel, as I can scarcely doubt you do, the sense of awful responsibility which I feel towards the community on this occasion, you require no urging to be calm, careful, patient, and dispassionate. In your treatment of the case, what you have to think of is not what your neighbours will say, not what public opinion may say to-morrow, or the next day, or by and by, but what will weigh most with you is how you shall answer hereafter, long after this trial has concluded, to your conscience and to your God.

Fortunately, the circumstances of our mother country, and of the vast majority of her Colonies, have been such for many years that trials for high treason have been few and far between. Thank God for it. Nay, it has been so much so, that we almost lose sight of the importance of the law on the subject, and of the punishment of crimes committed against that law. The prisoners at the bar are charged on this occasion under a Statute no less than five hundred years old,—a law passed, not in the interests of authority and despotism, but in the interests of liberty, that men might know clearly and distinctly what treason was. Although the prisoners at the bar may not have had the same opportunities which many British subjects have had, by education and instruction, of knowing what the law is under which they live, I am bound to tell you that you must treat these men exactly on the same footing as any other British subjects amenable to the same laws, and that you ought to take the difference of race and situation no further into consideration than to ascertain how far it ought to influence you as to the inferences of facts which you should draw from their conduct and language. I should be wanting to myself and to the Colony were I not to offer a just tribute to the learned counsel who have conducted this anxious inquiry. We have seen the principal law officer of the Crown, the Attorney-General, conducting the case on behalf of the Government; and a gentleman of long standing at the English bar, and of evident experience and skill, has been enabled, through the liberality and feeling of justice of the Government, to give the prisoners the benefit of his advice and watchful attention throughout the inquiry. I congratulate the Colony on this being the case, because there is nothing which I have felt more strongly since I came into the Colony, and which I feel more strongly day by day, than that the real welfare of this Colony for the future, and the satisfactory connection between the aboriginal inhabitants and the Europeans, must in a great measure depend upon the temper and manner in which justice is administered in the tribunals of the country. While I pay this well-merited tribute to the counsel both for the prosecution and for the defence, I at the same time cannot believe that either kind of prejudice suggested by them will be likely to affect your minds in the least when you apply yourselves to the consideration of the matters before you. It is my special and peculiar duty, in the first place, to state to you what the law is as it affects the indictment and the circumstances proved; and in the second place, to endeavour to assist you in applying that law to the facts. But with regard to the proper conclusion to be inferred, as matter of fact, from these facts, you are the responsible tribunal, not I; and although it is competent for me to express my opinion upon the facts, and the inferences from facts, I shall probably, on this occasion as on most others, very rarely do so. If I indicate to you any kind of opinion of my own as to the inferences to be drawn from facts, correct me in your better judgment, if you should think I am mistaken.

The prisoners at the bar are accused by this indictment, on two different counts, with levying war against the Queen, under the Statute 25 Edward III., passed in the year 1354, and called the Statute of Treasons. I shall confine my remarks to that portion of the Statute which refers to the case we have to deal with,—the levying war against the Sovereign. Now, gentlemen, you will take it from me as settled law, that any use of violence by a number of persons, for the purpose of obtaining the redress of public grievances, or for the purpose of overthrowing the authority of the Queen, or of the constituted Government of the country of which she is the supreme head, amounts to the crime of high treason. Allegiance, which is the duty that underlies the definition of the crime, is the bond between the Sovereign—whether an individual, as in a monarchy, or the State, in a republic—and the people of the country. The duty on the part of the sovereign power in the State is to protect the people, their lives, liberties, and property; and the duty on the part of the people is to obey the law as declared and administered by the tribunals and Government of the State. In New Zealand—in all its islands—whatever the source may be from which the authority has arisen, I must lay it down to you as law that Her Majesty Queen Victoria is Sovereign, and that the Government established in New Zealand by virtue of the Acts of the Legislature of England, is the Government of the Queen of England for this her Colony. I further state to you that every person, not being merely a visitor from other countries, but who remains in these islands, is, while residing under the protection of our laws, a subject to the Crown of Great Britain; and that the aboriginal or half-caste inhabitants, whether born before or after the settlement of this Colony, are, by law, British subjects, and have the same rights and duties as

* Governor of New Zealand to Secretary of State, No. 113, of 4th September, 1869.

natural-born subjects of the Crown. Therefore, if the prosecution have made out to your satisfaction that the prisoners at the bar were engaged with others in endeavouring, not to right some private grievance, or to exact some retaliation against private enemies of their own, or against tribal enemies, but to deny and resist the authority, and withdraw themselves from subjection to the authority of the Government of Her Majesty in the Colony, they are guilty of high treason. In allusion to one matter to which attention has very properly been called by the learned counsel for the defence, I tell you that you need not embarrass yourselves as jurymen—who have only to pronounce, as a verdict, guilty or not guilty—with any question as to the relative degree of guilt of these prisoners and the persons with whom they have acted in concert. I shall tell you presently the law in respect to persons acting in concert for a common purpose; but referring as I have done to the question of the results of this inquiry, let me tell you that you have no right—and it must and would be unwise of you—to contemplate what may be done afterwards should your verdict be one condemning the accused. You must not consider whether the sentence of the law will be modified, or how the prerogative of the Crown may be exercised by those who have the power to exercise it. You must come to your conclusion regardless of the consideration whether, from what may be called the moral point of view, the prisoners before you are more or less guilty than those with whom they have been acting. I put it succinctly to you, that it matters little to you whether it is Te Kooti or the humblest of these men that you have before you, if it be established that the acts of any may be taken to be the acts of all. And now I must advert to the question of force or compulsion, which was very properly urged by the learned counsel for the defence. This is one of the most prominent features of the defence, and requires that you should apply your minds vigilantly to the consideration of it, in order to see whether these parties, or some one of them, may not come within the principle on which compulsion is admitted as excusing co-operation with rebels. On this subject I will read to you a passage from the work of Mr. Justice Sir Michael Forster on the subject, which is one of the highest authorities on the head of law. The doctrine had originally been laid down that “the only force that doth excuse is a force upon the person, and present fear of death, and this force and fear must continue all the time the party remains with the rebels.” But Forster afterwards says it will be enough if “upon the whole the accused may be presumed to have continued among the rebels against his will, though not constantly under an actual force or fear of immediate death.”

Now it is for you to say, when you come to review the evidence, whether that rule can be applied to the conduct of any one of the three prisoners. There is, no doubt, a considerable amount of evidence to show that Te Kooti is a man of strong will and iron rule, who does not threaten without striking; and from the evidence of some of the women you will probably infer that there were persons in his camp—females among them—who were almost paralyzed by the fear of his threats, and who,—when you consider the specific language about prisoners, and his threats of how his god would deal with them,—may have been put into an irresponsible position. You will, however, have to test whether, when you review the whole evidence, that can be said with any show of justice with regard to any one of the three prisoners. If, as it is suggested, here is Hetariki at one time alone with the women, there is Rewi at another time alone, sick at Hungaroa, far away from Te Kooti, and again there is Matene going backwards and forwards as *kokiris*, and taking an active and prominent part in attacks on out-scouts of the Colonial Forces,—if all this be proved to your satisfaction, you are to say whether these men were acting voluntarily or were under compulsion. I must point out to you that, according to my judgment, you must, in asking yourselves whether there was force and compulsion or not, remember that if these men were originally forced, by fear of death and by the fear of Te Kooti's threats, to obey his orders while his power was impending over them, yet they afterwards got, as I may say, into the spirit of the thing, and voluntarily went and fought,—there was not such a present fear of death and danger to their persons from Te Kooti as would justify them under the rule which I have pointed out. That is to say, supposing it to be true that their first joining was under compulsion—that the first step in this long tragedy was under compulsion—yet if afterwards they resigned themselves to the situation, and did not escape when they could have escaped, but voluntarily joined in acts of rebellion, the doctrine of compulsion cannot be held to apply. In the first place, with regard to Hetariki, you find his voice,—the voice remarkable above all others,—recognised as the voice crying out “Kekaka, kekaka,” “be strong, be strong,” in the midst of the fight. Is that an indication that at that time he was there against his will,—that he was there doing something that nothing but the fear of death would compel him to do? Rewi is not certainly shown to have taken any leading part in the matter; but with regard to Matene, the attack on the escort would seem to be almost conclusive. With regard to escaping, it has been shown that Ohapata escaped because he wished to do so, and it has been shown also that several women escaped. It is for you to consider whether, from the beginning to the end of this disastrous tale, you have any indication of any one of these men attempting to escape from the influence of the force of which it is said they were afraid.

Now, I lay it down to you as law that, without speculating about the animus and the intention of particular parties, if a body of men use violence towards the Queen's Troops, whether Imperial or Colonial, or towards any persons in authority under the Crown or assisting persons in authority under the Crown, for the purpose of shaking off the yoke of Government, it is as much levying war against the Queen, as it would be to go and attack Her Majesty in Windsor Castle and slay her guards. Then, as it may be necessary to import the doctrine of specific intention, you will have to consider whether there is ample evidence of the intention of the parties, if not on their first arrival, at all events during many of the scenes that occurred after their arrival from the Chatham Islands. What was their intention? Te Kooti's intention at first, as he said, was to go to Taupo and overthrow the King. It is not suggested for a moment that he was going to make war on his own account. There is no indication, nor is there any pretence for saying, that what was done by Te Kooti was either in consequence of tribal quarrels or for the purpose of repossessing himself of land of which he or his party had been dispossessed by the Government. They belonged to different tribes, few of them had dwelt there, and there is no evidence to show that any land was taken from them by the Government; neither is there any evidence to show that the intention was to avenge themselves for a wrong they had suffered.

Furthermore, there is no evidence to show that it was upon any plea of illegal detention or bad treatment at the Chatham Islands that they sought to take revenge. Endeavours were very properly made by the learned counsel for the defence to show that all their subsequent attempts were in consequence of the treatment they had received at the Chatham Islands; but you will see that those endeavours failed. No doubt the mere act of escaping from there is such as no one will blame them for, for they only obeyed the first law of nature. But they brought guns from there which were not their property, and they used those guns afterwards and took other guns. The case does not, however, stop there, for we have positive evidence as to the intention of Te Kooti, from what he repeatedly said in the hearing of persons at times antecedent to that at which their men voluntarily took a part in his acts. Gentlemen, if there were no other purpose that this trial could serve than this, it is well that the Colony, the Mother Country, the world, should know that the deliberately avowed and repeated intention of Te Kooti was, as it has been expressed,—and I shall use no language of rhetoric to characterize the expression—to annihilate the *momokino*, the “bad breed.” On pressing the matter, and questioning the witnesses as to what Te Kooti meant by the “bad breed,” and what was understood by it by his followers, it became a clear matter of fact that the “bad breed” did not mean this man or that; it did not mean the pakeha, the foreigner merely, but the Government people of both races. Throughout the whole disastrous events, both the language and the actions of this party showed that their attacks were levelled against those who supported the Government. What Government that was there can be no doubt. It was the Government of Her Majesty in the Colony. Therefore, I say this is so pregnant and important a fact, that if nothing else resulted from this trial, your long detention from your homes, the inconvenience you have been put to, and which you have borne so patiently and intelligently, would be but little in your estimation compared with establishing the fact before the world that such are the intention and meaning of those persons, who, I am sorry to say, are still, as far as we know, in more or less active insurrection against the Government. The importance of the trial in this respect, of course, so far from tending to prejudice the prisoners at the bar, would have rather a contrary effect, for I say, notwithstanding the perhaps justifiable observation of the Attorney-General, that to my mind what becomes of these three men is comparatively insignificant to the great fact which this trial will probably establish,—that, as far as regards the circumstances of that portion of the Colony with which this case is connected, the Government has not been acting otherwise towards the hostile Natives than for the maintenance of the peace of the country, and that Te Kooti and his followers have not set up the pretence of a grievance done to them.

Much has been said during the trial as to the relevancy of particular facts towards establishing the general conclusion charged in the indictment, but having paid due attention to the suggestions of the learned counsel for the defence, I have not seen my way to the disallowing any part of the evidence as to events, from the landing at Whareongaonga to the taking of Ngatapa, because, to the best of my judgment, all the acts appeared to be done in pursuance of one common design, perhaps originally instituted by Te Kooti, but carried out by him and his followers, of whom were two of the prisoners from the first, and the third joined them afterwards, all three, according to the evidence, taking an active part at some time in the conspiracy, and being well informed as to their leader's objects and intentions. The line of the case for the prosecution is this—that having arrived from the Chatham Islands, where they possessed themselves of the ship and overpowered the guard, and brought away the guns of the guard with them, they went through a series of engagements with what I call the Queen's Troops—the troops of the Government of the Colony; that, living together in camps and pas, they had daily instructions, and that they were from time to time ordered by him to go by night, as detached parties called “*kokiris*,” for the purpose of doing what? On one occasion to fetch ammunition; on three occasions, at least, if you believe the evidence, for what purpose? Not meeting the troops with whom they were fighting according to the custom of war, but going to detached places where settlers were, and Maoris friendly to the Government, for the express purpose of assassinating and destroying men, women, and children, who might be friendly to the Government. Whether the prisoners themselves took part in this particular action, or were one of this particular *kokiri* or that particular *kokiri*, seems to me to be a matter of little importance, if they voluntarily continued under Te Kooti, taking part in his proceedings, after the first occasion on which an order of this kind was given. Whatever may be the degrees of moral guilt, clearly in point of law they must be as guilty as if they themselves drew the murderous sword or fired the destroying gun.

[His Honor here described the relative positions of the various places at which the several events took place, and read the evidence at length to the jury.]

Gentlemen, the case has occupied much of your time. If any of us, fallible and weak as we are, have in the course of the investigation allowed our minds to be either clouded by prejudice, or excited, I need not urge upon you that, now that solemn moment is coming when you are to determine, so help your God, are these men guilty of the crime laid to their charge, you will allow no passion, feeling, or prejudice, or suggestion from any source but one, namely, the evidence, to weigh either for or against the prisoners at the bar. As I said before, it may be that the moving spirits who have designed this great evil have not yet reached the hands of justice; but that, I again point out to you, can be no justification for making these men irresponsible for the acts that were committed by the followers of those leading spirits, if done in common concert with them. With regard to the question of levying war, I repeat that attacking the Queen's Troops—and these men were the Queen's Troops for this purpose—is of itself levying war; resisting the Queen's Troops when they are supporting the Queen's authority, or endeavouring to take a place occupied by the Queen's Troops, is of itself levying war against the Queen. Can you have any doubt, the principal if not the only object existing in the mind of Te Kooti, and known by all his party to be existing in his mind, was to throw off the yoke, as they might have termed it, of the British Government; to rid themselves of that which they might consider an interference between them and the enjoyment of the whole country? No possible suggestion can hereafter be made, with regard to this portion of the Native race, at all events, that their object was to get back land of which they complained that they had been wrongfully dispossessed. No suggestion can hereafter be made that their conduct was even retaliation for some oppression or injury which they

even pretended to have received at the hands of the British Government. No suggestion can be made that the insurrection in this part of the Colony was the result of misconduct, ill-feeling, or mismanagement on the part of the European settlers or of the Government. With matters which are called political, we have nothing to do here. It may be that some persons may think that if these prisoners had been better guarded these events would not have occurred; but what justification can that be to them for anything further than their escape, which undoubtedly the law of nature suggested to them? If it were necessary to show this distinctive motive more clearly, does it not appear that the mode by which they sought to shake off the yoke of British rule was by annihilating the British people? Aye, and that so little was there of anything like a national spirit in it, that they were ready to sacrifice persons of their own race, and not only those who, in assisting the Government, might be said in some kind of sense to be traitors to the Native cause, but harmless women and children of their own blood, merely because they were under the protection of the Government. If, gentlemen, these things or any of them are made out to your satisfaction, you cannot have any reasonable doubt, after the definition I have given you, that there has been levying war under the Statute. But, gentlemen, before I conclude, I must caution you not to allow any feelings which may have arisen at the recital of the various events of the sad tale to blind your judgment. The question for you to decide is, did the prisoners assist willingly or by force to put down the Government of the country, or throw off subjection to it, not with the idea of getting another political constitution, but simply for the purpose of overthrowing the Government? I wish you to understand that the incidental barbarities introduced into the case are admissible as evidence, because they were committed upon persons who were, or who were supposed to be, friendly to the Government. And now, gentlemen, the whole case is before you. Its importance cannot be overrated, and I feel very confident that no prejudice will have any effect upon your minds. You will feel you are now going to perform a duty, perhaps one of the most sacred, the most important, the most responsible, that you can have to answer for from your cradle to your grave.

No. 29.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 145.)

Government House, Auckland,

MY LORD,—

New Zealand, 14th November, 1869.

With reference to my Despatch No. 116, of the 11th September ultimo, I have now the honor to transmit six (6) copies of the annual Blue Book of New Zealand, containing the Statistics for 1868.

2. Prefixed is the Report of the Registrar-General, which is recommended for publication in the Colonial Blue Book annually presented to the Imperial Parliament, in preference to the less complete Report transmitted with my above-mentioned Despatch No. 116. It is so full and yet so concise, that it seems superfluous to add any remarks to it.

3. The condition of New Zealand cannot be regarded as, on the whole, otherwise than very satisfactory and promising, if the general commercial depression which has prevailed throughout most parts of the world during the last three years, and the effects of the long-continued Native disturbances in the North Island, are taken into account. The Returns forwarded herewith abundantly prove the great value of this Colony to the British Empire.

4. The reasons which have hitherto caused delay in the publication of the annual Statistical Volume, were explained in the Registrar-General's Report prefixed to the Statistics for 1867, and forwarded with my Despatch No. 39, of 25th March ultimo. It will be seen that the volume has been published on this occasion at a much earlier period than for some years past.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 30.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 153.)

Government House, Auckland,

MY LORD,—

New Zealand, 24th November, 1869.

In continuation of my Despatch No. 141, of the 28th ultimo, respecting the trials of the Hauhau prisoners, I have the honor to transmit herewith a copy of the Minute of the Executive Council, showing the final decision arrived at on the cases of the principal criminals.

2. It will be seen that, for the reasons stated at length in the enclosure, it

was finally determined that the sentence of death should be carried into effect only in the person of Hamiora Te Peri, the most aggravated case in the opinion of the Judge who presided at the trials. This man was not a Chatham Island prisoner, nor a member of Te Kooti's tribe. It could not therefore be urged, in palliation of his crimes, that he was avenging his imprisonment, or that he was influenced by the feelings of clanship. He voluntarily joined Te Kooti soon after his landing, evidently from the mere love of blood and plunder, and was clearly proved to have taken an active part in the cruel murders of unarmed men, Europeans and Maoris, and of women and children, in the Poverty Bay massacre. These atrocities are as much abhorred by the Natives generally as by the Colonists, and the fate of Hamiora Te Peri excited no sympathy among his own countrymen. He was executed on the 16th instant, within the precincts of the gaol at Wellington, and exhibited craven fear on the scaffold. I am assured that this is the only known instance of any Maori having ever met death, under any circumstances whatsoever, except with stern indifference or with calm and decorous fortitude.

3. On the grounds fully explained in the enclosed Minute of Council, the capital sentences of three other members of Te Kooti's bands (Heteriki, Rewi, and Matene,) have been commuted to penal servitude for life, with the prospect of further remission in the event of good conduct. These men will be kept to hard labour in the gaol at Wellington.

4. The remaining convicts, seventy-three in number, being prisoners from the bands of Titokowaru on the West Coast, were not found to have been directly concerned in murders or other heinous atrocities; consequently, their sentences have been commuted, according to the measure of the guilt of each individual, to various terms of penal servitude,—in no instance exceeding seven years,—“on the understanding that there will be, after careful consideration of the special circumstances in each case, a further remission; and that if tranquillity is restored, with a reasonable prospect of permanence, and if these prisoners behave well, a mitigation of their sentences will be recommended.” Meanwhile, they have been sent from Wellington to Dunedin, in the South Island, in which there are only about fifteen hundred Maoris (men, women, and children), scattered over an area as great as that of Ireland, and where they are surrounded by a large European population. The latest report which I have seen states that from five to six thousand persons crowded the wharves of Dunedin to see the Hauhaus land from the steamer which had brought them from Wellington; and that “on the following morning, at a quarter past seven o'clock, thirty of the Maori prisoners were marched by a strong guard of warders to the Botanical Gardens to break stones. At the same hour thirty were marched to the High School to form a recreation ground for the scholars. Their work was pronounced very satisfactory by the overseers, Mr. Outram, at the High School, and Mr. Ferguson, at the Gardens. The remaining thirteen (invalids and elderly men) will be employed in making flax, mats, &c., in the gaol. The conduct of the entire number is good. Two Maori catechists, prisoners, will read the prayers of the churches of England and Rome every morning and evening.” I need scarcely add to what has been already said that these men will be well fed and clothed, and that their liberation at an early period will depend on their own conduct, and on that of their disaffected countrymen in the North Island.

5. The able and experienced Judge of the Supreme Court who tried the Hauhaus prisoners (Mr. Justice Johnston) has written to me in the following terms:—“I am glad to find that your Excellency and your Ministers saw your way clearly about the punishments; and I may now say,—if you will not think that I am assuming too much in the matter,—that I believe *the result is the very best that could have been arrived at*. I am glad to know that Mr. McLean thinks that *one execution* will be as useful as more would have been, by way of example and caution. The man executed at Wellington (Hamiora te Peri) did not evince the ordinary Maori fearlessness of death, and perhaps it is better that such should have been the case.”

6. In my last Despatch on this subject, I drew attention to the strong opinions expressed by Mr. Justice Johnston, in his charges to the Jury and otherwise, to the effect that the general result of these trials has been “most satisfactory,” and that

“ they will prove of great service to the Colony, as showing the true intention and objects of the rebels, and silencing the calumniators of the Government and of the settlers in respect of their treatment of the Hauhaus. . . . The real nature of the West Coast rebellion has been made manifest, Te Kooti’s professed object clearly having been to exterminate the adherents to the Government of both races, and to enjoy the plunder.” It certainly cannot be alleged with truth in any quarter that the policy of the Colonial Government, in the suppression of this outbreak, has been guided otherwise than by great, though probably wise, leniency.

I have, &c.

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure in No. 30.

Copy of MINUTE of PROCEEDINGS at a Meeting of the Executive Council, held at Auckland, at the Government House, 2nd November, 1869.

Present:—

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

HIS EXCELLENCY the Governor, at the instance of the Colonial Secretary, asked the advice of the Council respecting the Maori prisoners recently convicted before the Supreme Court of the Colony.

After careful consideration and weighing of the evidence, and of the reports of the Judge who presided at the trials, the Members of the Executive Council present agreed to advise His Excellency:—

First. That the sentence of Hamiora Te Peri should be carried into effect, except those parts of it peculiar to sentences of high treason.

Secondly. That the sentences on Hetariki Te Oikau, Rewi Tamanui, Toti Toti, and Matene Te Karo, be severally commuted to penal servitude for life.

Thirdly. That the sentences on all the other Native prisoners named in His Honor Mr. Justice Johnston’s reports, being prisoners taken on the West Coast, be commuted to penal servitude, in no case exceeding seven years.

The Members present desire to record their reasons for thus advising His Excellency in these cases.

Hamiora Te Peri was not a Chatham Island prisoner, and was not one of Te Kooti’s tribe, but voluntarily joined him some time after his landing, and took a prominent part in the armed parties which committed the Poverty Bay massacres. It cannot be said, therefore, that he was avenging his imprisonment, or was under any influence of clanship. The Judge says, in his report of the 11th of October, one thousand eight hundred and sixty-nine:—“As to Hamiora Te Peri, I did not feel at liberty to hold out any hope that his life would be spared, inasmuch as the evidence given against him at the trial would have justified his conviction for participation in several murders of unarmed men, women, and children.”

Hetariki and Rewi were both Chatham Island prisoners. The former was not proved to have been in any armed parties sent out to massacre. It is doubtful whether the latter was in more than one. Matene was not a Chatham Island prisoner, and to appearance voluntarily joined Te Kooti, after having originally fought on the European side, but as he is almost a boy, and of no note, it is difficult to say whether or not he was overborne in his secession from the European side by others more influential, who probably thought we were suffering reverses, and that prudence required that they should rather make Te Kooti their friend than their foe. Matene was proved to have been in some of the parties commissioned to burn and kill.

With regard to Hetariki, Rewi, and Matene, the Judge says, in his report of the 25th of September:—“I am not aware of any reasons why the sentence of death should not be carried out, other than those which may be suggested by the evidence. It did not appear that any one of the prisoners occupied a conspicuous position among the followers of Te Kooti, nor was there any distinct evidence that any one of them took a leading part in any of the murders of unarmed persons. Matene Te Karo, who is quite a young man, was proved to have taken a prominent part in warlike operations, and to have started and returned with certain (*ko kiris*) parties which committed murders; but he also stated that at Ronaki he had fought on the Government side (which the Attorney-General admitted was true); he moreover said that he had been forced by Te Kooti to join his party, but the Jury evidently were of opinion that he might have escaped if he wished.”

The principle on which the Members base their advice, is that sentence of death should not be inflicted in case of high treason, except where such high treason is accompanied by murder or some other atrocity.

Under all these circumstances, and taking into consideration the importance, on every ground, of showing to the Natives that our action towards criminals is not the result of vindictiveness, but of discriminate judgment, tempered, when the public interests permit of it, by mercy,—

The Members of the Executive Council advise that only in the case of Hamiora Te Peri (the more aggravated case, evidently, in the opinion of the Judge,) the sentence of death be carried into effect, and that the sentences on Hetariki, Rewi, and Matene, shall be severally commuted to penal servitude for life.

The cases of the prisoners who surrendered on the West Coast are, from circumstances which appear in the evidence, and in the Judge’s reports, deserving of more favourable consideration; and the maximum punishment is advised to be seven years’ penal servitude, on the understanding that there will be, after careful consideration of the special circumstances in each case, a further remission in some

instances; and that if tranquillity is restored with a reasonable prospect of permanence, and if these prisoners behave well, a mitigation of their sentence will be recommended.

No remark need be made on the case of Wi Tamarano, sentenced to death without hope of commutation as having been guilty of cruel murders, for he strangled himself in gaol, and a Coroner's Jury returned a verdict of *felo de se*.

His Excellency the Governor expressed his concurrence with the advice of the Council, and directed the necessary orders herein to be issued accordingly.

And the Council adjourned.

Passed the Council the 17th day of November, 1869, at Wellington, and at Auckland the 15th day November, 1869.

FORSTER GORING,
Clerk of the Executive Council.

No. 31.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 154.) Government House, Auckland,
MY LORD,— New Zealand, 25th November, 1869.

I have the honor to transmit herewith the customary monthly report from the Secretary for Defence and Native Affairs.

2. Mr. McLean speaks modestly of the results of his own great personal influence with the Natives; and, as we can never be quite sure of the conduct which so impulsive a race as the Maoris may pursue from time to time, I have never allowed my opinions or reports to be coloured by the ever-varying phases of Colonial feeling, or to assume either a sanguine or a despondent tone. Still, all those who are well acquainted with the Natives, appear to agree that this month's mail (which leaves Auckland to-day) will take home the best news that has reached England from New Zealand during the last ten years.

3. It will be remembered that, in my general report of the 7th December, 1868, I wrote as follows:—"It appears to be very generally agreed, that since *Vide p. 1.*
"the authority of the Crown and of the Law was not established throughout the
"interior of this country, while there was an English army of above ten thousand
"men in New Zealand, the attitude of the Colonial Authorities towards Tawhiao
"and his adherents must, and ought to be, in the main, defensive; that it is
"at once more politic and more humane to outlive the King movement than
"to endeavour to suppress it by the strong hand; that the turbulent Natives
"should receive every encouragement to live peaceably; but that murderous
"onslaughts, whether on the Europeans or on the friendly Maoris, should be
"punished with the rigour necessary to prevent a recurrence of unprovoked
"aggressions. . . . Many of the leading politicians of New Zealand are
"convinced that the King movement, in its early stages, might have been made
"an instrument for 'elevating the Native race, by the introduction of institutions
"subordinate to and in harmony with the European government of the Colony.'
"It has been suggested that a Native Province might have been created, to
"be ruled like the territories of the semi-independent Rajahs in India, nominally
"by a great Maori chief, but really by the advice and influence of a British
"Resident or Commissioner." Again, in my subsequent report of the 7th
"January ultimo, I added:—"In common with all the leading men of this
"country, I am convinced that it is of vital importance to endeavour to come to
"a peaceful understanding, not inconsistent with the sovereignty of the Queen,
"with the so-called 'Maori King,' by which title his adherents appear to
"mean nothing more than a great chieftain and magistrate, analogous to the
"semi-independent Rajahs of British India. All feel that it would have been
"more satisfactory if Tawhiao could have been brought to submission while there
"was in New Zealand, in addition to the Colonial Forces, an army of ten
"thousand (10,000) British soldiers; but all agree that, since his conquest
"was found impracticable then, it would be worse than folly to attempt it now
"by the unaided efforts of the Colonial Forces alone. Accordingly, in common
"with my Responsible Advisers, I have readily taken advantage of an oppor-
"tunity which recently presented itself for opening what may, perhaps, prove
"a friendly communication with Tawhiao. . . . At all events, the

“importance of securing his neutrality during the existing crisis can scarcely “be over-estimated.” It will be recollected that, on my first visit to the Waikato, I caused the tomb of his father, Potatau te Whero Whero, the first King of the Maoris, at Ngaruawahia, the old Maori capital, to be repaired;* and I have been assured that this act produced a very favourable impression on the mind of Tawhiao. Subsequent friendly overtures and negotiations, the success of the Colonial Forces against Te Kooti and Titokowaru in the field, and the moral support afforded to the Colony by the small Imperial garrison which still holds the principal towns in the disturbed districts, and by two Queen’s ships on the coast, have combined to keep the “Maori King” and the clans that adhere to him from open hostility; though (as it has been truly said) “they have long been hanging on the central mountains of this Island, “like a thunder cloud, ready to burst at any moment on the English settle-
“ments.”

4. The general policy recommended by me in the above-mentioned Despatches was pronounced to be “clearly judicious,” and was formally approved and sanctioned by your Lordship.† It was also adopted (as we have seen) by the Colonial Government. At the beginning of the present month (as will be perceived from the enclosed papers), Mr. McLean, as Minister for Native Affairs, was permitted to cross the *aukati* or “pale,” and held a very satisfactory conference with the principal chiefs, who have persisted during many years past in active or sullen hostility;—in particular, with Tamati Ngapora Manuhiri, the uncle and chief councillor of King Tawhiao, and with Rewi Maniapoto, the formidable warrior who commanded the Maoris against the British Troops under General Cameron at Rangariri, Orakau, and throughout the Waikato campaigns of 1863 and 1864.

5. Mr. McLean is convinced that Rewi was sincere when he said that their recent interview was the “streak of light before the dawn, which would “soon spread;” and that ere long King Tawhiao himself will consent to meet the Governor at a formal conference, when the foundations of permanent peace and tranquillity will be laid. Meanwhile, there is little doubt that we need be no longer apprehensive of a general rising of the hostile Maoris. The only favour which Tamati Ngapora and Rewi asked was, that their relative, Te Hura, and a few other Natives still confined at Auckland, under a sentence of the Supreme Court, for their participation in the outbreak on the East Coast in 1865, should be released and given up to them; and to this request I readily consented, on the advice of Mr. McLean. In return, the chiefs of the “King party” undertook to be answerable for the future good conduct of these men, and to assist the Government and the loyal clans in putting down murder and brigandage. The Maoris rarely fail to perform promises made at their public *koreros* or meetings.

6. I concur with Mr. McLean and the other leading men of all parties in the Colonial Legislature, and with the loyal Maori chiefs, in deeming it desirable to retain for the present the moral support of the 2-18th Regiment, which has held the towns of Auckland, Taranaki, Wanganui, and Napier for the last two years, and for the services of which the New Zealand Parliament has pledged itself by Act to pay whatever the Imperial Government may demand. The terms will probably be arranged with the Commissioners, Mr. Dillon Bell and Dr. Featherston, who have been deputed by the Colonial Ministry and Legislature (of which bodies they are prominent and influential members) to proceed to England this month, for the purpose of conferring with Her Majesty’s Government. I have already‡ transmitted a Memorandum from Mr. Fox, stating the heads of the instructions given to the Commissioners, and concluding with these words,—“One “great object, the accomplishment of which is hoped for from the action of “the Commissioners, is the re-establishment of cordial relations between the “Imperial and Colonial Governments, which appear to have been more or less

* See Governor of New Zealand to Secretary of State, No. 49, of 30th June, 1868.

† Secretary of State to Governor of New Zealand, “Confidential,” of 26th February, 1869, No. 62, 21st May, 1869.

‡ Governor of New Zealand to Secretary of State, No. 128, of 17th September, 1869.

“disturbed by the manner in which the question of the maintenance of Imperial Troops in the Colony and some other matters have lately been discussed.”

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

P.S.—I enclose a copy of a Telegram which I have been requested by my Ministers to transmit to your Lordship *via* Ceylon.

G. F. B.

Enclosure 1 in No. 31.

MEMORANDUM by the SECRETARY for DEFENCE and NATIVE AFFAIRS.

Auckland, 24th November, 1869.

NOTHING of any moment has taken place with reference to the movements of the Colonial Forces, beyond the defeat and dispersion of Te Kooti's band at Taupo, which was reported last month. It is believed that Te Kooti, with seventy fugitives, is concealed in some of the fastnesses at the back of the Tuhua Mountain, a wild and inaccessible part of the interior, bordering on the Waikato country, and at the source of the Wanganui River.

The most important occurrence of the month, and one which it is confidently hoped will be followed by the best results to the country, is the visit of the Native Minister to Waikato, and his interview with the leading chiefs of the Maori King party. For nearly nine years the Waikato chiefs have held themselves aloof from the Government of the country, and, to render their isolation more complete, have established “aukatis,” or boundaries, over which any one passing without sufficient authority, was subjected to the severest punishment. Unsuccessful attempts had been previously made to bring about a meeting with a view to establish more amicable relations.

During the past few months the Government opened communications with Tawhiao and his people through some of their own chiefs, and friendly interchanges, expressive of confidence, have taken place. The efforts of the Government for the restoration of peace, and the success of the Colonial Forces, as previously reported, have induced a favourable change among the Natives, and a general feeling appears to be gaining ground that it is desirable to suppress outrage and murder. Mauwhiri and Rewi expressed a wish to see Mr. McLean, which Mr. Hetit, the only European permitted to reside on the confines of the disaffected country, communicated at once. It was felt that a good opportunity presented itself of opening a direct communication with the Waikato chiefs under the immediate control of Tawhiao, Mr. McLean therefore started for the Upper Waikato without delay.

His Excellency's attention is respectfully drawn to the printed account of the interview of the 9th instant with the Waikato chiefs, hereunto appended. Notwithstanding the satisfactory nature of this conference, disturbances may and no doubt will still arise in different parts of the country; and even in the altered aspect of affairs, with frontiers exposed to the raids of a warlike race ready to take arms on the slightest provocation, it is necessary there should be no relaxation of preparations for the punishment of crime and the protection of life and property.

There are many difficulties yet to be surmounted before peace can be settled on a permanent basis. It is hoped, however, that the continuance of the moral support afforded by the presence of Imperial Troops, the occasional presence of some of Her Majesty's ships of war on our coast, the maintenance of a well-trained constabulary, together with the adoption of measures suited to the condition of the people, may have the effect of establishing relations of a more satisfactory nature with the aboriginal tribes, a consummation which, it is believed, will be equally gratifying to the Imperial Government as to the colonists of New Zealand.

G. S. COOPER.

His Excellency the Governor.

Enclosure 2 in No. 31.

TELEGRAM from the GOVERNOR of NEW ZEALAND to the SECRETARY of STATE for the COLONIES.

Auckland, New Zealand, 25th November, 1869.

PRELIMINARIES of peace have been arranged with the so-called Maori King and his adherents. The Colonial Government believe that there is now a sure prospect of permanent tranquillity, unless the moral support of the Eighteenth (18th) Regiment should be withdrawn at this critical period.

The Commissioners, Mr. Dillon Bell and Dr. Featherston, proceed to England this month.

G. F. BOWEN.

No. 32.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 157.)

Government House, Auckland,

MY LORD,—

New Zealand, 14th December, 1869.

At the request of my Responsible Advisers, I have the honor to transmit the enclosed Ministerial Memorandum, respecting your Lordship's Circular Despatch of the 8th September ultimo, on the subject of the Colonial Conference proposed to be held in London in next February.

2. It will, I think, be generally agreed that nothing can be better than the tone and substance of this Memorandum; with which, I need scarcely add, I entirely concur.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 32.

MEMORANDUM by Mr. Fox.

MINISTERS have read the Circular Despatch of the Right Hon. Her Majesty's Secretary of State for the Colonies, dated the 8th of September, 1869, on the subject of the Colonial Conference proposed to be held in London in February next. The attention of the Colonial Government had already been called to the subject by the promoters of the Conference.

However desirous of aiding in any movement which might have for its object the political and social union and mutual support of the British Colonies, Ministers do not concur in the idea which appears to have animated the promoters of this Conference, that the time has arrived to prepare the way for national independence and absolute political separation on the part of the Colonies from the Imperial Government. The Government of New Zealand values as strongly as any colony the inestimable advantages conferred upon it by the Parliamentary Constitution which substantially gives, and was intended to give, to the Colony the fullest power of administering its internal affairs. But it is equally conscious of the advantages of connection with the parent country, and desirous of maintaining it. It cannot, therefore, at present be a party to any action which may have for its object the assertion of a position different from that assigned to the Colony by the Constitution Act, or which might tend to weaken the ties between the parent State and its offspring.

Any such result they would look upon as a great calamity. Ministers have, therefore, read with satisfaction Lord Granville's Circular, which appears to them to have been composed in a spirit friendly to the Colonies, and consistent with the proper relations of the Home and Colonial Governments, and they have thought it well to abstain from giving to the Commissioners, who are about to proceed to England, any instructions to place themselves in communication with the Colonial Conference, or to represent in it the Government of New Zealand.

WILLIAM FOX.

No. 33.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 158.) Government House, Auckland,
MY LORD,— New Zealand, 15th December, 1869.

I have the honor to acknowledge the receipt of your Lordship's Despatch No. 109, of the 7th October ultimo, enclosing a Dormant Commission appointing Sir George Alfred Arney, Knight, the Chief Justice of New Zealand, or the Senior Judge for the time being, to be the Administrator of the Government of this Colony in the absence of the Governor. I will carry out your Lordship's instructions with regard to the custody of this document.

I have, &c.,
The Right Hon. Earl Granville, K.G. G. F. BOWEN.

No. 34.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 159.) Government House, Auckland,
MY LORD,— 20th December, 1869.

I have the honor to acknowledge the receipt, on the 13th instant, of your Lordship's Despatch No. 115, of the 7th October ultimo, informing me that Her Majesty's Government decline to sanction the action taken by Major-General Sir Trevor Chute in deferring, at the request of the New Zealand Parliament, the departure of the 2-18th Regiment from this Colony. Your Lordship's telegram, of the 29th September, reached me only at the same time with this Despatch, having been delayed for a month under the circumstances mentioned in the annexed letter from the Governor of Ceylon, which also arrived here on the 13th instant.

2. With regard to the remarks made in several of the early paragraphs of the Despatch now under acknowledgment, I beg permission to observe that my telegram of the 7th August ultimo was sent by the advice of the Colonial Ministers;

and that the Acts and other official documents, containing a full statement of their views and of those of the Legislature respecting the Queen's Troops, were not ready in time to be transmitted by the August mail with my Despatch No. 103, of the 5th of that month, but were forwarded by the ensuing mails with my Despatches Nos. 109, 110, and 128.

3. Again, it is stated by your Lordship, "Her Majesty's Government have felt bound to adhere to the opinion already communicated to you, that the Queen's Troops should not be employed in the present hostilities.

"I do not underrate the arguments which may be urged in favour of that employment. They are obvious in themselves, and have been forcibly urged by yourself and others. But the objections to that course are over-balancing.

"All experience, and not least the experience of New Zealand itself, has shown the fatal consequences of carrying on war under a divided authority. It can but lead to continued differences, imperfect co-operation, interrupted enterprises, and the other evils which are alleged to have characterized the Maori war."

4. I would observe that no man can be more thoroughly convinced than I am, both from reason and experience, of the evils of divided authority thus luminously described by your Lordship. I am not aware that I have ever urged that any portion of the Queen's Troops (if left here) should be employed in the field or in active hostilities. On the contrary, I have simply suggested that they should be a garrison and moral support, in accordance with the proposals formerly made by the Imperial Government, and on the terms recently offered to the Australian Colonies. My opinion was expressed in my Despatch No. 154, of the 25th November ultimo, (paragraph 6), and on many previous occasions, to the following effect, viz. :—"I concur with Mr. McLean, and the other leading men of all parties in the Colonial Legislature, and with the loyal Maori chiefs, in deeming it desirable to retain for the present the moral support of the 2-18th Regiment; which has held the towns of Auckland, Taranaki, Wanganui, and Napier for the last two years, and for the services of which the New Zealand Parliament has pledged itself by Act to pay whatever the Imperial Government may demand." It will be found that I have always used similar language in my communications to the Colonial Office, believing, in common with most of those public men here who have given their attention to this question, that experience has proved that no portion of the British Army should be retained in New Zealand except on conditions and within limits such as were proposed in the Secretary of State's despatches of the 1st December, 1866, and 1st February, 1867,—which, "in effect confine the Imperial Troops to the duty of garrisoning the main centres of population, and leave to the Colonial Forces the conduct of active operations in unsettled or partially-settled districts."* The 2-18th Regiment has held the above-mentioned towns throughout the warlike operations of the last two years without taking any part in active hostilities, and without being in any way entangled in Colonial politics. The desire of the Ministry and of the Legislature was (as I am assured), that this moral aid should continue to be afforded for a few years more on the payment of the same military contribution as that paid by other Colonies,—indeed on any terms which the Imperial Government might require. In addition to the Acts and other official documents already transmitted, I have been furnished with the subjoined extract from the instructions† drawn up by Mr. Fox for the guidance of the Commissioners sent to England on behalf of the Colony:—

"The Commissioners will understand that they are sent to communicate with the Imperial Government on two subjects indicated by Resolutions of the Legislature.

"The first is to treat with the Imperial Government for the services of an Imperial Force, not exceeding 1000 men, for a period not exceeding five years. The Commissioners will explain to Her Majesty's Government that the object for which such a force is desired by the Colony is to impress the Native mind with the feeling that the Imperial Government still extends its protection to the Colony, and recognizes it as a part of the British Empire.

* Secretary of State to Governor of New Zealand, No. 10, of 1st February, 1867.

† These instructions had been drawn up, and the Commissioners had left New Zealand, before the arrival of Earl Granville's Despatch No. 115, of the 7th October, 1869, ordering the immediate removal of the 2-18th Regiment.

“ Further, because, if stationed in localities which are the keys of the settled country, such force will not only be a symbol of British power in the eyes of the Natives, but an actual means of military protection, affording rallying points for the local forces whose operations may be of a more mobile and active character. And further, because an Imperial Force will present a type of discipline and military control which cannot fail to have a most important and beneficial effect on the organization of a local force, however different a system of organizing such a force the circumstances of the Colony may render advisable.

“ The Commissioners will negotiate with the Imperial Government as to the terms on which such Imperial Force will be stationed in the Colony. They will endeavour to secure the most favourable terms which the Imperial Government may be willing to grant. They will bring under the attention of the Imperial Government the fact that legislative provision has been made by the Parliament of New Zealand enabling the Commissioners to bind the Colony for five years to such terms as may be agreed upon between Her Majesty’s Government and themselves as the representatives of the Colony; and they will recall to the recollection of the Imperial Government the various Despatches of Her Majesty’s Secretaries of State in which it has been intimated that military assistance might be given on condition of the Colony contributing to the cost—a rule which prevails at present with reference to a large number of British Colonies.

“ They will fully represent the special circumstances of this Colony, and its peculiar claims on the sympathy of the Imperial Government; and also that the withdrawal at this critical time of all Imperial Troops is not a mere negation of aid to the Colonists, but a positive encouragement to the rebels, and injurious to the Colonists and to those of the Natives who are loyal to the Crown.

“ The Commissioners will not consider themselves at liberty to pledge the Colony to pay for, or contribute towards the cost of an Imperial Force of more than 1,000 men, or to agree with the Imperial Government for stationing in the Colony more than that number. Any negotiations in that direction must be expressly subject, so far as the Colony is concerned, to the special sanction of the General Assembly.

* * * * *

“ The Commissioners are no doubt aware that the relations between the Imperial and Colonial Governments, particularly on the subject of military aid, have not for some time past been so harmonious as could have been wished.

“ The Commissioners will, in their communications with the Imperial Government, use every endeavour to remove any unfavourable feeling from the mind of the Imperial Government, and to revive, if possible, (and Government believes it is quite possible,) feelings of Imperial sympathy towards the Colony and of mutual harmony between the two Governments.”

5. I annex, at the instance of Mr. McLean, the Minister for Defence and Native Affairs, a Memorandum showing the views of himself and his colleagues on the probable effects of the entire withdrawal of the Queen’s troops at the present juncture.

6. I have been further requested to submit that a large portion of this community consider that—entirely irrespective of the Maoris—it is desirable for the Colony to maintain a small garrison of Imperial Troops, as a nucleus and pattern for the Militia and Volunteers in case of a foreign war, and also as a tangible symbol of common nationality and common allegiance with Great Britain.

7. While it has been my duty to acquaint your Lordship with the opinion generally held by the Ministers, the Legislature, and the public of New Zealand respecting this important subject, I am fully sensible of the manifold practical difficulties which surround it, and of the weight of the arguments employed in the concluding paragraphs of the Despatch now under reply.

8. Finally, I understand that Her Majesty’s Government have now decided that no portion of the British Army shall remain in New Zealand on any terms whatsoever. General Chute has also informed me that, in obedience to instructions received from the War Office by the last mail, he has issued the necessary orders to the Commandant at Auckland (Colonel Elliot) for the removal of the 2-18th

Regiment to Australia, and Colonel Elliot has acquainted me that he is taking the usual steps to procure shipping for this transfer. I annex a copy of my reply to Sir Trevor Chute's letter, in which I repeat the assurance given on former occasions, viz., that I shall, of course, always be ready to co-operate with him in carrying out loyally the instructions and views of Her Majesty's Government. It will be seen from Mr. McLean's Memorandum that the policy towards the Natives of which your Lordship has signified your approval, continues to be carried out successfully, and with all the speed consistent with prudence. I am shortly about to visit, for the second time, the principal Maori clans of the North, viz., the Ngapuhis and Rarawas at the Bay of Islands, Mongonui, and Hokianga; the Ngatimarus, in the Gulf of Hauraki; the Ngaiterangis, Arawas, and others, in the Bay of Plenty, and the Waikatos and Ngatimaniapotos, in the central interior of this Island.*

I have, &c.,
G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure 1 in No. 34.

GOVERNOR OF CEYLON to the GOVERNOR of NEW ZEALAND.

SIR,—

Queen's House, Colombo, Ceylon, 6th October, 1869.

I have the honor to transmit to you the accompanying telegraphic message, which I received last night from the Secretary of State for the Colonies.

I regret to state that this telegram only reached me about five hours after the steamer of the 5th had left Point-de-Galle.

His Excellency the Governor of New Zealand, Wellington.

I have, &c.,
HERCULES ROBINSON.

Sub-Enclosure to Enclosure 1 in No. 34.

Copy of Telegram from Lord GRANVILLE to GOVERNOR of CEYLON.

INFORM Governor of New Zealand that, except in case of unexpected calamity, Her Majesty's Government adhere to policy signified in Despatches Nos. 62 and 75. Shall write fully by mail.

Enclosure 2 in No. 34.

MEMORANDUM by Mr. McLEAN.

Auckland, 17th December, 1869.

SINCE the departure of the last English mail, the Colonial Government has been unremitting in its efforts to follow up the arrangements for peace concluded on the 9th ultimo by the Native Minister, with the Waikato and the Ngatimaniapoto tribes.

Mr. Fox, the Premier, has visited the powerful adherents of the Waikato at the Upper Wanganui, where he was received with demonstrations of a friendly nature; an offer having been made by the chief Topia, one of their principal leaders, to assist in capturing Te Kooti.

No opportunity has been lost sight of to effect a reconciliation with the Waikato and other tribes; at the same time care has been taken to avoid undue haste and pressure, which, with a race like the New Zealanders, would have the effect of impeding rather than promoting satisfactory relations.

Te Kooti, joined by Kereopa, is still at large, and threatens some of our out-settlements.

While every effort is being made in the Colony for the restoration of peace, it is with deep regret that Ministers have received the intelligence conveyed to your Excellency in Lord Granville's Despatch No. 115, of the 7th October last, intimating the determination of the Imperial Government to withdraw immediately the 18th Regiment, which has garrisoned the towns in the disturbed districts, and for which the Colonial Legislature had pledged itself to pay whatever annual sum the Imperial authorities might require.

The removal of the only regiment in the Colony, and the consequent loss of the moral support which it affords at this juncture, cannot fail to affect seriously the present hopeful prospect of a satisfactory adjustment of Native affairs.

DONALD McLEAN.

Enclosure 3 in No. 34.

The GOVERNOR of NEW ZEALAND to Major-General Sir TREVOR CHUTE, K.C.B.

SIR,—

Auckland, 17th December, 1869.

I have the honor to acknowledge the receipt, on the 13th instant, of your letter of the 29th November ultimo, forwarding, for my information, a copy of the War Office letter of the 8th October ultimo, (finally ordering the removal of the 2-18th Regiment from New Zealand,) and

* A map and other documents showing the distribution of the Maori clans were transmitted with my Despatch, No. 22, of 1868, and have been printed at pages 125-129 of the Parliamentary Papers on New Zealand, Part I., presented in July, 1869.

acquainting me that the Commandant in this Colony has been directed to carry out the original instructions regarding the withdrawal of the troops.

The execution of these orders is placed in the hands of the military authorities, and no action on my part appears to be required. I have therefore only to repeat what I have written to you on several former occasions, especially when orders had been issued for the removal of the 2-18th Regiment (in H.M.S. "Himalaya") in last February, and afterwards in last July,* viz., "that you will always find me ready to assist, so far as I can, in carrying out the instructions of Her Majesty's Government."

Major-General Sir Trevor Chute, K.C.B., Melbourne.

I have, &c.,
G. F. BOWEN.

No. 35.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 160.)

Government House, Auckland,

New Zealand, 22nd December, 1869.

MY LORD,—

Vide *N.Z. Gazette*
No. 14, of 17th
March, 1870.

In continuation of my Despatch No. 101, of the 4th August ultimo, I have the honor to forward, for your Lordship's information, a report and plan, submitted to me by Captain Young, of the 18th Royal Irish Regiment, my Acting Military Secretary, explaining the nature of the fort and place of refuge for the settlers and their families, which he has just completed at a central position in the Waikato. Similar defensive works, though of a less elaborate description, have also been erected in all the other districts in which there is any apprehension of Native outbreaks.

2. It will be seen from the monthly report of the Minister of Defence and Native Affairs, transmitted with my Despatch No. 159, of the 20th instant, that the only band of rebels now in active hostility is that under Te Kooti, in the mountainous and thickly wooded country to the west of Lake Taupo. It is variously estimated at from three hundred to one hundred men; and is being, it is hoped, gradually surrounded by detachments of the Native Contingent, about six hundred strong, under the chiefs Te Kepa and Topia; while Colonel McDonnell, with parties of the Armed Constabulary and loyal Maoris from the East Coast, is watching the passes by which Te Kooti will probably attempt to make his way once more to the mountains of the Uriweras.

3. A point on the shores of Lake Taupo is the true strategic centre of the North Island; and here the Colonial Government is now maintaining at a very heavy cost, and intends to continue to maintain, a strong force of the Native Contingent, which will be able to keep in check the rebel bands that look to the central mountains of the interior as a secure refuge; and also to operate on their rear if they should hereafter make fresh raids against any of the English settlements. Another important part of the scheme of Colonial defence is to construct roads through the disturbed districts generally, and especially from Lake Taupo to Napier on the East, and to Wanganui on the West Coast. It will be remembered that Earl Grey has recorded in his work on Colonial Policy, that the late Duke of Wellington strongly advised that the construction of roads should be one of the very first objects to be aimed at in New Zealand. Moreover, in addition to the other obvious advantages, both civil and military, of opening up the country in this manner, the Government will thus be enabled to keep in constant occupation and pay, and under useful industrial training, a number of the lawless spirits that abound among the Maoris, eager for the excitement of war and plunder, but not caring much which side they take. It is a satisfactory and suggestive circumstance that a portion of the bands that lately fought against us under Titokowaru, are now receiving pay for fighting for us under Te Kepa, and for working on the newly projected roads.

Vol. II, page 150,
(Letter X.)

4. The policy towards the so-called Maori King and his adherents reported in my Despatch No. 154, of the 25th November ultimo, and on several previous occasions, has hitherto been completely successful in averting the great danger of a general insurrection, which was deemed not many months ago to be imminent, and will, it is trusted, lead ere long to the establishment of permanent tranquillity.

But all who know the Maoris best, agree in urging that it would be fatal to press them too eagerly to the immediate acceptance of formal terms. Preliminaries of peace have been arranged, and friendly communications have been opened with Tawhiao, and the chiefs who surround and control him. It is believed that the Colonial Government must proceed with the most cautious prudence, give time for the extension of the civilizing influences of trade and personal intercourse, and, in the words of Mr. McLean, "avoid undue haste and pressure, which, with a race like the New Zealanders, would have the effect of impeding rather than promoting satisfactory relations." I have elsewhere,* at the request of the Colonial Ministers, drawn attention to their opinion on the influence which the withdrawal at this juncture of the moral support of the 2-18th Regiment may exercise on the present hopeful prospect of a peaceful settlement of Native affairs.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 36.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 6.)

Government House, Auckland,

MY LORD,—

New Zealand, 10th January, 1870.

I have the honor to forward herewith the usual monthly Memorandum, furnished by the Minister for Defence and Native Affairs. It will be seen that he has not much of importance to add to the contents of the Memorandum transmitted by the last mail with my Despatch No. 159, of the 20th December ultimo. Mr. McLean has recently visited some of the northern chiefs, and has made the necessary arrangements for my proposed conferences with them and their clans in the course of the next three months.

2. According to the latest news received at Auckland up to this date, it appears that Te Kooti and his band are the only Maoris now in active hostility, and that the advance against them of the Native Contingent, under the loyal chiefs Te Kepa (Major Kemp) and Topia, has been impeded by heavy floods in the Wanganui River, and by very tempestuous weather in the mountains of the central interior.

3. I am informed that the adherents of the so-called Maori King are gradually abandoning the sullen and hostile isolation which they have maintained for so long a period, and that considerable numbers of them have recently visited in a friendly manner, and for the first time during many years, the neighbouring English settlements.

4. I proceed to-morrow, accompanied by Mr. McLean, to the gold fields and Native district at the head of the Gulf of Hauraki, where the River Thames† flows into the sea. Nearly the whole of the peninsula terminating at Cape Colville is believed to be auriferous, and a population of little under twenty thousand (20,000) Europeans has been attracted thither since the 1st August, 1867, on which day this gold field was proclaimed. During the same period, as I observe from the official returns, (*i.e.*, from August 1, 1867, to December 31, 1869,) the total quantity of gold exported from the Thames District amounted to one hundred and ninety thousand five hundred and ten ounces (190,510 oz.), valued at five hundred and seventy-five thousand nine hundred and seventy-six pounds (£575,976), besides gold to the value of nearly one hundred thousand (£100,000) held by the several banks and mining companies, and not yet passed through the Custom House at Auckland.‡ Two flourishing towns, named Shortland and Grahamstown, and containing together a population of nearly ten thousand (10,000) souls, have already sprung up. The Maori owners of the soil (a few chiefs of the Ngatimaru clan,) receive one pound (£1) for each miner's

* See Governor of New Zealand to Secretary of State, No. 159, of 20th December, 1869, and Mr. McLean's Memo., enclosed therein, (enclosure 2.)

† So named by Captain Cook. The Natives call it *Waiho*.

‡ It will be understood, of course, that these figures apply to the Thames Gold Field alone, and do not include the gold exported from Otago and other parts of the South Island.

license, and twenty-five shillings (£1 5s.) for every *kauri** tree felled. They received from these sources alone, during the year 1869, the sum of nine thousand six hundred and sixty-eight pounds (£9,668), and about as much more for the rent of land leased to Europeans; in all some twenty thousand pounds (£20,000) in twelve months. The share of the Chief Taipari and his family alone is estimated at an annual income of nearly four thousand pounds (£4,000). It need scarcely be added that, under these circumstances, their loyalty is enthusiastic. A difficulty has, however, arisen since gold has been discovered on the sea beach. The Maoris contend that, in granting leases of the adjacent land, they did not mean to include the shore; and as this claim is based on ancient Native usage, it has been recognized by the Colonial Government, and confirmed by an Act of the Colonial Parliament. Some of these arrangements are, not unnaturally, unpalatable to the miners, who had already begun their operations on the sea beach; but little doubt is entertained by Mr. McLean that we shall succeed in arriving at an equitable settlement with the Native proprietors. There are also many other questions and complications of different kinds on the Thames Gold Fields, which require immediate care and adjustment.

5. The long-continued depression in the price of the staple export of wool has at least the advantage of forcing the attention of a large number of the people of this Colony to the development of other valuable sources of profit, such as gold, kauri gum, and New Zealand flax, (*Phormium tenax*), all of which are making most satisfactory progress, and calling forth the energy and industry of the Maoris as well as of the Colonists.

6. I trust that your Lordship may be able to assist the Commissioners now in England in establishing a well-considered scheme of emigration to this country. It will be recollected that several competent authorities have calculated that New Zealand could easily support a population of twelve millions. The existing population, European and Maori together, is less than three hundred thousand souls. In addition to the many obvious advantages which a proper system of emigration is calculated to confer alike on the Mother Country and on the Colonies, it will be remembered that every addition to the number of the Europeans in New Zealand increases the balance against the Maoris, and renders more improbable any future outbreak of a serious character.

7. It will be easily understood that, while I am absent on my official journeys in the interior of this Island, it will be generally impossible for me to send regularly by every mail to England, telegraphic messages and full reports. But I shall continue to do my utmost to keep your Lordship informed of the progress of events.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

P.S.—Since the above Despatch was written, I have this day been informed by the Commandant at Auckland (Colonel Elliot), that he has just received official letters from Major-General Sir Trevor Chute and Commodore Lambert, stating that arrangements have been made for the transfer of the 2-18th Regiment from New Zealand to Australia, chiefly by means of some of Her Majesty's ships on this station. Commodore Lambert says that he will shortly be here himself. The exact dates appear to be not yet fixed, but Colonel Elliot thinks that the transfer will be completed within the next few weeks.

G. F. B.

Enclosure in No. 36.

MEMORANDUM by Mr. McLEAN.

Auckland, 10th January, 1870.

SINCE the departure of the last mail, a party of 300 Natives under Topia, and 300 under Major Kemp, had started up the Wanganui River in pursuit of Te Kooti.

The heavy rains and floods prevented an onward movement till the beginning of this month, when the party got to Tuhua, at the source of the Wanganui River.

It is impossible to predict, with any degree of certainty, what success may attend the expedition, but hopes are entertained of Te Kooti's capture if he is not shielded by sections of Tawhiao's adherents.

* *Dammara Australis*, a valuable species of pine.

The Native Minister has visited the leading chiefs of the northern Ngapuhi and Rarawa tribes, and discussed questions with them affecting the welfare of their people.

Some of the chiefs reverted to Hongi's visit to England; to the countenance he received from the King; the subsequent occupation of the islands by the British Government; the continued loyalty of most of the chiefs, and their desire to be always recognized as dutiful subjects of Her Majesty, upon whose countenance and protecting care they confidently rely, having, as expressed by Hone Mohi, (one of their influential chiefs at Hokianga,) given full proof of their devotion and loyalty by shedding their blood in defence of the Queen's sovereignty during the Heke War of 1845.

Hone Mohi remarked: "We have sealed our adherence to the Treaty of Waitangi and our regard for the Queen with our blood. It is not through money that we have done so. Our brave men have fallen, without money or reward, to carry out the obligations entered into by our old chiefs with England's representatives."

DONALD McLEAN.

No. 37.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 7.) Government House, Auckland,
MY LORD,— New Zealand, 13th January, 1870.

At the request of my Constitutional Advisers, I have the honor to transmit herewith the enclosed Ministerial Memorandum, respecting your Lordship's Despatch No. 115, of the 7th October ultimo.

2. This document has only just reached me, by express, in the Gulf of Hauraki, (six hundred miles from Wellington,) where I am engaged on an official visit (as I have already reported elsewhere,) to the gold fields and the neighbouring Native Districts.

3. Mr. McLean, the Minister for Defence and Native Affairs, who is with me here, requests me to state that he entirely concurs with the views and arguments of his colleagues.

4. In order to save this month's mail, I am constrained to forward the enclosed Memorandum immediately, and without any special comments of my own. However, this is probably of little moment, seeing that in my general report of the 7th December, 1868, and in several preceding and subsequent despatches,* I have submitted at length the views which I have held, in common with General Chute, Commodore Lambert, and the other Imperial Officers in this part of the British Empire, respecting the value of the moral support of a small garrison of the Queen's Troops, and concerning all other questions affecting the safety and welfare of this Colony.

I have, &c.,
G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure in No. 37.

MEMORANDUM by Mr. GISBORNE.

Wellington, 7th January, 1870.

MINISTERS have read Earl Granville's Despatch No. 115, dated the 7th of October last, communicating the decision of the Imperial Government to remove forthwith the 18th Regiment, the only regiment left in New Zealand, and have to express the great regret with which they have learned this decision and the grounds on which it is based.

Earl Granville takes some exception to having only received, when this decision was formed, the Address to Major-General Sir Trevor Chute, and the Act pledging the Colony to contribute towards the support of the regiment during its temporary detention pending the decision of Her Majesty's Government, and states that no pledge has been given that the Colony will accept that decision respecting the terms on which the troops are to be finally stationed in New Zealand. Ministers cannot conceive how any misunderstanding could have arisen on this point. The temporary detention of the regiment, pending the decision of Her Majesty's Government, was obviously intended to be followed by negotiations with that Government as to the terms on which it could be stationed here for the future. His Excellency's Despatches, the Memoranda of Ministers, the debates in the Legislature, all of which went by the same mail that took the Address to Sir Trevor Chute, would have, it was thought, fully shown this to be the case. The Resolutions of the two Houses formally pledging themselves to that course, and requiring Commissioners to be sent to England for the purpose of negotiation, were passed a few days afterwards, and went by the next mail. It is to be regretted that the Imperial Government did not, before they formed a decision, await those proposals, to the absence of which Lord Granville refers, and the arrival of the Commissioners in their support. Ministers earnestly trust that the Imperial Government, when they are in possession of those definite proposals, and of the

* Already published in the Imperial Parliamentary Papers.

representations of the Commissioners, will be willing to reconsider the subject, and to accede to the prayer of the Colony.

At the same time, Ministers desire respectfully to place on record some circumstances materially bearing on this important question, which do not appear to have been brought under the notice of Earl Granville when his Despatch was written.

The grounds on which the decision to remove the 18th Regiment is based are to some extent new. They may be broadly stated to be,—the possibility of British Troops being actively implicated in New Zealand warfare, and the encouragement, by the presence of British soldiers, of the Colony in a policy which the Imperial Government “have always regarded as pregnant with danger.” The objectionable features in that policy, so far as can be gathered from the Despatch, seem to be the confiscation of Native land and the non-recognition of Maori authority.

The novel character of these reasons will be admitted when it is remembered that, in 1866 and 1867, two successive Secretaries of State (Mr. Cardwell and Lord Carnarvon), who had before them all the circumstances out of which these reasons arise, and who had moreover before them the direct request of the Colonial Government that all the Imperial Troops might be removed, decided to leave one Imperial Regiment in New Zealand substantially on the sole condition that a certain sum was contributed by the Colony, not to the support of that regiment, but to Native purposes. The Imperial Government have now before them a united expression of opinion on the part of the Governor of the Colony, the local Representative of Imperial interests, and on the part of both Houses of the Legislature, that one regiment should be left in the Colony, and the pledge of the Colony to contribute towards the support of that regiment for five years. And yet the retention of the regiment on any terms is refused upon political considerations which, if they have any force, had exactly the same force three years ago, when the Imperial Government were willing, without payment and unsolicited, to leave one regiment in New Zealand. And during the course of these three years, in all the voluminous correspondence which has passed respecting the retention of this regiment, the Imperial Government never indicated their intention to reject all terms; but, on the contrary, they have repeatedly implied that the absence of any proposal on the part of the Colony to pay for the regiment, was the reason why it was to be removed, and have in effect invited the Colony to make such proposal.

The best reply to the argument that the presence of one regiment in New Zealand would implicate it, and therefore the Imperial Government, in the war, is the practical experience of the last three years, during which, notwithstanding that active hostilities have almost incessantly prevailed,—some of our flourishing settlements have been devastated, the Town of Wanganui, while garrisoned by Imperial soldiers, threatened, and massacres of women and children frequently committed,—not one Imperial soldier has been called on to fire a shot or to leave his garrison. And yet the presence of the regiment has been a great moral support to the Colony struggling in that contest, and its removal would in all probability have extended the area of insurrection and aggravated its horrors.

Nor does there appear to present itself to Earl Granville's mind, with that force which those feel whose lives and fortunes are immediately involved, the wide distinction between the despatch of an Imperial Regiment to the aid of a Colony in which no Imperial Troops are stationed, and the removal of the only remaining one from this Colony, in which a formidable rebellion has so long existed, and atrocious outrages so recently have been perpetrated. In the latter case, while the Native mind is in a ferment, while the restoration of peace on the one hand, and a general rising on the other, are almost evenly balanced, the effect of an act like the withdrawal of the sole symbol of Imperial interest in the Colony is calculated to extend and intensify insurrection, and to enfeeble those who are strenuously engaged in its suppression. The temporary detention, by General Chute, of the 18th Regiment has hitherto had the most beneficial effect. It saved at the time, as there is good reason to believe, the Colony from great disaster, and it has materially strengthened the hands of the Government in the restoration of tranquillity.

Ministers are now engaged in the most delicate negotiations with the (so-called) King party, with a view to the isolation of Te Kooti and other rebels in arms, and to the re-union of that party to ourselves, and to securing their active co-operation in the re-establishment of peace. These negotiations were gradually assuming a favourable aspect, but it is necessary that the greatest care and caution should be exercised; and it is especially important that at this critical juncture Imperial sympathy should not be withheld, or the Natives be unmistakably shown that Her Majesty's Government view the Colonists with disfavour, and withdraw from them every symbol of support. It is therefore scarcely necessary to add that the receipt and previous publication of Earl Granville's Despatch seriously imperil the prospect of success, and justify an apprehension of calamitous results.

Before proceeding to the other reason advanced for the removal of the regiment, Ministers are reluctantly compelled to advert to what appears to them a prevailing spirit of estrangement from the Colony throughout the line of argument adopted against supplying it “even with the prestige of British Troops.” It seems to be argued that British Troops should not remain in the Colony, lest the strange and inadmissible alternative should arise of their being used when disasters occur. It has been shown that during the last three years, when if at any time this alternative would have arisen, such has not been the case; but Ministers, with the utmost deference, would point out that New Zealand is not an alien country; that it is peopled by two races, both of which—one by natural allegiance and the other by treaty—are British subjects; that the present Prime Minister, when Chancellor of the Exchequer, in 1864, stated that “he did not see how England could with justice throw the whole responsibility of the war on the Colony;” that “the policy which had led to the war had not been exclusively that of the Colony;” that the Home Government had approved it, and were so far responsible “for it.” That war to which Mr. Gladstone referred has not yet ceased. Ministers would further respectfully point out that the Imperial Government have some obligations towards the natural and adopted subjects of Her Majesty; that no Imperial Ministry can absolve itself from such obligations more than it can absolve Her Majesty's subjects from allegiance to Her Majesty; that the Queen assumed the sovereignty of the Northern Island of New Zealand under cession by treaty with the Native chiefs and tribes, in order, as stated therein, “to protect their just rights and property, and to

“secure to them the enjoyment of peace and good order,” and that, in consideration of that cession, “Her Majesty the Queen of England extends to the Natives of New Zealand her Royal protection, and imparts to them all the rights and privileges of British subjects;” that that solemn undertaking precludes, both in spirit and in letter, an Imperial policy of absolute isolation and denial of moral support, while loyal Natives are being massacred because they do not secede from the Sovereign to whom they believe they owe allegiance. Ministers would also recall the fact that, in 1863, when the rebellion was at its height, the Colony accepted the control of Native affairs, “relying,” as stated in the Resolutions of the Legislature, “on the cordial co-operation of the Imperial Government for the future;” that the Colony has not stinted its blood or treasure in its efforts to suppress that rebellion; that during the last three years, while almost reduced to extremity, it has struggled for the same object without the active intervention of a British soldier, or the expenditure of a shilling from the Imperial Treasury; that all it asks now, when it has worked its way into less troubled waters, is the temporary continuance, for which it is willing to pay, of the existing Imperial moral support in the Colony, and by that means a reasonable prospect of soon reaching the haven of permanent security.

Nowhere more than in New Zealand does there exist a stronger feeling of loyalty to the Crown, and of devotion to Her Majesty, or a higher value attached to its position as an integral part of the Empire; and Ministers feel assured that throughout the Colony there will arise a universal feeling of regret that the tone and purport of Earl Granville's Despatch (written at a time when he must have known the Colony to be in the greatest distress), are scarcely susceptible of any other explanation than a desire to abandon this country, and to sever its connection with the Empire.

The other argument advanced by Earl Granville is founded on His Lordship's disapprobation of the New Zealand Native policy, and is, in effect, that the prestige of British Troops in the Colony would encourage that policy, and that the absence of such prestige would compel the Colony to reverse it, or to adopt the alternative, (a course indelible if the policy itself be unjust,) of placing on foot “a force sufficiently formidable to overawe” the discontented Natives.

It does not appear that any good result would accrue if Ministers were, on this occasion, to enter into any lengthened defence on the points at issue of Native policy since its conduct was transferred to the Colonial Government. Such a defence must not only be controversial, but even recriminatory, for it would necessarily involve a criticism of the Imperial Native policy before and after the commencement of the war. But Ministers are by no means desirous of avoiding such an investigation. On the contrary, they ask for an impartial and searching inquiry, and request that Commissioners—one selected by the Imperial and one by the Colonial Governments—be appointed to ascertain on the spot the true state of affairs, and the due share of responsibility devolving on all concerned. They will at present only offer a few remarks on the objections made to that policy in Earl Granville's Despatch.

Confiscation of part of the land belonging to rebel Natives in arms against the Crown is the principal feature to which His Lordship takes objection. Whatever may be its defects, a reference to official documents will show that the Imperial Government is, equally with the Colonial Government, responsible for it.

Governor Sir G. Grey (second to none in his experience of Natives in New Zealand, and in his advocacy of their rights), in his Despatch of 29th of August, 1863, when the Colony had not accepted from the Imperial Government responsibility for Native Affairs, recommended such confiscation, and the Duke of Newcastle, in his reply, dated 26th November, 1863, approved of the principle, and only suggested due caution in its application. Mr. Secretary Cardwell, in his Despatch of 26th April, 1864, allowed “The New Zealand Settlements Act, 1863,” by which confiscation was authorized, to remain in operation, and addressed the following words to Sir G. Grey:—“It should be clearly understood that your own concurrence in any forfeiture is not to be considered as a Ministerial act, but that it will be withheld unless you are personally satisfied that the confiscation is just and moderate.” And again,—“Subject to these cautions and conditions, and in full confidence that you will act on the general principles which I have before laid down, (and in which I anticipate your cordial concurrence,) Her Majesty's Government are prepared to leave in your hands the power with which you have been intrusted by the Legislature of the Colony.” Further, in his Despatch of the 26th December, 1864, Mr. Cardwell stated,—“With reference to the extent of the proposed confiscation, I have only again to refer you to my Despatch of 26th April. The conditions on which alone Her Majesty's Government were content to leave the Confiscation Act in operation were there clearly stated. It was stated also, that of the application of those conditions to the actual circumstances of the case, you were to be the judge. That confidence was reposed in you in the full belief that you would discharge your trusts with a just regard for the interests of both the Colonists and of the Maoris.” In his Despatch of the 26th January, 1865, Mr. Cardwell also wrote,—“The objects which Her Majesty's Government have been desirous of effecting for the Colonists are substantially these. * * * * They have wished to inflict upon the rebel tribes, or some of them, an exemplary punishment in the way of forfeiture of lands, which shall deter them from wanton aggression in future.”

The confiscation in the Waikato District, to which Earl Granville specially refers, was made by Governor Sir G. Grey, (see Despatch, 7th January, 1865,) with the advice of his Ministers, and specially after consultation with, and with the concurrence of, Lieut.-General Cameron. That confiscation was approved by Mr. Cardwell in his Despatch of the 27th of March, 1865, in which he stated, “If these promises” (as to restoration of lands to loyal Natives and returned rebels, and amply fulfilled) “are, as I doubt not they will be, faithfully observed in the spirit of the instructions you have received from me, I see no reason to object to the Proclamation on the score of justice.”

In his Despatch of 26th October, 1865, Mr. Cardwell wrote in special reference to the New Zealand Settlements Acts, “that so long as any considerable number of British Troops remain in New Zealand, Her Majesty's Government must continue to retain a reasonable control over that Native policy on which the employment of those troops will depend;” and in his Despatch of 26th April, 1866, on the same subject, stated,—“under these circumstances Her Majesty's Government have not thought it right at present to advise that these Acts should be disallowed, and trust that no circum-

“stances will arise in the course of their execution which will render it necessary for them hereafter to tender such advice.”

In reference to these quotations, Ministers would observe that every act of confiscation has been done with the personal concurrence of Governor Sir George Grey, who was constituted Imperial Agent in the matter; that no confiscation has been made since the early part of 1867, when there was still in New Zealand “a considerable number of troops,” and that the power to confiscate ceased on the 3rd of December of that year; that no circumstances arose in the course of the execution of the New Zealand Settlements Acts which rendered it necessary for Her Majesty’s Government to disallow those Acts; that the utmost liberality has been shown in reserving land for returned rebels, and in compensating the claims of loyal Natives; and that hitherto, in a pecuniary point of view, the confiscated lands have been a great loss to the Colony, and that there is every probability of their continuing to be so.

In order to prove his assertion that it is manifest “that the discontent of the Natives does mainly arise from the confiscation of their lands,” Lord Granville quotes the case of Te Kooti. In opposition to this argument, Ministers will not place their own knowledge of the facts. They will content themselves with quoting from the summing-up of Mr. Justice Johnston, in the trial, in September last, of some of Te Kooti’s followers, for high treason, (afterwards convicted.)—a trial which, it may be observed, occupied four days, and during which the prisoners were defended by an able English barrister, (Mr. James Gordon Allan,) and every circumstance was most carefully investigated.

Mr. Justice Johnston says:—

“There is no indication, nor is there any pretence for saying, that what was done by Te Kooti, was either in consequence of tribal quarrels or for the purpose of repossessing himself of land of which he or his party had been dispossessed by the Government. They belonged to different tribes; few of them had dwelt there, and there is no evidence to show that any land was taken from them by the Government; neither is there any evidence to show that the intention was to avenge themselves for a wrong they had suffered. Furthermore, there is no evidence to show that it was upon any plea of illegal detention or bad treatment at the Chatham Islands that they sought to take revenge. Endeavours were very properly made by the learned Counsel for the defence to show that all their subsequent attempts were in consequence of the treatment they had received at the Chatham Islands, but you will see that those endeavours failed. No doubt the mere act of escaping from there is such as no one will blame them for, for they only obeyed the first law of nature. But they brought guns from there which were not their property, and they used those guns afterwards and took other guns. The case does not, however, stop there, for we have positive evidence as to the intention of Te Kooti, from what he repeatedly said in the hearing of persons at times antecedent to that at which these men voluntarily took a part in his acts. Gentlemen, if there were no other purpose that this trial could serve than this, it is well that the Colony, the Mother Country, the world, should know that the deliberately avowed and repeated intention of Te Kooti was, as it has been expressed,—and I shall use no language of rhetoric to characterize the expression,—to annihilate the *momokino*, the ‘bad breed.’ On pressing the matter, and questioning the witnesses as to what Te Kooti meant by the ‘bad breed,’ and what was understood by it by his followers, it became a clear matter of fact that the ‘bad breed’ did not mean this man or that; it did not mean the Pakeha, the foreigner, merely, but the Government people of both races. Throughout the whole disastrous events, both the language and the actions of this party showed that their attacks were levelled against those who supported the Government. What Government that was, there can be no doubt. It was the Government of Her Majesty in the Colony. Therefore, I say, this is so pregnant and important a fact, that if nothing else resulted from this trial, your long detention from your homes, the inconvenience you have been put to, and which you have borne so patiently and intelligently, would be but little in your estimation compared with establishing the fact before the world that such are the intention and meaning of those persons who, I am sorry to say, are still, as far as we know, in more or less active insurrection against the Government. The importance of the trial in this respect, of course, so far from tending to prejudice the prisoners at the bar, would have rather a contrary effect, for I say, notwithstanding the perhaps justifiable observation of the Attorney-General, that, to my mind, what becomes of these three men is comparatively insignificant to the great fact which this trial will probably establish, that, as far as regards the circumstances of that portion of the Colony with which this case is connected, the Government has not been acting otherwise towards the hostile Natives than for the maintenance of the peace of the country, and that Te Kooti and his followers have not set up the pretence of a grievance done to them.”

* * * * *

“No possible suggestion can hereafter be made with regard to this portion of the Native race, at all events, that their object was to get back land of which they complained that they had been wrongfully dispossessed. No suggestion can hereafter be made that their conduct was even retaliation for some oppression or injury which they even pretended to have received at the hands of the British Government. No suggestion can be made that the insurrection in this part of the Colony was the result of misconduct, ill-feeling, or mismanagement on the part of the European settlers or of the Government. With matters which are called political we have nothing to do here. It may be that some persons may think that if these prisoners had been better guarded these events would not have occurred; but what justification can that be to them for anything further than their escape, which undoubtedly the law of nature suggested to them? If it were necessary to show distinct motive more clearly, does it not appear that the mode by which they sought to shake off the yoke of British rule was by annihilating the British people in this Island? Ay, and that so little was there of anything like a national spirit in it, that they were ready to sacrifice persons of their own race; and not only those who, in assisting the Government, might be said in some kind of sense to be traitors to the Native cause, but harmless women and children of their own blood, merely because they were under the protection of the Government.”

With regard to the non-recognition of Maori authority, on which Earl Granville lays some stress,

Ministers fail to perceive, if they understand the expression aright, in what respect the Native policy is open to objection on that account. In 1858, an elaborate series of Acts was passed by the Colonial Legislature, in order to give legitimate effect to that authority in Native districts, and one of the most important of them, "The Native Territorial Rights Act, 1858," was disallowed because (see Despatch, 18th May, 1859, signed by Lord Carnarvon in absence of Sir E. B. Lytton,) Her Majesty's Government could not "either for the sake of the Colonists or for that of the Natives, or for Imperial interests, surrender the control over Native affairs."

In 1862, Governor Sir George Grey strenuously tried to introduce local institutions into Native districts, and the General Assembly appropriated for three years the annual sum of fifty thousand pounds (exclusive of appropriations for Native schools), such sum to be expended for purposes of Native government in such manner as the Governor may direct; and this appropriation was made at the time that the Legislature refused to assume responsibility for Native affairs, and was therefore subject to the Governor's personal control.

Every successive Administration since the conduct of Native affairs was transferred to the Colony, has been anxious to avail itself of every opportunity to induce the Natives in the disturbed districts to resume their friendly relations towards the European race, and thus open the way to their participation in local institutions. Nor has the Legislature neglected to provide for the special interests of the Natives generally. The Native Lands Acts have enabled them to dispose of their lands. "The Native Rights Act, 1865," has given them all the rights of natural-born subjects of Her Majesty. "The Maori Real Estate Management Act, 1867," provided for the management of real estate belonging to infants and others of the Maori race under disability. "The Native Schools Act, 1867," made provision for the education of Natives. "The Maori Representation Act, 1867," made special provision for Native representation in the Colonial and Provincial Legislatures.

Unfortunately, in the case of the (so-called) King Natives, to whom no doubt Lord Granville principally refers, their consent to any negotiations with us has not, until very lately, been obtained.

If, however, the recognition of Maori authority is intended to mean a recognition independent of, or inconsistent with, the authority of Her Majesty, Ministers at once state that such a recognition was never entertained, and could not, even if it were desirable, have been granted by the Colonial Government.

It must also be borne in mind that any recognition of the Maori King, as having authority over the many influential tribes who are quite independent of him, would at once be resented by them, and could not be effected except by force.

Lord Granville further states that large concessions (the abandonment of land and the recognition of Maori authority) "are unavoidable, to appease a pervading discontent with which the Colony is otherwise unable to cope."

Ministers cannot imagine on what grounds His Lordship thinks it right to advise such concessions to rebels in arms. Concessions of that kind to armed rebels in civilized countries do not generally tend to conciliation, and would certainly not have that effect where the rebels are semi-barbarous, have an overweening idea of their superior prowess, and see the Colony abandoned by the Imperial Government. Conciliation of Te Kooti simply is submission to massacre. It is the duty and the earnest wish of the Colonial Government to remove every real grievance of the Native race; but any attempt to buy off those who are fighting against us, by concession of land and recognition of authority, would always be dangerous, and would now be doubly dangerous, when those persons learn, on the authority of this Despatch, which was published only five days after it was written, that the weakness of the Colony renders those concessions unavoidable, and that the British Troops are withdrawn for the express purpose of reducing the Colony to that requisite weakness.

It does not appear that the present Prime Minister, in his recent reply to the memorials for the release of the Fenian prisoners, takes the same view of concession, even where it would be impossible to misinterpret it as a sign of weakness, or as an encouragement to rebellion. He says that "The first duty is to consider, not the overwhelming power with which future crime could be repressed, and still less the satisfaction always attendant on concession to demands that have sprung from a generous compassion, but the paramount obligation of securing in their peaceful occupation the loyal mass of the community." And he adds, "To raise or to incite insurrection against the Government of this country, and against its public order, is ever to be regarded as a great crime; to permit it, would be one not less great. The Administration can have no interest except the interest of duty in its punishment."

The late Duke of Newcastle, when Secretary of State for the Colonies, also reprobated this abject policy of weakness, now sought to be imposed on the Colony. His Grace, in a Despatch dated 5th June, 1861, written since the commencement of this war to Governor Sir George Grey, stated as follows, in reference to conditions of peace: "But I wish to impress upon you my conviction, that in deciding upon those conditions it will be your duty, while avoiding all unnecessary severity towards men who can scarcely be looked upon as subjects in rebellion, to take care that neither your own mission nor the cessation of hostilities when it arrives, shall carry with it, in the eyes of the Natives, any appearance of weakness or alarm. It would be better even to prolong the war, with all its evils, than to end it without producing in the Native mind such a conviction of our strength, as may render peace not temporary and precarious, but well-grounded and lasting."

The last point to which Ministers will allude is the premature publication of the Despatch under consideration. It was written on the 7th of October last; it was presented, not to Parliament, but to the London newspapers, and it appeared in the *Times* of the 12th of that month; and, although the mail to Australia had left, its substance was telegraphed *via* Galle, and was known throughout New Zealand ten days before the Despatch itself reached the Governor. This course, in the case of Despatches to the Governor of a Colony, is, it is believed, most unusual, and, in this case, calculated to have a very mischievous effect on the Native mind, and on the negotiations which were at the time in progress with the King Natives, with apparently every reasonable prospect of a favourable issue.

Ministers trust that in this Memorandum which it has been their painful duty to write in answer to Earl Granville's Despatch, they have not been betrayed by the strength of their natural feelings on a subject of vital importance to the Colony, into any expression offensive to the Imperial Government, or unbecoming their own position. Their sole endeavour has been to controvert, fairly and frankly, the erroneous (as they think) statements and imputations unreservedly conveyed in that Despatch, and to represent truly the case of New Zealand in relation to the Empire. They claim that the Colony should be practically recognized as an integral portion of that Empire, and not be thrust out beyond its pale as of infinitely less consideration than a British subject in foreign lands. They ask England for no pecuniary sacrifice; they do not appeal to her compassion; but they do appeal to those eternal principles of justice, which are as much the duty of the strong as they are the heritage of the weak, and which even the most powerful nation should never withhold from the feeblest suppliant.

W. GISBORNE,

Colonial Secretary.

For His Excellency the Governor.

NOTE.—The absence from Wellington of Mr. Fox has precluded him from signing this Memorandum.

No. 38.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 12.)

Government House, Auckland,

MY LORD,—

New Zealand, 29th January, 1870.

Vide *N.Z. Gazette*
No. 2, of 12th
January, 1870.

With reference to your Lordship's Despatch No. 102, of the 2nd October ultimo, I have the honor to transmit herewith a copy of the notification inserted in the *New Zealand Government Gazette*, publishing Her Majesty's gracious ratification of the regulations issued by my Responsible Advisers the Ministers of this Colony, for the establishment of a "decorative distinction" for the Colonial Forces.

2. With regard to the comments made in the Despatch now under acknowledgment, I beg permission to repeat the explanation already submitted in my Despatch No. 78, of the 2nd July ultimo, reporting the action taken in this matter by the Government of New Zealand, viz. :—"It is of course known here that the Queen is the 'Fountain of Honor,' and alone can institute orders of merit, or other distinctions of Imperial value. But the Colonial Government does not pretend to any power of this kind; the proposed decorative distinction is simply a local honor, instituted and awarded, as it has been truly said, on a principle analogous to that on which (for example) the Royal Geographical Society, or the Humane Society grant their medals. *Personally, I would have preferred that this question should have been referred home in the first instance; but my Responsible Advisers represented that Colonel Whitmore urged strongly, on public grounds, that there should be no delay; that the enclosed Order of the Executive Council should be passed forthwith, for the immediate reward, on the spot, of the Europeans and Natives who had most distinguished themselves in his campaigns on the East and West Coasts, which had terminated respectively in the capture of the main strongholds of the rebel leaders, Te Kooti and Titokowaru, at Ngatapa and Nukumaru. Among other observations to the same purport, Colonel Whitmore wrote :—'Distinctions of this kind, to be prized, should be conferred at once, and the decoration will do more good than anything else to stimulate our men; and to have that result it is desirable that the institution should be made to take effect as soon as possible, and before any portion of the force is broken up.'*"

3. I need scarcely add, that in yielding, under the very pressing circumstances of the case, to the strong recommendations of my Responsible Advisers and of Colonel Whitmore, then in the field at the head of the Colonial Forces, nothing could be further from my intention than to outstep the limits of my authority. The Ministers urged that the small silver ornament which they wished to confer on the Volunteers and Militia (both Europeans and Natives) for good conduct on active service was not designed to be of any greater significance than the medals and other "decorative distinctions," which the Executive Councils of this and of other Colonies have for many years past given to the same corps as prizes for skill in the use of the rifle. I annex the most recent regulations on this latter subject, issued by the Minister for Defence.

Vide *N.Z. Gazette*
No. 27, of 30th
December, 1869.

4. After submitting the above explanation, I am sure that I shall be justified in tendering to your Lordship the thanks of the Colonial Government for advising the Queen to ratify the Colonial Order in Council of the 10th March, 1869, and to signify Her gracious desire that the arrangements made by it may be considered as established from that date by Her direct authority. I entirely concur with your Lordship in the confident belief that “this announcement of the Queen’s pleasure will enhance the satisfaction with which this decoration will be accepted and worn by those to whom it has been or may hereafter be awarded.”

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

P.S.—The exact form of the “decorative distinction” has not yet, I believe, been decided upon; but a small silver ornament in the shape of the Southern Cross is proposed. I will forward a pattern as soon as I receive it myself.

G. F. B.

No. 39.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 14.)

Government House, Auckland,

MY LORD,—

New Zealand, 1st February, 1870.

With reference to your Lordship’s Despatch No. 120, of the 4th November ultimo, I am requested by my Responsible Advisers to ask your Lordship to have the goodness to cause to be remitted to the Colonial Government the sum of one thousand six hundred and seventeen pounds thirteen shillings and tenpence (£1,617 13s. 10d.), being the balance due to New Zealand by the War Office.

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

No. 40.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 15.)

Government House, Auckland,

MY LORD,—

New Zealand, 2nd February, 1870.

With reference to previous correspondence on the subject, I am requested by my Responsible Advisers to forward the enclosed Ministerial Memorandum respecting a proposed extension of the New Zealand War Medal to the Colonial Forces who have been engaged against the rebel Natives subsequent to the time when the Imperial Troops ceased active operations.

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure in No. 40.

MEMORANDUM by Mr. McLEAN.

IN compliance with a Resolution of the House of Representatives, passed during the last Session, Ministers respectfully request His Excellency to move the Right Honorable the Secretary of State for the Colonies to obtain the sanction of Her Majesty the Queen for the extension of the New Zealand War Medal to the Colonial Forces who have been engaged against the rebel Natives subsequently to the time when the Imperial troops ceased active operations.

Auckland, 31st January, 1870.

DONALD McLEAN.

No. 41.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 16.)
MY LORD,—

Government House, Auckland,
New Zealand, 4th February, 1870.

In continuation of previous correspondence on the same subject, I have the honor to transmit herewith a copy of a letter this day received from the Commandant in New Zealand, (Colonel Elliott,) informing me of the periods at which the several detachments of the 2-18th (Royal Irish) Regiment have already, or will shortly be removed from this Colony, in pursuance of the orders of Her Majesty's Government, and of the arrangements made by the naval and military authorities on this station.

2. It will be seen that the detachments lately in garrison at Napier, Taranaki, and Wanganui have already been removed; that the head-quarters and two companies will leave Auckland on the 20th instant; and that "it may be expected that the last company will have sailed by the end of the present month" (February).

3. On more than one occasion* I have felt it to be my duty to bear my testimony to the excellent conduct of the 2-18th Regiment, which has been here for the last seven years, and which during more than two years has been the only corps of regular troops left in this Colony. Both officers and men have invariably maintained the most cordial relations with their fellow-subjects of all classes in New Zealand; and their departure is viewed with deep and general regret both on public and personal grounds, more especially in the towns where they have so long been quartered.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

Enclosure in No. 41.

Lieut.-Colonel ELLIOT to the GOVERNOR of NEW ZEALAND.

(No. 50-70.)
SIR,—

Garrison Office, Auckland, New Zealand,
4th February, 1870.

I have the honor to inform your Excellency that I yesterday received instructions from the Major-General Commanding the Australian Colonies, to forward to Sydney, without delay, the two companies of the 2nd Battalion 18th Regiment intended ultimately to be stationed at Melbourne, and that I have directed the Senior Commissariat Officer to provide the tonnage necessary for their conveyance.

My letters of the 10th and 15th ultimo have already apprized your Excellency of the then probable dates of removal of the troops from the out-stations, and I have now to report that the several moves have taken place as indicated, with but slight modifications as to dates. The New Plymouth detachment left for Adelaide on the 17th ultimo, per s.s. "Claud Hamilton," under an arrangement made at Melbourne by the Deputy Quartermaster-General; the two companies lately stationed at Napier were removed therefrom for Sydney, by H.M.S. "Virago," on the 19th ultimo; and, on the 21st, those garrisoning Wanganui embarked in the s.s. "St. Kilda," for transhipment at Wellington to "Virago," for same station.

As notified in my letter of the 28th ultimo, it is intended to send the head-quarters of the 2nd Battalion 18th Regiment to Sydney, and the two companies of that corps for Hobart Town, in the s.s. "Hero," on the 20th instant.

Your Excellency will therefore observe that, when the tonnage now ordered to be hired is available, transport for the whole of the Imperial Troops now remaining in New Zealand will have been provided, and that it may, consequently, be expected that the last company will have sailed by the end of the present month.

His Excellency the Governor, &c.,
Government House.

I have, &c.,

GEORGE A. ELLIOT,
Lt.-Col. Commanding in N.Z.

No. 42.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 18.)
MY LORD,—

Government House, Auckland,
New Zealand, 8th February, 1870.

With reference to your Lordship's Despatch No. 64 of 1869, transmitting a letter from Mrs. Gascoine, claiming assistance on the ground of the loss of her

* See especially Governor of New Zealand to Secretary of State, No. 18, of 8th February, 1869; No. 29, of 9th March, 1869.

son, who was murdered by the rebel Maoris, I am requested to forward the enclosed Ministerial Memorandum, this day received.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 42.

MEMORANDUM by Mr. McLEAN.

WITH reference to Despatch No. 64, of 29th May, 1869, addressed to His Excellency by the Right Hon. the Secretary of State for the Colonies, transmitting a copy of a letter from Mrs. Gascoigne, soliciting assistance on the ground of the loss she has sustained in the death of her son, Lieutenant Bamber Gascoigne, who was murdered by the Natives at Taranaki, Ministers respectfully request that His Excellency will inform Earl Granville that as Lieut. Gascoigne was murdered, and not killed in action, the Military Pensions Act does not make provision for his relatives. It is, however, possible that the Legislature may take a favourable view of the case, and vote a pension to Mrs. Gascoigne; and Ministers will feel much pleasure in submitting her claims for consideration during the next Session of the General Assembly.

It will be necessary for Mrs. Gascoigne to furnish proof that she is in indigent circumstances, and also that she is the mother of the deceased officer referred to.

Auckland, 8th February, 1870.

DONALD McLEAN.

No. 43.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 20.) Government House, Auckland,
MY LORD,— New Zealand, 11th February, 1870.

At the request of my Responsible Advisers, I have the honor to forward herewith a Memorandum from the Hon. Julius Vogel, Colonial Treasurer and Postmaster-General, covering printed copies of the Contract recently entered into between the Government of New Zealand and the United States Consul in New South Wales, for the establishment of a mail service between Sydney, Auckland, and San Francisco. See Papers relative to the San Francisco Mail Service, E. No. 4.

2. At the same time I am requested to transmit under flying seal, and to recommend to early and favourable consideration the enclosed letter addressed by Mr. Vogel to the Postmaster-General in London. Enclosure 1, p.

3. Since the failure of the Panama Line, and the opening of the railway across the North American Continent from New York to San Francisco, great interest has been felt throughout this Colony in the opening of direct and speedy intercourse with the Mother Country by this new route. It will be seen from the Memorandum by Mr. Vogel, who has just returned from negotiating the Contract in Australia, that "there is every reason to expect that the neighbouring (Austrian) Colonies will contribute to the extent required of them, and that in any case the service will continue." Enclosure 2, p.

I have, &c.,
The Right Hon. Earl Granville, K.G. G. F. BOWEN.

No. 44.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 21.) Government House, Auckland,
MY LORD,— New Zealand, 12th February, 1870.

With reference to previous correspondence on the same subject, I am requested by my Responsible Advisers to transmit herewith, and to recommend to favourable consideration, the enclosed Ministerial Memorandum respecting the proposed sale of certain small allotments of land (amounting in the whole to less than four acres) situated within the grounds of the Barracks at Auckland and Wellington, of which Her Majesty's Government have ordered the transfer to this Colony on the final removal of the Imperial Troops.

2. The Commandant in New Zealand (Colonel Elliot, of the 18th Royal

Irish Regiment,) has suspended the proposed sale by public competition of these allotments, pending the decision of the higher authorities.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

Enclosure in No. 44.

MEMORANDUM by Mr. McLEAN.

HIS Excellency the Governor is respectfully requested to move General Sir Trevor Chute, pending reference to the Imperial authorities in England, to cause the advertisement relating to the disposal of certain allotments of land situate within the grounds of the "Albert" Barracks, Auckland, and of the lower "Mount Cook" Barracks, Wellington, to be withdrawn.

The New Zealand Government will, if required, repay the original cost of the land, or make other equitable arrangements for its possession.

It seems that had the special circumstances affecting the land in these barracks been known to the Imperial authorities, a mode of sale by which private persons might obtain possession of any of the allotments would not have been sanctioned.

The public interest requires that the whole of the land within the barrack wall should come into the hands of the Colonial Government.

Auckland, 7th January, 1870.

DONALD McLEAN.

Sub-Enclosure to Enclosure in No. 44.

SEALED TENDERS, in duplicate, will be received at this office until noon of Monday, 31st January, 1870, from persons desirous of purchasing the under-mentioned pieces of land, viz. :—

Albert Barracks, Auckland—Section 13.

No. 1—1 rood 5 perches.

No. 2—35 perches.

No. 10—1 rood, with small cottage thereon.

No. 11—36 perches, ditto.

Mount Cook Barracks, Wellington.

One-third of acre No. 84 }
Ditto No. 85 } one-third acre each, situated on west side of upper barracks.

Acre No. 226 } one acre each, adjoining each other, with frontage to Buckle Street, with
„ No. 223 } the Imperial Government Buildings thereon.

The highest or any tender not necessarily accepted.

Further information can be obtained at the office of the Commanding Royal Engineer, Albert Barracks, Auckland.

Commissariat, New Zealand,

Auckland, 4th January, 1870.

FRANCIS INNES, D.A.C.G.

No. 45.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 24).

Government House, Auckland,

MY LORD,—

New Zealand, 13th February, 1870.

At the request of my Responsible Advisers, I have the honor to transmit the enclosed Ministerial Memorandum, expressing their sense of the value of the protection afforded by Her Majesty's ships to the maritime settlement at Tauranga, during recent threatened disturbances.

2. I have sent to Commodore Lambert a copy of this Memorandum, with which I entirely concur. Perhaps your Lordship will cause a copy of it to be forwarded also to the Lords Commissioners of the Admiralty.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

Enclosure in No. 45.

MEMORANDUM by Mr. McLEAN.

MINISTERS respectfully submit to His Excellency the Governor that Commodore Rowley Lambert, R.N., should be thanked for the active assistance and co-operation afforded by Captain Montgomerie, of H.M.S. "Blanche," during recent threatened disturbances at Tauranga.

The confidence inspired among the settlers and Natives by the presence of H.M. ships "Blanche"

and "Rosario," at Tauranga, has been productive of most beneficial results; and Ministers trust that His Excellency will express his appreciation of services so readily and cheerfully rendered by the officers and men of those ships.

12th February, 1870.

DONALD McLEAN.

No. 46.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 26.) Government House, Auckland,
MY LORD,— New Zealand, 15th February, 1870.

In continuation of my Despatch No. 6, of the 10th February ultimo, forwarded by the last mail, I now have the honor to transmit two papers furnished to me by the Colonial Ministers, showing the progress of events in New Zealand during the past month, and their opinions respecting the general condition of this Colony at the present time.

2. The first Enclosure* contains Memoranda by Mr. Fox, the head of the existing Ministry, respecting the Patea District (which I visited with him in last September),† and other recently disturbed portions of the West Coast of this Island. This paper furnishes much valuable, and on the whole satisfactory information. It will be seen that the location of a part of the loyal Ngatiporo clan at Waihi, in front of the English settlements (which I reported in my Despatch No. 134, of the 14th October last), and the other defensive measures adopted, have already so far restored security and confidence that a public stage coach has been started to run twice a week between Wanganui and Patea, through the country devastated by the rebels under Titokowaru little more than twelve months ago, but now re-occupied by the Colonists. It is hoped that the marking out of a recognized boundary line between their respective territories (a measure which I have strongly recommended) will have the effect of putting a stop to the occasional affairs of outposts and skirmishes between parties of the friendly and the hostile Maoris, such as those referred to by Mr. Fox.

* Enclosure 1, see Parliamentary Papers, 1870, A. No. 4.

3. It is a very important and significant fact, that (as will be seen at page nine of Mr. Fox's Memoranda) Tawhiao, the so-called Maori King, has recently sent a letter to that portion of the Ngatiraukawa clan which obstructed the execution of the decision of the Native Lands Court in the Rangitikei-Manawatu case, ordering them to desist from their opposition; and that this order was immediately obeyed. The surveys were then recommenced, and are so far progressing satisfactorily and without interruption. Under these circumstances, I have, with the advice of my Ministers, granted a pardon to Meritana, a turbulent Maori, who had been imprisoned in Wanganui gaol on conviction for destroying a trigonometrical station.

4. In my Despatch No. 148, of the 17th November ultimo, I explained the grave embarrassments which had arisen during some years past respecting the Rangitikei-Manawatu land claims. The interference of Tawhiao in favour of peace appears to be a strong proof of the probable ultimate success of the policy shadowed forth in my Despatch No. 154, of the 25th November ultimo, and in previous Reports, and of the good faith of the leading chiefs of the so-called "King party," in their conference with Mr. McLean in last November. It is true that the missives published in the name of Tawhiao by his uncle and chief councillor Tamati Ngapora Manuwhiri, continue to wear their former ambiguous and oracular character. I annex as an example of his usual style a letter recently addressed by him to Topia, one of the chiefs now in arms for the Crown, and which is considered by persons deeply skilled in the Maori character and language to evince a friendly and pacific spirit. The following are the remarks on this letter made in one of the principal journals of New Zealand:—

"We receive it as another proof of the King's sincerity in desiring peace; though, after all, these enigmatical epistles are only to be valued as collateral evidence of a fact already proved—the proof, in our mind, lying not in the professed fession of friendship, so much as in the fact that, in spite of all the inducement

† See Governor of New Zealand to Secretary of State, No. 134, of 14th October, 1869.

“ held out by our evident inability to cope with the small number of foes assailing us a year ago, no attempt was made by the Waikato tribes to regain their lost territory, or to carry out the threat of the more violent among them, to drive the Pakeha into the sea. We know that pressure was repeatedly brought to bear upon these men who choose to acknowledge Tawhiao’s supremacy to take up arms a second time, and that their milder and more prudent counsels prevailed. This being the case, we may accept without suspicion their proposals to establish a better understanding between themselves and the Europeans than has hitherto prevailed, made, as they were, immediately that the accession to office of Mr. McLean gave them an opening to make overtures to the Government. The Waikatos have never been a treacherous enemy, and they have always proved themselves undoubtedly brave. They were under no pressure to make advances to us, and, as far as we can see, no object is to be gained by a simulation of friendship just now; and we may, therefore, with a fair show of evidence in our favour, accept as true the interpretation of their actions offered by Topia,—that they have grown into a conviction that the English Government has only good intentions towards them—that they are tired of their self-imposed isolation, and desire to work as one people with us. If this be so, the incidental circumstance of a letter from Tawhiao, capable of bearing a favourable interpretation, or the arrival of a messenger in Auckland, bearing a report which is translated in an opposite direction, should not be allowed to elate or depress us in the anticipation of establishing peace. A full return to those amicable terms which will be acceptable to both races, can only result from, and must be accompanied by, full confidence given and received on either side.”

5. Again it will be seen from Mr. McLean’s Memorandum, that Tawhiao and his adherents gave no countenance or support to Te Kooti when he recently threatened the English settlements in the Waikato. In my last monthly report (No. 6, of the 10th ultimo), I observed that according to the latest news then received in Auckland, the advance against Te Kooti of the Native Contingent under the loyal chiefs Te Kepa (Major Kemp), and Topia, had been impeded by heavy floods in the Wanganui River, and by very tempestuous weather in the mountains of the central interior. Te Kooti and his followers were thus enabled to effect a retreat from their position near Lake Taupo, and they suddenly appeared near the township of Cambridge in the Waikato. Much alarm was felt both by the settlers and by the loyal Natives in that quarter; and the Militia was immediately called out for active service in that part of the Colony; a call which was forthwith responded to throughout the district, though great loss was occasioned by farm labour being everywhere suspended in the middle of the harvest. A sketch of the operations which subsequently ensued will be found in Mr. McLean’s Memorandum. It appears that Te Kooti, after several skirmishes with parties of the Colonial Forces and friendly Natives, has again effected his escape to the wild mountains and forests of the Urewera Country.

6. The son of the famous Ngatihaua chief Te Waharoa,* (better known by his Christian name of William Thompson, and by his *sobriquet* of the “Maori King-maker,” for he was the leading spirit of the Native King movement,) has recently come to Auckland to see me. I received him yesterday, and he made very friendly professions on the part of his tribe. I had held a conference with them on my first visit to the Waikato in May 1868.†

7. Mr. McLean informs me that there is no further news of importance here up to this day (February 15th), when the monthly English mail leaves Auckland.

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

Enclosure 2 in No. 46.

MEMORANDUM by Mr. McLEAN.

SINCE the last monthly report, Te Kooti, Kereopa, and their followers abandoned the position taken up by them at Tahua, from which they were followed up by Topia, a chief of Upper Wanganui—one

* He died in 1867.

† See Governor of New Zealand to Secretary of State, No. 49 of 30th June, 1868, *vide* Appendix to Journals, II. of R., 1869, p. 72.

of Tawhiao's (the so-called King) adherents,—and by Major Kemp, of the Wanganui Native Contingent.

It was deemed prudent to avoid pursuit through the territory of Tawhiao, and as Te Kooti took up a position between the Waikato frontiers and Tauranga, to which place he was invited by a chief named Hakaraia, who desired to avenge the loss sustained by himself and his people at Te Ranga, Tauranga, under Lieut.-Colonel Greer, of the 68th Regiment, in May 1864.

It being necessary to dislodge Te Kooti from a position that threatened the safety of both Europeans and Natives in the settled districts of Tauranga and Waikato, Lieut.-Colonel McDonnell was directed, in concert with Topia and Kemp, to move against him. Some slight skirmishing ensued, the enemy's loss being six killed, a few prisoners, and 120 horses taken.

Tapapa, the pa occupied by Te Kooti's force, was taken, and he retreated to Rotorua, where, in an encounter with a party of the Arawa, he sustained a loss of sixteen killed; the casualties on the side of the friendly Natives being three wounded, one mortally.

The operations during the month may therefore be said to have resulted in driving Te Kooti out of the King territory into the country of his oldest allies, the Ureweras. In scarcely one instance did he make a determined stand; it was principally by timely flight, from place to place, that he managed to escape apprehension.

Considerable excitement was created in the minds of the King Natives, *i.e.*, Waikatos and Ngati-maniapotos, through the proximity of the operations. After their long and strict isolation, the presence of so large and mixed a force as has been operating in their neighbourhood naturally created a strong feeling. It is certain, however, that they as little desired the presence of Te Kooti and his followers as of our forces. The feelings with which the King and his advisers viewed the progress of events occasioned more general anxiety than even Te Kooti's movements.

The translation into Maori of Earl Granville's Despatch, in which he tells the Maoris that the balance of justice is on their side, and that only the strong arm can keep them down, has naturally aroused in the minds of a section of the Natives the idea that good may come of continued rebellion. It is something to them to know that the Colonists appear to have lost the sympathy of the Imperial Government.

The King and his advisers, who are strong in knowledge of the past, of course are not likely to allow their own opinions to be coloured by those of Earl Granville; but it may suit them to pretend they agree with him, and his views are frequently referred to as an indication of Her Majesty's mind. Again, many of his young and hot followers, careless of the precise facts, read in the manifesto an incentive to a combined national movement. The furiously disaffected are also, of course, delighted with it. It has even worked mischief with that section of the Colonists who have habitually felt themselves at liberty to interfere without authority, and lend their countenance to rebellion. Thus an attempt, already referred to, was made by Mr. Firth, the lessee of a large quantity of Native land, to procure for Te Kooti, who had promised not to interfere with his land, something like a free pardon.

Ministers have lately had to exercise a great deal of firmness, in the face of the reports spread about of the intentions of the King Natives in adhering to their determination to drive Te Kooti from the King's country, and to pursue him until he and his band are dispersed or destroyed.

Auckland, 14th February, 1870.

DONALD McLEAN.

No. 47.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 27.)

Government House, Auckland,

MY LORD,—

New Zealand, 19th February, 1870.

A steamer, chartered for that purpose by the military authorities, will this day convey two companies of the 2-18th Regiment from Auckland to Sydney, and may probably reach the latter port before the departure of the monthly mail. I will therefore take advantage of this opportunity to add a few words to my despatch No. 26, of the 15th instant.

2. Mr. McLean informs me that, since that date, intelligence has reached him to the effect that Major Kemp (Te Kepa) overtook, a few days ago, a portion of Te Kooti's force near Ohiwa, on the Bay of Plenty, when a smart skirmish ensued, in which twelve Hauhaus were killed, with but slight loss to the loyal natives.

It appears that there also fell a renegade European named Baker, (said to have formerly deserted from the Royal Navy,) who has been an accomplice in some of the worst of Te Kooti's atrocities.

3. As I have already reported, Te Kooti seems to have again retreated to the almost inaccessible country of the savage clan of the Uriweras, his principal supporters, who have been in chronic rebellion for several years past, though not an acre of their territory has ever been purchased or confiscated, and though no Europeans have ever settled within their borders.* The Colonial Government will do its utmost to prevent any further raids from this mountain fastness. The rest of the Colony is at this moment quite tranquil.

* See the map showing the distribution of the Native tribes transmitted with the Governor's Despatch No. 22, of 17th March, 1868. (Parliamentary Papers of July, 1869.)

4. The march of the loyal chiefs Te Kapa and Topia (lately one of the principal adherents of the so-called Maori King,) in pursuit of Te Kooti is certainly a remarkable event. In three months they have forced their way, at the head of their clansmen, through the forests and mountains of the central interior, across the entire breadth of this Island, from Wanganui on the West Coast to the Bay of Plenty on the East Coast. Neither the constant guerilla warfare in which they have been engaged, nor the severe toils and hardships which they have encountered, seem to have impaired their zeal and spirit.

5. Mr. Fox, the Prime Minister of the Colony, who has been lately occupied in settling the affairs of the West Coast, (as will be seen from his Memorandum transmitted with my Despatch No. 26,) yesterday joined at Auckland his colleagues the Native Minister and the Colonial Treasurer. By the next mail I shall be able to inform your Lordship more fully of the views and intentions of the Colonial Government.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

No. 48.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 29.)
MY LORD,—

Government House, Auckland,
New Zealand, 25th February, 1870.

In continuation of my Despatch No. 16, of the 4th instant, I have the honor to report that the last detachment of the 2-18th Regiment left New Zealand yesterday. Colonel Elliot alone remains, for a few weeks longer, having received instructions to that effect from General Chute, so that he may complete the transfer of the Barracks to the Colonial Government, the sale of the Imperial Stores, &c. So soon as he shall have carried out the orders of the War Office in every respect, he will (he informs me) rejoin the head-quarters of his Regiment at Sydney.

2. I have been requested by my Responsible Advisers to transmit the following Ministerial Memorandum:—"Ministers cannot permit the last detachment of Her Majesty's 2-18th Regiment to leave the Colony without expressing the regret which they feel at the departure of the Regiment, and bearing testimony to the uniform good conduct of the force under the command of Lieutenant-Colonel Elliot during the period of its service in the Colony. The sentiment which the Government thus places on record is that of the whole community.

"The Government also desires to express the feeling which it entertains of the readiness which Lieutenant-Colonel Elliot, and the Officers commanding detachments under him, have always displayed to aid the Colony as far as lay in their power.

"The Government also desires to record its appreciation of the uniform courtesy and consideration which they have experienced on the part of Lieutenant-Colonel Elliot in their communications with him through his Excellency the Governor."

3. I need scarcely repeat that I entirely agree with the sentiments expressed in this Memorandum, as will be seen from the letter with which I transmitted a copy of it to Colonel Elliot. I forward also a copy of that officer's reply.

4. On leaving the four towns in this Colony (Auckland, Napier, Wanganui, and Taranaki,) where the 2-18th Regiment has been so long quartered, the officers and men were everywhere accompanied to the place of embarkation by large numbers of all classes of the community, who made many demonstrations of personal respect and goodwill, and of general regret at the final departure from New Zealand of the last battalion of British Troops.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

Enclosure 1 in No. 48.

The GOVERNOR of NEW ZEALAND to Lieut.-Colonel ELLIOT.

Auckland, 23rd February, 1870.

SIR,—

1. When the 2nd Battalion 18th Royal Irish under your command were first under orders for embarkation, twelve months ago, I felt it to be my duty to address you (on the 13th February, 1869), expressing my sense of the important services rendered by the regiment in New Zealand, and also of the admirable conduct of the officers and men, who have invariably maintained the most cordial relations with their fellow-subjects in this Colony.

2. I sent a copy of my letter, and of your reply of the 22nd February, 1869, to the Secretary of State for the Colonies, who replied (on May 19th, 1869), "I have much pleasure in receiving this testimony to the conduct of the battalion; and I have caused a copy of your Despatch to be forwarded to the War Office."

3. I wish now to express my deep sense of the constant zeal and courtesy with which you, as Commandant in New Zealand, during the past year, have invariably co-operated with me.

4. I am now requested, on the occasion of the immediate departure of your regiment, to transmit the enclosed Memorandum from the Colonial Ministers, with which I entirely concur.

I have, &c.,

G. F. BOWEN.

Lieut.-Colonel Elliot, 18th Royal Irish,
Commandant in New Zealand.

Enclosure 2 in No. 48.

Lieut.-Colonel ELLIOT to the GOVERNOR of NEW ZEALAND.

Garrison Office, Auckland, N.Z., 24th February, 1870.

SIR,—

In acknowledging the receipt of your Excellency's letter of yesterday's date, and the Ministerial Memorandum which it enclosed, I hope your Excellency will allow me to express the gratification it affords me to learn that your Excellency and Ministers approve as highly the conduct, during the past year, of those under my command as during the period antecedent to the 13th February, 1869, alluded to in your letter of that date, and I feel sure that all ranks of the 2nd Battalion 18th Royal Irish Regiment will share this feeling with me, when apprised that your Excellency has reported so favourably on them to our superiors at home, and has been pleased to renew the expressions of approbation then conveyed.

I also trust I may be permitted to thank your Excellency and Ministers for viewing so indulgently my efforts to carry out your commands and their wishes, and to state that I am deeply grateful to the Government of New Zealand for the readiness they have on every occasion evinced to sanction whatever was pointed out as likely to prove beneficial to Her Majesty's troops or military service in this Colony.

The communication under reply will, with your Excellency's permission, be promulgated to the battalion under my command, and a copy of it will be forwarded for the information of the Major-General commanding the Australian Colonies.

I have, &c.,

GEORGE A. ELLIOT, Lt.-Col.,
Commandant in New Zealand.

His Excellency the Governor,
Government House.

No. 49.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 35.)

Government House, Auckland,

MY LORD,—

New Zealand, 16th March, 1870.

In continuation of my Despatch No. 27, of the 19th February ultimo, I have the honor to state that the monthly mail *via* Suez will leave Auckland tomorrow morning. Mr. McLean informs me that he has nothing particular to report by this opportunity; but the Colonial Ministers intend to transmit a Memorandum, showing their views and policy, by the first mail *via* San Francisco and New York, which will leave New Zealand on the second of next month (April), and is expected to reach England nearly, if not quite, as soon as the mail *via* Suez.

2. Nothing appears to have been heard of Te Kooti's movements since he took refuge in the Uriwera mountains. The rest of the Colony continues perfectly tranquil, so far as is known here up to this date.

I have, &c.,

G. F. BOWEN.

The Right Hon. Earl Granville, K.G.

No. 50.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 38.)

Government House, Auckland,

MY LORD,—

New Zealand, 1st April, 1870.

The first mail *via* San Francisco will be closed at Auckland to-morrow, and I have the honor to transmit by it a Memorandum from Mr. McLean, briefly reporting the progress of events here during the past month.

2. Soon after the departure from Auckland, on the 17th instant, of the last mail *via* Suez, news reached Mr. McLean that Te Kooti had made a sudden raid from the Urewera Mountains against Opape, a small settlement of friendly Natives about eight miles to the south-east of Opotiki, in the Bay of Plenty. It will be seen from the enclosed Memorandum, that most of the able-bodied men belonging to the settlement were absent on an expedition under Major Kemp (Te Kepa); but that Te Kooti “took about one hundred and fifty (150) men, women, and “children (all friendly Maoris) prisoners.” “Their fate (Mr. McLean reports) “is not yet known, but it is expected that most of the men will be massacred.”

3. It will be remembered that Mr. Justice Johnston, in his address to the Jury at the trials of some of the followers of Te Kooti before the Supreme Court, at Wellington, in last September, made (among other language to the same purport) the following statements:—“We have positive evidence as to the intention “of Te Kooti, from what he repeatedly said in the hearing of persons at times “antecedent to that at which their men voluntarily took a part in his acts. “Gentlemen, if there were no other purpose that this trial could serve than this, “it is well that the Colony, the Mother Country, the world, should know that the “deliberately avowed and repeated intention of Te Kooti was—as it has been “expressed, and I shall use no language of rhetoric to characterize the expression “—to annihilate the *momokino*, the ‘bad breed.’ On pressing the matter, and “questioning the witnesses as to what Te Kooti meant by the ‘bad breed,’ and “what was understood by it by his followers, it became a clear matter of fact that “the ‘bad breed’ did not mean this man or that, it did not mean the Pakeha, the “foreigner merely, but the Government people of both races. Throughout the “whole disastrous events, both the language and the actions of this party showed “that their attacks were levelled against those who supported the Government. “What Government that was, there can be no doubt. It was the Government of “Her Majesty in the Colony. Therefore, I say, this is so pregnant and important “a fact that, if nothing else resulted from this trial, your long detention from “your homes, the inconvenience you have been put to, and which you have borne “so patiently and intelligently, would be but little in your estimation compared “with establishing the fact before the world that such are the intention and “meaning of those persons who, I am sorry to say, are still, as far as we know, “in more or less active insurrection against the Government. The importance of “the trial in this respect, of course, so far from tending to prejudice the prisoners “at the bar, would have rather a contrary effect; for I say, notwithstanding the “perhaps justifiable observation of the Attorney-General, that, to my mind, what “becomes of these three men is comparatively insignificant to the great fact which “this trial will probably establish, that as far as regards the circumstances of that “portion of the Colony with which this case is connected, the Government has “not been acting otherwise towards the hostile Natives than for the maintenance “of the peace of the country, and that Te Kooti and his followers have not set up “the pretence of a grievance done to them.

“Much has been said during the trial as to the relevancy of particular facts “towards establishing the general conclusion charged in the indictment; but, “having paid due attention to the suggestions of the learned counsel for the “defence, I have not seen my way to disallowing any part of the evidence as to “events—from the landing at Whareongaonga to the taking of Ngatapa— “because, to the best of my judgment, all the acts appeared to be done in “pursuance of one common design—perhaps originally instituted by Te Kooti, “but carried out by him and his followers, of whom were two of the prisoners

“ from the first, and the third joined them afterwards,—all three, according to
“ evidence, taking an active part at some time in the conspiracy, and being well
“ informed as to their leader’s objects and intentions. The line of the case for
“ the prosecution is this—that having arrived from the Chatham Islands, where
“ they possessed themselves of the ship and overpowered the guard, and brought
“ away the guns of the guard with them, they went through a series of engage-
“ ments with what I call the Queen’s Troops—the troops of the Government of
“ the Colony; that, living together in camps and pas, they had daily instructions,
“ and that they were from time to time ordered by him to go by night as detached
“ parties called ‘Kokiris’ for the purpose of doing, what?—on one occasion, to
“ fetch ammunition; on three occasions at least, if you believe the evidence, for
“ what purpose?—not meeting the troops with whom they were fighting, accord-
“ ing to the custom of war, but going to detached places, where settlers were and
“ Maoris friendly to the Government, for the express purpose of assassinating and
“ destroying men, women, and children who might be friendly to the Government.
“ Whether the prisoners themselves took part in this particular action, or were
“ one of this particular ‘Kokiri’ or that particular ‘Kokiri,’ seems to me to be
“ a matter of little importance, if they voluntarily continued under Te Kooti,
“ taking part in his proceedings after the first occasion on which an order of this
“ kind was given. Whatever may be the degrees of moral guilt, clearly, in point
“ of law, they must be as guilty as if they themselves drew the murderous sword
“ or fired the destroying gun.”

[His Honor here described the relative positions of the various places at which the several events took place, and read the evidence at length to the Jury.]

“ Gentlemen, the case has occupied much of your time. If any of us,
“ fallible and weak as we are, have in the course of the investigation allowed our
“ minds to be either clouded by prejudice or excited, I need not urge upon you
“ that, now that solemn moment is coming when you are to determine, so help
“ you God, are these men guilty of the crime laid to their charge, you will
“ allow no passion, feeling, or prejudice, or suggestion from any source but one,
“ namely the evidence, to weigh either for or against the prisoners at the bar.
“ As I said before, it may be that the moving spirits who have designed this
“ great evil have not yet reached the hands of justice; but that, I again point
“ out to you, can be no justification for making these men irresponsible for the
“ acts that were committed by the followers of those leading spirits, if done in
“ common concert with them. With regard to the question of levying war, I
“ repeat that attacking the Queen’s Troops—and these men were the Queen’s
“ Troops for this purpose—is of itself levying war; resisting the Queen’s Troops
“ when they are supporting the Queen’s authority, or endeavouring to take a
“ place occupied by the Queen’s Troops, is of itself levying war against the
“ Queen. Can you have any doubt that the principal if not the only object existing
“ in the mind of Te Kooti, and known by all his party to be existing in his mind,
“ was to throw off the yoke, as they might have termed it, of the British Govern-
“ ment; to rid themselves of that which they might consider an interference
“ between them and the enjoyment of the whole country? No possible suggestion
“ can hereafter be made, with regard to this portion of the Native race at all
“ events, that their object was to get back land of which they complained that
“ they had been wrongfully dispossessed. No suggestion can hereafter be made
“ that their conduct was even retaliation for some oppression or injury which
“ they even pretended to have received at the hands of the British Government.
“ No suggestion can be made that the insurrection in this part of the Colony was
“ the result of misconduct, ill-feeling, or mismanagement on the part of the
“ European settlers or of the Government. With matters which are called
“ political, we have nothing to do here. It may be that some persons may think
“ that if these prisoners had been better guarded these events would not have
“ occurred; but what justification can that be to them for anything further than
“ their escape, which undoubtedly the law of nature suggested to them? If it
“ were necessary to show this distinctive motive more clearly, does it not appear
“ that the mode by which they sought to shake off the yoke of British rule was
“ by annihilating the British people? Ay, and so little was there of anything

“like a national spirit in it that they were ready to sacrifice persons of their own race,—and not only those who in assisting the Government might be said in some kind of sense to be traitors to the Native cause, but harmless women and children of their own blood, merely because they were under the protection of the Government.”

4. Unfortunately, Te Kooti's present position is well adapted for carrying out his intention of destroying that portion of his countrymen on the East Coast of this Island which has remained loyal to the British Crown. A comparison of any large and accurate map of New Zealand with the sketch maps transmitted with my Despatch No. 22 of 1868,* exhibiting the distribution of the Maori tribes, will show that the Urewera Mountains overhang the southern part of the Bay of Plenty as far as the East Cape on one side, and, on the other side, the East Coast as far as Poverty Bay. At most of the points where the rivers flowing down from these mountains enter the sea, there are small settlements of loyal, or (as they are generally called by themselves and others,) “Queen” Natives. All these settlements are peculiarly exposed to sudden raids from the fastnesses above them, which are almost inaccessible to Europeans. It will be seen that the Colonial Ministers are sparing no exertion for the protection of our Native allies, and that (in addition to supplies of arms, ammunition, and provisions,) they have promised a subsidy in money to Major Ropata (the Ngatiporo Chief), Major Kemp (Te Kapa, of Wanganui), and other loyal Chiefs, for the pursuit and capture of Te Kooti. Garrisons of the Colonial Militia, Volunteers, and Armed Constabulary, are also maintained at Tauranga, Whakatane, Opotiki, Poverty Bay (Turanganui), and other commanding points. M. Louis Hettit, and others who have the best means of information, assure me that the systematic employment, by the Colonial Government, of the loyal clans against their disaffected countrymen is making a most salutary impression on the minds of the so-called “King Natives.”

5. Mr. McLean has lately received the following official intelligence relative to the Chief Ropata's movements in the Urewera country:—“His expedition, numbering three hundred and seventy (370) men of the Ngatiporo Tribe marched from Turanganui (Poverty Bay) on the 28th February, following the Ngatapa track. Nothing of importance occurred up to the 5th of March, when, on passing an old camping-ground of Te Kooti's on the Hingaroa, the remains of three bodies were found, no doubt refugees from Ngatapa. Before reaching Maungapowhata, two parties of eighty (80) men each were told off, with orders to surprise the pa held by Te Pakaroa (a rebel leader), which was taken. The number of prisoners captured in this pa, together with those taken on the march, amounted to fifty (50). Five of the captured men formed part of Te Kooti's force at his late engagement at Rotorua. After a most harassing march through a difficult country, during which only two days were allowed for rest, the force reached Ohiwa on the 20th, and Opotiki on the 21st March. Ropata, on hearing of Te Kooti's late raid on Opepe, at once started in pursuit; and, although the country is almost inaccessible, he is determined to push on his operations so far as he is able with the means at his disposal.”

6. As the prisoners already captured by Ropata are not known to have taken part in the murders of women and children, and in the other atrocities perpetrated by the rebels, they will (as I am assured) be treated with lenity.

7. I intend soon to visit the East Coast myself, with Mr. McLean, when we will examine thoroughly into the condition of affairs there. It will easily be understood how difficult the task of capturing or destroying the rebel bands of Te Kooti and of the Ureweras must prove, with the comparatively scanty forces at the disposal of the Colonial Government, and in the almost impenetrable mountains and forests of New Zealand, when it is recollected how long the Pindarries and other predatory tribes set at defiance the whole strength of the British Government in India; and how long even small gangs of bushrangers were able to baffle pursuit in the comparatively level and open country of New South Wales.

8. No further intelligence of importance is known at Auckland up to this date.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

* *Vide* Imperial Parliamentary Papers relating to New Zealand, presented in July, 1869, page 126.

P.S.—*April 2.*—Since the above was written, Mr. McLean has received a despatch from Colonel St. John, commanding the Colonial Forces at Opotiki, stating that on the 25th ultimo Major Ropata and the Ngatiporos attacked a pa held by Te Kooti and his allies, at a place called Maraetai. After an hour's firing the pa was abandoned, the fugitives from it falling into the hands of Major Kemp (Te Kepa) and the Wanganuis, who were marching down to the coast after an expedition in which they had taken a number of rebels. Colonel St. John further reports, that while the loss on the side of the "Queen Natives" was trifling, the number of killed on the side of the rebels was nineteen (19), besides above three hundred (300) prisoners. Among the latter are twenty (20) of Te Kooti's immediate followers. Te Kooti appears to have again escaped, with only about twenty (20) men; but the fanatical Hauhau prophet, Hakaria, is said to have been killed. It is, moreover, rumoured that the Ureweras have abandoned Te Kooti. Further details are expected shortly, but cannot arrive before the departure of this day's mail.

G. F. B.

Enclosure in No. 50.

MEMORANDUM by Mr. McLEAN.

General Government Offices, 26th March, 1870.

DURING the past month Te Kooti made a raid upon Opape, a Native settlement on the East Coast, and took about 150 men, women, and children, prisoners. Their fate is as yet unknown, but it is expected that most of the men will be massacred. Most of the able-bodied men belonging to the settlement were absent on an expedition under Major Kemp.

A force of 370 Ngatiporous under Major Ropata returned a few days ago from the Urewera country at Waikare-Moana, where they took a pa and fifty prisoners.

The exaggerated reports in some of the local papers of massacres of men, women, and children at Opotiki, are without foundation.

The Government have promised a subsidy in money to Major Ropata and other chiefs for the capture of Te Kooti

DONALD McLEAN.

No. 51.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 39.)

Government House, Auckland,

MY LORD,—

New Zealand, 2nd April, 1870.

With reference to the Enclosure in my Despatch No. 7, of the 13th January ultimo, I am requested by my Constitutional Advisers to transmit by this day's mail the accompanying Ministerial Memorandum, which I have just received from them.

2. Mr. McLean, the Minister for Defence and Native Affairs, requests me to annex a brief Memorandum from him.

The Right Hon. Earl Granville, K.G.

I have, &c.,

G. F. BOWEN.

Enclosure 1 in No. 51.

MEMORANDUM by Mr. Fox.

THE departure of the last regiment of British troops, marking as it does an epoch in the history of New Zealand, should not in any case be passed over without remark; but more especially is it necessary that Ministers should state their views concerning it, inasmuch as it is exciting considerable discussion in England, and statements are being made with which the Colony may be identified, in the absence of any distinct official utterance. It would be impossible within reasonable limits, even if it were desirable, to discuss the many phases of the Colonial question which have appeared in connection with the policy which the Imperial Government is pursuing towards New Zealand. Ministers acknowledge with thanks on behalf of the Colony the efforts which have been made by a number of independent persons to represent to the Imperial Authorities the unpatriotic harshness which they have shown in their special treatment of New Zealand. Though not prepared to indorse in every particular all the steps taken by those persons, Ministers fully appreciate the friendly spirit towards New Zealand which has characterized their proceedings. Those proceedings have been the more valuable because, as they have not been prompted by any official action on the part of the Colony, they stand prominent as an unmistakable reflex of independent public opinion. Had they owed their source to official suggestion, they would have been less serviceable. It may be here observed, that Ministers have already declined to authorize the representation of the Colony at the proposed Colonial Conference.

They considered that it was especially important, at this critical juncture, that the opinion of the Colonists should be known through the recognized constitutional channel. Much misconception might arise from communications which, purporting to be official, might fail to thoroughly represent the views of the Colony. But as a moral support to public opinion in New Zealand, and to the course which it may be decided the Colony shall take, the independent expression in Great Britain of sympathy and good feeling is invaluable. They feel it would be unfair to the large views expressed by Mr. Edward Wilson, in his letter to "The Times," which has obtained a world-wide publicity, did they fail to take this opportunity of stating that they concur with him in regarding the policy lately pursued by the Colonial Office as one tending towards the disintegration of the Empire, and also that they agree with Sir George Grey, in considering that the action of the Imperial Government has not only been unfriendly, but that it is scarcely reconcilable with any other motive than a desire to drive New Zealand from the Empire.

In some quarters a disposition has been shown to test the propriety of the departure of the troops by the immediate result. Thus it has been said that the removal would be justified if no actual disaster at once followed it. Such a test is in itself an admission of an inclination to run a great risk by way of a political experiment; and the opinion of persons who can deal with the interests of an important Colony so callously is of little moment. But it is of importance that it should be fully understood the Colony does not admit that immediate events are to decide the liability of Great Britain for the consequences arising from the course she has taken. It is well, therefore, to define what Ministers consider the position to be, as far as they can do so with public safety. It is necessary to make this reservation, because it should be understood that the recent action of Lord Granville in publishing Despatches, makes Ministers feel that they must refrain from any statements the publication of which would be injurious.

It would not be advisable to particularise the consequences which there is good reason to believe would have followed had the troops not been detained last year by General Chute in obedience to the earnestly expressed wish of both Houses of the Legislature; but Ministers desire to place on record their conviction that the then detention of the troops saved the Colony from disaster, and has proved of signal public service. That the removal now is not fraught with immediate disaster, is through no care of the Imperial Government. The orders sent out were in the last degree peremptory. Ministers do not believe that immediate calamity will now follow the departure of the troops. The intervening months since the detention last year have placed the Colony in a somewhat better position. Ministers earnestly hope that no future disaster will be attributable to that departure; but supposing this hope to prove well founded, it is still not to be assumed that it is right that the Troops should have left, or that, without any absolute disaster to instance, great injury may not be caused. If this document were confidential, Ministers could point to obvious immediate injury resulting from the departure, and to difficulties which it is occasioning; but as it is, they can only in general terms state that the departure of the troops means the loss of a valuable garrison force,—that it lessens the prestige of the Government in dealing with the neutral and hostile Natives; that it impairs the confidence of the friendly Natives, who hold that the Treaty of Waitangi gave them the right to look directly to the Crown for the fulfilment of its obligations; and that in the event of complications and disturbances, which Ministers trust and hope will be avoided, the consequence of the departure of the troops will probably be a feeling that the Colony owes no heed whatever to the obligations undertaken by Great Britain.

Substantially the position is this: the Imperial Government retire from the great colonizing work which Great Britain undertook; they give no notice to those Natives who have always aided her; they say to the Colonists and to the Natives, Do what you like, we cease to care for what may happen. It is impossible to define any time during which the effects of this course may be apparent; it is sufficient to know that it is one which affects the future of the Colony. It is alleged by Lord Granville that the step has been taken in the interests of the Colony. This is a view which Ministers cannot allow to pass unchallenged. If it really be the opinion of Ministers at Home that they can better judge what the Colony requires than the Colonists themselves, surely they should withdraw, and not increase, the local powers. The Colonial Legislature deliberately asked that the troops should remain, and offered to pay for them whatever was required. It is a singular excuse for fastening on the Colony greater responsibility, that its judgment in so important a matter is considered to be at fault. But it is idle to pursue this branch of the subject, for, clearly, the protestations about the troops being removed for the benefit of the Colony are merely official euphemisms—a civil disguise of the fact that it is considered necessary to sacrifice the Colony to Imperial policy. The Imperial Government have acted, not only in disregard of the wish of the Colony, but of the advice of all those of their own officers who are able to give them recommendations founded on experience. His Royal Highness the Commander-in-Chief has given the Government a positive expression of his opinion that the removal of the Troops would be prejudicial to Imperial interests. The late Governor, Sir George Grey, and His Excellency Sir George Bowen, have often most powerfully urged the same views, as have also, repeatedly, officers of high position in the Imperial services. Until quite lately, the Imperial Government have held, it is to be inferred, similar opinions. The persistence with which they invited the Colony to defray the cost, and the fact that twice, in 1866 and 1867, they determined, irrespectively of the previously expressed wish of the Colonial Government, that one regiment should remain, showed that they considered some Troops should be detained. The evidence is conclusive, that the Imperial Government have now decided that possible pecuniary liabilities are superior to national considerations, as far as New Zealand is concerned. Even although the Colony offers to pay for the Troops, Her Majesty's Ministers, as shown by Earl Granville in his Despatch No. 115, 17th October, 1869, are apprehensive of the responsibilities which might result from a continued connection with the Colony, altogether forgetting those which they have incurred, and which they cannot shake off.

Some idea of the enormous gravity of the step taken by Her Majesty's Ministers may be conceived when it is remembered, that though the removal of the Troops was opposed to the advice of the Imperial officers who had a personal knowledge of the Colony, the orders were so unconditional that the removal must have taken place, no matter what condition existed when the orders arrived, and what sacrifice of life might have ensued.

It is true, that in the Despatch already referred to, theoretical objection was taken to responsibility; but seeing that such theories apply to all Colonies, as long as there is an Imperial Representative or ship of war in any Colony, we may accept them as a plausible introduction to the new policy decided on towards New Zealand. Ministers freely admit that the Colony has from time to time asked for authority to manage its own affairs, but it has always done so subject to the condition of its still remaining a part of the Empire. If it had failed to endeavour to do justice to the responsibilities it sought, no doubt it might be taunted with such failure; but even then Ministers urge that the Imperial country could not have released itself from the supreme responsibility which, as the head of the Empire, attaches to it.

It is not pretended that the Colony showed itself indifferent to its self-sought responsibility. It has contracted an expenditure which, as compared with its revenue, would, if contracted by the United Kingdom in proportion to its revenue, amount to nearly three hundred million sterling, or, on the basis of population, it would amount to about five hundred million sterling. It has lost a very large number of colonists as compared with its population. When it asked for a regiment to remain, it did not abandon its aspirations; it was still willing to persevere in the arduous duty it undertook; it requested only what quite recently back it was advised to consent to—to pay for a regiment to remain in the country. The request was nothing more than that one Power might address to another,—paid assistance to repress or guard against the outrages of fanatic savages. If a Colony in time of peril may not seek such a boon, no matter what it has previously undertaken,—and for the sake of argument let it be said no matter what errors or mistakes it may have committed,—then Ministers are at a loss to understand the position which the Colonies occupy. Indeed it might be laid down as a principle, that whilst a colony remains a part of the Empire, and is governed by a nominee of the Crown, it has the right to look for assistance to the Imperial country in any emergency with which it is beyond its own power to cope.

To satisfy the theories of Lord Granville as to responsibility, New Zealand must cease to be a part of the Empire, and that is one reason why the Despatch in question may be regarded, as urged by Sir George Grey as a hint to that effect. The circumstances all corroborate this view. As has been already said, the removal of the Troops is notoriously opposed to the opinions of those who in ordinary cases would advise the Colonial Office. Long ago as it was since the removal of the Troops was spoken of, it was always understood that the removal would be conducted in such a manner as to be least injurious to public safety,—certainly that it would not be completely effected in the midst of active hostilities. This was the case when the Colony decided not to ask for the retention of the Troops, but to try to do without them; but with an inconsistency specially affronting to the Colony, when the Colonial Legislature resolved that it was desirable one regiment should be retained, and made provision to pay for it, unconditional orders were sent for its immediate removal, no matter what disasters might follow; this too at a time known to be particularly critical, and when delegates were on their way to confer with the Home Government on the subject. Only extreme necessity could explain such a denial of ordinary courtesy as that imperative orders to remove the Troops should cross the Commissioners on their road to execute the mission with which, within Lord Granville's knowledge, they were to be intrusted. No military necessity explains the course pursued. The regiment has proceeded to the neighbouring Colonies, to remain there in comparative idleness. Those Colonies would be glad, even though they paid the usual contribution, that New Zealand in its need should have the use of the Troops. Again, heedless of all the mischief it might produce, Lord Granville published his Despatch, although he must have been aware that the terms in which he spoke of the Native Rebels, and the encouragements he held out to them, were calculated to seriously embarrass the Colony. As a fact, it may be stated that the Despatch has been translated into Maori, and has given great satisfaction to those Natives who are in arms against and otherwise opposed to us.

Whilst Ministers deem it their duty to place on record their opinions of the present position, they desire it to be understood that they do not commit themselves to an indication of what course the Colony will take. It may be that the Assembly will consider that so important a matter as the severance of a Colony from the Empire is one about which the Imperial Legislature should express an opinion. It may be that the force of public opinion, already in measure expressed, will induce Her Majesty's Government to regret the invitation to New Zealand to leave the Empire, which Lord Granville's Despatch implied; and it may be that the Assembly will consider that there is another question first to be decided, namely, the liability of the Imperial Government to the Colony, if there is indeed to be a complete release of Imperial responsibility.

New Zealand is sparingly peopled, but it is possessed of resources adequate to a large population. It is strictly, in every sense, now being colonized for the people of Great Britain. To every citizen of that country all its advantages are open. He may, a few months after his landing, attain to political power, or in his private and industrial capacity he enjoys equal privileges with the veteran colonists who found the country a wilderness. Thousands of persons in Great Britain, without even having visited the Colony, are interested in it, in business or in property. It has been the pride of the Colonists to consider themselves subjects of Great Britain, and to believe that they are rearing up a home for those of their fellow-subjects who are crowded out of the Mother Country. It is a glory to them to know that in this new Britain there is no pauperism, and that the benefits of education are extended to the whole population. It is hard to realize that the pounds, shillings, and pence question is so exigent that, for the sake of some possible pecuniary liability, it is thought necessary to alienate such a people. There was a time when Great Britain, although less wealthy than at present, thought little of the cost of her Colonies, and when she was proud to undertake future responsibility in connection with them. Then they were far from her; now steam and telegraphy have practically brought them near to her. It is strange that the necessity of desertion should have grown up concurrently with all the conditions which make that desertion most opposed to the progress of science as it is to the traditions and the history of an Empire which has attained to greatness in large measure through the national enterprise and spirit the Colonies have developed. But it may be

considered presumptuous in Colonial Ministries generally to criticise Imperial Policy; so, in conclusion, they confine themselves to stating their conviction that the removal of the troops, in the face of the offer of the Colony to pay for a regiment, and all the surrounding circumstances which have been referred to, must leave in the minds of the Colonists, and by them, if this new policy be persisted in, be handed down to the future inhabitants of New Zealand, a rankling feeling of alienation from the Mother Country, which, in the plenitude of power, has shown so little care for their feelings or their just claims.

Wellington, 28th March, 1870.

W. Fox.

Enclosure 2 in No. 51.

MEMORANDUM by Mr. McLEAN.

MINISTERS attach a letter received from a settler at Raglan, in which he informs the Government that a meeting of Natives is to be held to consider Lord Granville's Despatch. The writer of the letter, evidently not acquainted with the Despatch, has obtained his information concerning it from Native sources; and it would be well that Lord Granville's attention should be called to the fact, and that he should be informed that the Despatch, which was supposed to convey his ultimatum, is understood by the Natives to mean encouragement to them to make extravagant demands on the Colony.

DONALD McLEAN.

Auckland,

Sub-Enclosure to Enclosure 2 in No. 51.

Letter from Mr. D. McDONALD to the NATIVE MINISTER.

SIR,—

Raglan, 22nd March, 1870.

In accordance with your request, I have the honor to inform you that there is to be another meeting of the Hauhau Natives at Aotea, when Tawhiao is expected to be present. The ostensible object is a *tangi*, but one of the Ngatimaru people told me that it was to discuss a Despatch that had been received from England some short time since, of which the following is the gist:—

1st. That under no circumstances whatever are any more British soldiers to be sent to this Colony.

2nd. That the New Zealand Government have done wrong in confiscating Maori lands.

3rd. That the Waikato ought to be returned to the Natives; and,

4th. That Tawhiao's Government ought to be acknowledged.

I do not know whether this is a fabrication of the Native's own. I merely tell the story as it was told to me. Hemi Matine told me yesterday, when speaking on the same subject, that the Hauhaus had decided on Maungatawhiri Creek as the European boundary. Should anything of importance happen at the Hui on Friday, I will endeavour to send you an account of it.

I have, &c.,

D. B. McDONALD.

The Hon. the Native Minister, Auckland.

No 52.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 42.)

Government House, Auckland,

MY LORD,—

New Zealand, 6th April, 1870.

I lost no time in directing the attention of my Responsible Advisers to your Lordship's Circular Despatch, of the 14th September ultimo, with the enclosed Order of Her Majesty in Council with reference to the flags to be used by the different branches of Her Majesty's service.

2. I am requested to state that the Colonial Government have adopted as the badge of New Zealand the four stars composing the constellation of the "Southern Cross." The following is the description contained in the notification published in the *Government Gazette*:—"The seal or badge in future to be worn, in accordance with the Queen's Regulations, as the distinctive badge of the Colony, by all vessels belonging to or permanently employed in the service of the Colonial Government of New Zealand, shall be the Southern Cross, as represented in the blue ensign by four fine-pointed red stars in the flag, with white borders to correspond to the colouring of the jack; in the jack by four fine-pointed white stars on the red ground of St. George's Cross; and in the pendant, by four stars near the staff similar to those in the ensign."

3. I have consulted Commodore Lambert on this subject, and he considers that the Despatch now under acknowledgment refers not to the flag of the Colony, but only to the flag to be flown by the Governor personally. It is stated that "Governors of all ranks and denominations administering the Governments of

See *New Zealand Gazette*, No. 61, of 23rd October, 1869.

“ British Colonies and Dependencies, are authorized to fly the union jack, with
“ the arms or badge of the Colony emblazoned in the centre thereof.”

4. In compliance with your Lordship's desire, I send herewith a drawing of the proposed flag to be flown by the Governors of New Zealand, on the model of the pattern sent out with the Despatch now under reply.

5. It is disputed here whether it is intended that this new flag shall be flown by Governors only when afloat, or also at the Government Houses on shore. It will be recollected that hitherto it has been the custom, at least in the Australian Colonies, to fly the union jack without any distinguishing badge at the several Government Houses. But to avoid any future difficulty, I am requested to solicit an authoritative decision on the above-mentioned point.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

No. 53.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 43.) Government House, Auckland,
MY LORD,— New Zealand, 7th April, 1870.

I have the honor to acknowledge the receipt of your Lordship's Despatch No. 18, of the 28th January ult., authorizing me to offer to Mr. Donald McLean the distinction of Companion of the Order of St. Michael and St. George.

2. Mr. McLean requests me to state that he accepts this offer with gratitude, and is very sensible of the gracious terms in which your Lordship speaks of his public services.

The Right Hon. Earl Granville K.G.

I have, &c.,
G. F. BOWEN.

No. 54.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. Earl GRANVILLE, K.G.

(No. 45.) Government House, Auckland,
MY LORD,— New Zealand, 12th April, 1870.

At the request of my Responsible Advisers, I have the honor to transmit the enclosed Ministerial Memorandum, covering a letter from the Chief Justice of New Zealand, suggesting that an Act should be passed by the Imperial Parliament to enable “ the Supreme Courts of all Colonies to appoint Commissioners in each
“ of Her Majesty's dominions to take affidavits and declarations, which should,
“ subject to just exceptions, be receivable in evidence by the Courts by whom they
“ had been appointed—false swearing being made perjury, triable and punishable
“ either in the Colony, or in the place, if it had Imperial tribunals, where the
“ offence was committed.”

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 54.

MEMORANDUM by Mr. GISBORNE.

5th April, 1870.

His Excellency is respectfully requested to transmit to Her Majesty's Secretary of State for the Colonies the accompanying copy of a letter, addressed by His Honor the Chief Justice to the Colonial Secretary, and to express the opinion of Ministers that such legislation as in the said letter is suggested is urgently required.

His Excellency the Governor.

W. GISBORNE.

Sub-Enclosure to Enclosure in No. 54.

His Honor Sir G. A. ARNEY, C.J., to the Hon. the COLONIAL SECRETARY.

SIR,— Auckland, 20th January, 1870.

I have the honor to bring under the notice of the Government the following Resolution arrived at by the Judges in Conference:—

“*Resolved*, That the Government should be requested to put themselves in communication with the Imperial authorities respecting the desirability of framing an Imperial Act which would give to the Supreme Courts of all Colonies power to appoint Commissioners in each of Her Majesty’s dominions to take affidavits and declarations which should, subject to just exceptions, be receivable in evidence by the Courts by whom they had been appointed; false swearing, being made perjury, triable and punishable either in the Colony or in the place, if it had Imperial tribunals, where the offence was committed.”

The subject connects itself with doubts as to limits of the jurisdiction of the Supreme Court, and especially with “The Supreme Court Practice and Procedure Amendment Act, 1868;” and I have requested Mr. Justice Johnston to have the goodness to communicate with yourself or with the Attorney-General herein.

The Hon. the Colonial Secretary.

I have, &c.,

GEORGE ALFRED ARNEY, C.J.

No. 55.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 53.)

Government House, Auckland,

MY LORD,—

New Zealand, 30th May, 1870.

I have the honor to transmit herewith Addresses to the Queen from both Houses of the New Zealand Parliament, thanking Her Majesty for the gracious gift to the Parliamentary Library of a copy of the work entitled “Leaves from the Journal of our Life in the Highlands.”

2. I am requested to state that some delay has occurred in the preparation of these Addresses, as it was desired to make as good as possible the photographs of Maori arms, wood carving, &c., which ornament the Address from the House of Representatives.

I have, &c.,

The Right Hon. Earl Granville, K.G.

G. F. BOWEN.

No. 56.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. Earl GRANVILLE, K.G.

(No. 58.)

Government House, Auckland,

MY LORD,—

New Zealand, 4th June, 1870.

Mr. McLean, the Minister for Defence and Native Affairs, left Auckland for Napier and Wellington last week, and I have not any Memorandum from him, showing the recent progress of events, to transmit by this month’s mail.

2. There is, however, nothing new of particular moment to report. The entire Colony continues tranquil, with the exception of that portion of the North Island, near the East Cape, where Te Kooti still maintains himself, with a small band of followers, in the recesses of the Urewera Mountains, which are almost impenetrable in this season, the winter of the Southern Hemisphere. In addition to the men he lost in the fights at Maraetai and elsewhere, a considerable number of his former adherents have surrendered to the Government. He is watched, and, when possible, will be followed up, by the chief Ropata and the loyal Ngatiporou tribe. Te Kepa (Major Kemp) and the Wanganuis have been conveyed to their homes on the West Coast for the winter, by sea from Opotiki, as they required rest after their long and toilsome march across the Island;—but their services, as also those of the Arawas, will again be available when required; and it will be seen, from the official report of my recent visit to the North, that the chiefs of the Ngapuhis, the most powerful tribe in New Zealand, also repudiate all sympathy with Tawhiao, the so-called “King of the Waikatos;” assured me and Mr. McLean of their continued loyalty to the Queen, and of their good will towards their colonial fellow-subjects; and stated that “after peace has been made with Matutaera (*i.e.*, Tawhiao) “if he attempts to break that peace, the only feeling of Ngapuhi, in the event of “such violation of peace, would be to go in a body and fight on behalf of the “Government.”

3. I have mentioned, on more than one occasion, that the leading men of all parties here appear to be in favour of the policy described in my Despatch of

7th December, 1868, as a "peaceful arrangement, not inconsistent with the "Sovereignty of the Queen," with the so-called "King party." Such an arrangement was virtually, though not in formal terms, made by Mr. McLean in last November, when he held a conference with Tamati Ngapora, Rewi Maniapoto, and other principal councillors and adherents of Tawhiao. It is generally believed here that any concession beyond an accommodation of this kind would be neither desirable nor indeed practicable, as it would be opposed to the opinions and feelings alike of the colonists and of the loyal Maori tribes.

4. I shall leave Auckland on the 9th for Wellington, where the Session of the New Zealand Parliament for this year will be opened on the 14th instant. If tranquillity should continue to be maintained (as there is good reason to expect) in the North Island, I hope to spend a large portion of next summer in visiting the South Island.

The Right Hon. Earl Granville, K.G.

I have, &c.,
G. F. BOWEN.
