

prisoners were detained in custody. It is unnecessary to follow His Excellency through the details of the allegations he has made on this subject. If true, he is indeed correct in saying they would be derogatory to the good name of Great Britain. If true, it was His Excellency's duty not to have contented himself with recording his belief on the subject in an official despatch, but he ought at the very least to have caused such an investigation to be made at the time as might either have established the truth of his charges or allowed his Ministers the opportunity of disproving them. But when his Ministers, in the month of June last, twice challenged His Excellency, in writing, to proceed with such an investigation, he declined to do it, though he had but a few days before alleged the necessity for it. They accepted this as an acknowledgment (though not a very handsome one) that he knew that an enquiry would not support his assertions. But now, when several months have elapsed—when the prison hulk has been taken away from Auckland, and the prisoners released from it, when a full and fair enquiry can not take place, his Excellency arraigns his Ministers on a charge alike degrading to them and “to the British name.” And the only shadow of evidence he adduces in support of his statement is a Memorandum, said to have been written more than three months ago, by a person who obtained access to the prison ship without the knowledge of the Colonial Ministers; against the prison rules; who remained on board for a short half hour; who never communicated to the Colonial Ministers, either the fact or the results of his visit: and who now, after the lapse of three months, produces this Memorandum at His Excellency's request, which His Excellency sends to Her Majesty's Government without the Colonial Government having the opportunity of reply to, or comment upon it, till the mail after its transmission.\*

Ministers will not now discuss the fairness or the propriety of the course pursued by His Excellency, nor criticise the Memorandum of Mr. McKinnon. They do not rest their justification on any such narrow grounds, or limited range of evidence. It is their intention, in another Memorandum, to discuss the whole subject of the custody of the rebel prisoners, and they will append to it the whole of the daily, weekly, and half yearly reports of the Surgeon, and Superintendent of the prison ship, with other documents, which will exhibit a faithful contemporary record of the whole transaction. They propose, also, to place on record the history of other cases in which Maoris have been kept in custody for political offences, by His Excellency himself, as the representative of Imperial Government, before Responsible Government was bestowed on the Colony. A comparison can then be drawn which perhaps will not be unfavorable to the Colonial Government.

While, however, they will not in this memorandum enter fully into the subject, they will conclude their remarks by a brief resumé of facts which may be placed side by side with the allegations made by His Excellency. These facts are as follows:—

The whole of the prisoners, with the exception of four or five, were taken *flagrante delicto*, fighting against the Queen's troops. The few who were not, surrendered as rebels, acknowledging, with one exception, their complicity with those who were actually engaged in hostilities. The Colonial Government never asked that they should be placed in their hands; but they received them from the Officer commanding Her Majesty's forces, by transmission through His Excellency. His Excellency continued to transmit prisoners to them down to the latest date when they were taken, namely, the affair at Te Ranga, on the 21st June last; although, according to his own account, he believed that in so doing he consigned them to a system of imprisonment stained by cruelty and “derogatory to the British name.”

The Colonial Government provided the best accommodation it was possible to obtain; no suitable place could be had on the land, and the prisoners were placed first on board H.M.S. “Curaçoa,” and at the end of a month on board of a hulk of 347 tons, fitted up for the purpose, and moored in the middle of the land-locked harbour of Auckland, by which means they escaped the influence of what proved ashore to be an unprecedentedly unhealthy season. They were not put on board the hulk till Dr. Slade, of H.M.S. “Curaçoa,” who had attended them while on board that vessel, and who superintended their removal to the hulk and attended them for some days afterwards, reported it ready for their reception. He found no fault either with the extent or character of the accommodation. They came into the hands of the Government in wretched health, worn and distressed in body and mind, covered with filthy rags, with no bedding or blankets, eaten up with a purulent and infectious itch peculiar to the Maori race, and crawling with vermin, many of them severely wounded, others suffering from scrofulous habits of body, and pulmonary disease of long standing. The Government clothed the whole of them shortly after their arrival, and once again at least while they remained in custody; good new blankets were issued to them; their rations at first were the full military rations given to H. M. forces and the Militia of the Colony, with the exception of ardent spirits, and with additions of fish and various vegetables as often as they could be got. Subsequently, in accordance with the recommendation of the medical officer of the ship, less meat and more farinaceous and vegetable food was given, but the quantity always remained equally ample and the quality the best. Being habituated to smoking, tobacco was supplied to them. Every exertion was made to secure the cleanliness of the ship and of their persons and clothes. The decks of the former were scraped from end to end every other day, sprinkled with chloride of lime every day; and the whole vessel repeatedly fumigated with oxide of manganese and sulphuric acid. They were all brought on deck at daylight and compelled to wash their whole bodies in large tubs of salt water. They washed their clothes twice every week. They are not by any means a cleanly people at home, and they never had been so clean in their lives before. No work was required of them except cooking and the cleansing of the ship, their own clothes and persons. No punishment, corporal or otherwise, was ever inflicted, except such trivial ones as prohibiting a man from fishing for a day because he refused to wash himself. They spent as much of their time as they pleased in the open air on the upper deck; or if they were below, the large hatchways of a merchant ship aided when necessary by a windsail, admitted the light breezes which five days out of the six in the summer cool the air to a very temperate point in this climate. A very able medical

\* A copy of His Excellency's Despatch reached Ministers an hour or two after the departure of the *Mai* which conveyed the original to Her Majesty's Government in England.