

No. 42.

MEMORANDUM of COLONIAL SECRETARY.

The Colonial Secretary begs respectfully to inform His Excellency that he does not quite understand the tenor of the last paragraph of His Excellency's Memorandum, on the subject of the Commission proposed to be appointed to report on the prison ship "Marion."

Will His Excellency be so good as to state whether he merely declines to substitute Dr. Christie for Dr. Slade, or whether he does not now wish to prosecute the proposed enquiry?

Auckland, 15th June, 1864.

WM. FOX.

No. 43.

MEMORANDUM requesting a Reply to MINISTERS' Memorandum of 15th June.

The Colonial Secretary will be much obliged if His Excellency will favour him with a reply to his Memorandum of the 15th instant, requesting explanations of His Excellency's Memorandum of the same date.

18th June, 1864.

WILLIAM FOX.

No. 44.

MEMORANDUM of HIS EXCELLENCY respecting MINISTERS' Memorandum of the 15th June.

The Governor has just received the Colonial Secretary's Memorandum of this day's date, requesting that the Governor would send a reply to the Colonial Secretary's Memorandum of the 15th instant. In compliance with the wishes thus expressed, the Governor now at once forwards his reply. From the importance of the subject he had desired to give his answer a careful consideration before transmitting it.

Government House, Auckland, 18th June, 1864.

G. GREY.

Enclosure to No. 44.

MEMORANDUM of HIS EXCELLENCY in Reply to MINISTERS' Memorandum of the 15th June.

In reply to the Colonial Secretary's Memorandum of the 15th instant, the Governor begs to state that by the last paragraph of his Memorandum of the 15th instant, he meant what he expressed—"That the public service would, in his belief, be most benefitted by his not interfering further in the appointment of the proposed Commission" to examine and report in reference to the hulk "Marion."

He felt that in this matter of the Native Prisoners, regarding which he is confident he will be hereafter most seriously blamed, he ought not, until he hears from the Secretary of State, to interfere in any manner that he can possibly avoid. For, although from his desire to meet the wishes of his Responsible Advisers, he has been in many ways made an active party to the imprisonment of these people, by having had to sign passes for all persons admitted to the prisoners, &c.; yet, for the most part, his suggestions and earnest requests regarding the prisoners on points connected with them which he believed of the greatest importance to the peace of the country, have been rejected. Whilst much of the responsibility was thrown upon him, no power whatever was allowed him, and he found himself taking an active part in that of which he disapproved, and performing duties which he is confident will subject him to future blame, and in the execution of which he thinks a due consideration was not shown to his wishes or feelings, however earnestly these were expressed.

His Responsible Advisers will pardon the Governor for recalling to their recollection what has taken place on this subject within the last few weeks, in illustration of the position in which he has been placed.

In consequence of the communications which had passed between the Governor and his Responsible Advisers in relation to the Native Prisoners, on the 3rd of May the Colonial Secretary forwarded to the Governor for his information, a report upon the state of the Native Prisoners, in which, amongst other things, it was stated as follows:—

"The whole of the prisoners have improved very greatly in health and general condition, so much so that those who saw them at the time of their capture now scarcely recognise them.

"Little or no depression of spirit has arisen amongst the prisoners, which has, no doubt, contributed greatly to the health of the ship.

"The Colonial Secretary begs to express his conviction that, under all the circumstances, no establishment of a similar nature is better managed, nor could bear a closer inspection than the prison-ship "Marion."

The above mention Memorandum was considered by the Colonial Secretary of such interest, that the Governor was requested to transmit it to the Secretary of State, which he accordingly did.

The Governor, anxious to satisfy his mind that no objection could justly be raised against the mode of imprisonment to which the Natives were being subjected, and that every care had been taken in collecting the information which he had been asked to transmit to the Secretary of State, wrote, on the 4th of May, to his Responsible Advisers saying that he felt that a very great responsibility would rest upon him for the detention of the Native Prisoners for so long a time on board the hulk "Marion," and that it would therefore be a great satisfaction to him if the Government would allow a Medical Board of Naval and Military Surgeons to be appointed to inquire and report whether the prisoners could, with safety, be retained in confinement on board the hulk during the Winter; and, if so, if it would be necessary to make any and what changes in the system of confinement to which they have hitherto been subjected.