

country; that it tends to prolong the war, to cause an unnecessary loss of life, and to entail an useless expense on Great Britain and the Colony; whilst you do not consider it as forming a part of any settled line of policy."

Your Ministers, on the contrary, express the opinion that "it would be an unwise and dangerous experiment to permit any of them to have such liberty as would enable them, by a breach of parole only, to join their tribes and friends still engaged in active hostilities against the Queen's troops. Conditions as to residence," they proceed, "are easily made but as easily broken, and there would be no means in the hands of the Government of enforcing their observance nor of punishing their breach. Ministers are therefore of opinion that all, and not only some, of the prisoners should be brought to trial, and that none should at present be released."

Your Ministers further state that "it has appeared to them, up to the present time that to release the prisoners, or make an absolute promise and official declaration to do so, would be injudiciously to throw away a powerful check on both the prisoners and their friends;" and that "they feel assured that these men being in their power has had the effect of checking the barbarous system of murdering unarmed men and women, which had previously disgraced the rebel Natives. Since the prisoners have been in custody no murder has been committed; their friends, Ministers are informed on excellent authority, being restrained by the fear of reprisal." And finally, in regard to the reports made to you by Mr. Mair. Your Ministers observe that "no doubt the statements are not to be disregarded, but on the other hand, too much weight should not be attached to them. Mr. Mair received his information from one Native, who was told by another Native who had communicated with the rebels. The unreliable character of the information generally derived through Native sources, might be illustrated by a statement of some of the reports constantly put into circulation."

In conclusion, the arrangement finally made and about, as I understand, to be made known by Proclamation to the Natives generally, was as follows:—That the prisoners should not be brought to trial; that it should be announced to them at once that no personal punishment, beyond restraint of liberty, would be inflicted; and that when peace should have been re-established, they would be liberated and land allotted to them to settle on; that an opportunity of communicating with their friends on the subject of their position should be afforded them, and for this purpose writing materials supplied to them; and that two of their number, not being influential Chiefs, and to be approved by the Government, should be permitted to be the bearers of their letters, taking their parole to return.

You have stated to your Ministers that you "have not only to issue orders on the advice of your Responsible Advisers, for the suppression of the Rebellion, the punishment of prisoners, &c., to the Colonial forces, but also to the Senior Naval and Military Officers of the forces of Great Britain, and that there can be no doubt that you will be held responsible by the Home Government for any acts of which you may order the execution by their forces, or for the ultimate attainment of which you direct the employment of their forces, if such acts appear to the Government and people of England to be unnecessarily severe or unjust, or even if such acts would have a tendency to prolong, without sufficient object, a civil war."

On this subject it will be sufficient for me now to remind you that in my despatch of 26th May I had stated to you plainly that "an army of 10,000 English troops has been placed at your disposal for objects of great Imperial concern, and not for the attainment of any merely local object: that your responsibility to the Crown is paramount, and that you will not continue the expenditure of blood and treasure longer than is absolutely necessary for the establishment of a just and enduring peace;" and also that in my despatch of 27th June, when I had received an intimation of this unfortunate difference between yourself and your Advisers, but without the full particulars which have reached me by the present mail, I again stated that while I fully "recognized the general right and duty of the Colonial Government to deal with matters of Native policy properly so called, I considered that while active operations are being carried on under the conduct of Her Majesty's Officers, and in the main by Her Majesty's military and naval forces, it was for the Governor personally, as representative of the Imperial Government, to decide upon the fate of persons who were taken prisoners in the course of these military operations."

The question of Responsible Government in a colony where in ordinary times the civil and internal policy is directed by the Ministers, but where in case of emergency the safety of the inhabitants is secured, and peace and order are restored by the aid of the naval and military forces of Her Majesty, is not a question to be discussed in argument at a moment like the present. Whatever may be the precise limits of the authority vested in the Ministers, and of the power and responsibility of the Governor as the servant of the Crown of England, an army like that now operating in New Zealand has not been sent to the colony, and will not be maintained there, subject to any other authority than that of the Crown; and you appear to me rightly to interpret your position in the observations which you have addressed to your Ministers in the Minute to which I have referred. Your duty as the Representative of your Sovereign, is to take such measures as may in your judgment be best calculated to put down rebellion, to restore peace and order, and to stop the expenditure of blood and treasure. When you shall have accomplished these objects, and the army maintained at so great a sacrifice shall have been reduced to the moderate numbers suited for the times of regular and peaceful administration, Her Majesty's Government will not be desirous to withdraw from the Colonial Ministers any part of that authority in the conduct of Native affairs which has been already vested in their hands.

Of the policy of releasing Te Oriori, or of some, and if so, how many of the other prisoners; of the credence to be attached to the statements of Native messengers respecting Rewi, and of the effect which the detention of the prisoners as hostages may have had in preventing hostile operations, or murderous outrages on the part of any of their friends, it is not possible to judge without that knowledge of the circumstances which only presence on the spot can give, and even if I possessed that knowledge, I should feel that it was extremely hazardous to give you positive instructions from home to be carried into effect after an interval of five months from the time at which you had reported the circumstances to me, and when therefore the most material changes in those circumstances must have inevitably occurred.