

## Sub-Enclosure 2.

Auckland, New Zealand, 4th June, 1883.

To the Right Hon. the Lords and others Commissioners of the Royal Hospital, Chelsea.  
THE humble Petition of John Fitzpatrick, late Sergeant, No. 1380, in Her Majesty's 99th Regiment,  
HUMBLY SHOWETH,—

That your petitioner enlisted into the 99th Regiment, at Dublin, on the 14th day of July, 1840, at the age of twenty-one years, and served in that corps for a period of  $11\frac{2}{3}\frac{27}{7}$  years, and obtained his discharge on the 18th September, 1853, at Hobart, Tasmania.

Your petitioner is proud to say that during his service he earned for himself, from his commanding officer and the officers of his regiment, the name of a good, faithful, and gallant soldier.

He served during the Bay of Islands war against the Maoris, in the years 1845 and 1846; and, as one of the stormers at the attack on Ohacawai Pah, on the 1st July, 1845, he was severely wounded in the thigh, the bullet striking the bone. The captain of his company (Brevet-Major Macpherson) and Lieutenants Beatty (who died from the effects of his wounds) and O'Reilly were also wounded. Your petitioner was also wounded in the neck in the engagement at Horokiwi Valley, when trying to assist Lieutenant Blackburn, who was killed.

Your petitioner's wound in the thigh did not at the time of his discharge cause him any serious inconvenience; but now that he is advanced in years, even the exertion of walking a short distance causes pain and swelling in the injured part, and totally incapacitates him from making any effort towards earning his livelihood, and he has been compelled to take refuge in the Old Men's Home at Auckland. In proof of this statement, a certificate is attached, signed by the House Surgeon of the Hospital, and by Dr. Philson, who was formerly an assistant-surgeon in the 58th Regiment, and is well acquainted with your petitioner's case, which can be further corroborated by Sir George Grey, the late Governor of the colony.

Your petitioner, not knowing how to state the chief points of his case, and under the impression that he had a claim to a privilege granted to soldiers enlisted at a later period, made an application to your Lordships in January last, for the deferred pension, without specially referring to his wound, and his request was refused, on the ground that the warrant in force at the time of his discharge did not authorize such pensions to men of his service.

Your petitioner, disappointed in his application, now brings before your Lordships the stronger ground on which he bases his claim for favourable consideration, and prays that a pension may be granted to him on account of disability caused by wounds, received when on active service in the field.

And your petitioner, as in duty bound, will ever pray.

JOHN FITZPATRICK,  
Late Sergeant, 99th Regiment.

## Sub-Enclosure 3.

District Hospital, Auckland, 16th March, 1883.

CERTIFIED that John Fitzpatrick, late Sergeant, 99th Foot, is unable to work for his living. He is incapacitated chiefly, if not entirely, by an old wound in the thigh, received in action at Bay of Islands, 1845.

E. D. MACKELLAR, M.D.,  
Resident Surgeon.

T. M. PHILSON,  
Formerly Assistant-Surgeon, 58th Regiment.

## No. 4.

His Excellency the GOVERNOR to the SECRETARY of STATE for the COLONIES.  
(No. 54.)

MY LORD,— Government House, Wellington, 11th August, 1883.

With reference to the Despatch from your Lordship's predecessor, No. 41, dated the 15th September, 1882, stating that Her Majesty had been graciously pleased to accede to the petition from the Senate of the University of New Zealand, praying that they might be empowered to confer Degrees in Science, but that it was necessary to defer the preparation of the new Letters Patent until a further Act had been passed by the New Zealand Legislature, I have the honour to transmit herewith a copy of a memorandum from the Premier (Mr. Whitaker), forwarding copies of "The New Zealand University Act, 1874, Amendment Act, 1883," which has just been passed by the Colonial Parliament, and which will meet the requirements of the case

I have, &c.,  
WM. F. DRUMMOND JERVOIS.

The Right Hon. the Earl of Derby.

## Enclosure.

MEMORANDUM for His EXCELLENCY.

By a Despatch dated September 15th, 1882, the Secretary of State for the Colonies informed the Governor that Her Majesty the Queen had been graciously pleased to accede to the prayer of a petition from the Senate of the University of New Zealand, for power to confer Degrees in Science;