

RELATIVE TO

NATIVE POLICY,

INCLUDING THE FOLLOWING SUBJECTS:—

INTENDED VISIT OF HIS EXCELLENCY AND MINISTERS TO NGARUAWAHIA.

TAURANGA EXPEDITION AND MILITARY OPERATIONS GENERALLY.

PROPOSED TERMS OF PEACE.

CONFISCATION OF NATIVE LANDS.

MILITARY SETTLEMENTS.

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

AUCKLAND :

1864.

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RELATIVE TO

N A T I V E A F F A I R S .

INTENDED VISIT OF HIS EXCELLENCY AND MINISTERS TO NGARUAWAHIA.

No. 1.

LETTER FROM PENE WHAREPU TO HIS EXCELLENCY THE GOVERNOR.

Ngaruawahia, Nowema 25, 1863.

E HOA, E TE KAWANA,—

Tena koe! He mea atu tena ki a koe kua whawhaitia te whawhai, a, kua mate, kua ora. Waka hokia mai Waikato. Kati ki a koe ko nga tangata mate ko nga mea ora whakahokia mai. Hoi ano.

Na to hoa,

Na PENE PUKEWHAU.

Na nga Rangatira k atoa o Waikato.

Kia Kawana Kerei.

(Translation.)

Ngaruawahia, November 25th, 1863.

O FRIEND, O GOVERNOR—

Salutation! This is to say to you the fight has been fought, and some are dead, some alive. Restore to us Waikato. Let it suffice for you,—the men who are dead. Return to us those who live. Enough.

From your friend.

PENE PUKEWHAU.

To Governor Grey.

No. 2.

LETTER FROM THE NATIVE MINISTER TO PENE PUKEWHAU.

Akarana, Nowema 30, 1863.

E PENE PUKEWHAU—

Kua tae mai to pukapuka, kua ata hurihurihia nga tikango, teni te kupu whakahoki atu ki a koe, ki nga tangata katoa hoki o Ngaruawahia.

Kahore rawa he korero a te Kawana kia koutou i a koutou e mau tonu mai na i te patu. Engari tukua katoatia mai a koutou pu, a koutou paura, a koutou patu katoa ki a te Kawana. Katahi ano ka puare he huarahi korero ma koutou, inaianei kahore kau. Heoi ano te kupu.

Na to hoa,

Na TE POKIHA.

Kia a Pene Pukewhau,
Kei Ngaruawahia.

(Translation.)

Auckland, November 30th, 1863.

PENE PUKEWHAU,—

Your letter has arrived, and the matter has been carefully considered. This is the reply to you, and also to all the people of Ngaruawahia.

The Governor will hold no communication whatever with you whilst you continue in arms; but give up all your guns, your powder, and all your arms, to the Governor: then only will a way of communication be open for you; at present there is none. That is the word.

From your friend,
WILLIAM FOX.

No. 3.

LETTER FROM PENE PUKEWHAU TO HIS EXCELLENCY THE GOVERNOR.

Ngaruawahia, Tihema 2, 1863.

E HOA E KAWANA,—

Tena koe! E hoa, tenei matou kei te tatari atu i te utu mai o matatou pukapuka. Kua tae aut ranei ki a koe, kaore ranei? Ko nga kupu hoki tenei o taua pukapuka, whakahokia mai Waikato tangata. Kati ki a koe, ko nga mea mate. Heoi ano.

Na nga Rangatira o Waikato,
Na PENE PUKEWHAU.

(Translation.)

Ngaruawahia, December 2nd, 1863.

O FRIEND, O GOVERNOR,—

Salutations! O Friend, we are awaiting the reply to our letter. Can it have reached you or not? These are the words of that letter: Restore the Waikato men: suffice for you the dead. Enough.

From the Chiefs of Waikato,
From PENE PUKEWHAU.

No. 4.

LETTER FROM HIS EXCELLENCY THE GOVERNOR TO PENE PUKEWHAU.

Te Whare o Te Kawana, te ono o ngo ra o Tihema.

E NGA RANGATIRA KATOA O WAIKATO, E PENE PUKEWHAU,—

Kua tae mai ki a au to pukapuka o te rua o Tihema. E Tama ma, ko aku kupu enei ki a koutou. Me haere tika Te Tianara ki Ngaruawahia, me tare te Haki o te Kuini ki reira; katahi ka korero atu a auh ki a koutou.

G. GREY,
Governor.

(Translation.)

Government House, 6th December, 1863.

O ALL YOU CHIEFS OF WAIKATO, O PENE PUKEWHAU,—

Your letter of the 2nd December has reached me. Sons, my words to you are these. The General must go uninterrupted to Ngaruawahia; the flag of the Queen must be hoisted there. Then I will talk to you.

G. GREY,
Governor.

No. 5.

LETTER FROM PENE TE WHAREPU TO HIS EXCELLENCY THE GOVERNOR.

Te Kauri, Thiema 9th, 1863.

E HOA E TE KAWANA,—

Tena koe. Kua tae mai taureta ki au, na Wiremu Te Wheoro i kawe mai ki au. E tika ana, ae, ko to Kuini Kara ki runga. Ae, e pai an au. Me korero taua. Ko to pukapuka tua taui, kaore au i kite. Heoi ano ka huri.

Na PENE TE WHAREPU.

(Translation.)

Te Kauri, December 9th, 1863.

*O FRIEND THE GOVERNOR,—

Salutations! Your letter has reached me. William Te Wheoro brought it to me. It is right. Yes. Let the Queen's flag be above. Yes. I am pleased at it. Now let us talk. *The first letter you wrote to me I have not seen. This ends my letter.

From PENE TE WHAREPU.

* NOTE.—He is under a mistake. I did not answer his first letter.—G. G.

No. 6.

TELEGRAM FROM GENERAL CAMERON, ANNOUNCING THE HOISTING OF THE QUEEN'S FLAG AT NGARUAWAHIA.

The Queen's flag is flying at Ngaruawahia. A division of 500 men under my command were conveyed up the river in the 'Pioneer,' and landed at Ngaruawahia, about 4 p.m., without any opposition, or seeing any Natives.

[The Queen's Flag was hoisted at Ngaruawahia on the 8th December, 1863. As soon as the fact was known, Ministers advised His Excellency to act on the promise contained in his letter to Pene Pukewhau, of the 6th December, 1863, and to go to Ngaruawahia in order to afford an opportunity of communicating with rebels, should they be desirous of submitting. They also advised that a notice, to be signed by His Excellency, should be prepared, containing the terms in which submission would be accepted, to be taken with His Excellency and promulgated from Ngaruawahia. His Excellency adopted the advice of his Ministers, but afterwards refused to go if they were to accompany him. Subsequently, however, after much discussion, His Excellency agreed to go accompanied by the Honorable Attorney-General and Colonial Secretary. The Notice No. 7, after much discussion and several important alterations made by His Excellency, was finally agreed to by him, and printed. It was arranged with His Excellency to start on the morning of the 16th December. Carriages were ordered, relays of horses, and provisions were sent on, on the previous day. That evening, at 9 p.m., the Colonial Secretary waited on His Excellency, when His Excellency announced his final determination not to go. The letter No. 8, was afterwards written, and sent as a substitute for His Excellency's intended visit.]

No. 7.

Ngaruawahia, Tihema, 1863.

Kia Pene Pukewhau Te Wharepu, me nga tangata katoa o Waikato na ratou nga pukapuka kua tae mai nei kia Ta Hori Kerei. Ko tetahi no te 25 o Nowema. Ko tetahi no te 2 o Tihema, 1863.

Ko te kupu whakahoki atu tenei a Te Kawana mo aua pukapuka. "Kia tae a Te Tianara ki Ngaruawahia, katahi a Te Kawana ka korero atu ki a Waikato." Na, ko Te Tianara me ana hoia, kua tae ki Ngaruawahia. Kei reira ratou e noho ana inaianei, e mau ana ano i a ratou pu. Ko te kara o Te Kuini e tare ana ki runga i te rakau i tare ai te kara o Potatau—te kara o Matutaera.

Na, ko ahau ko Te Kawana tenei. Ko taku korero tenei ki nga tangata o Waikato kua mau nei o ratau ringaringa ki te patu hei whawhai ki Te Kawanatanga. Ko nga tangata katoa e hiahia ana ki te pai, e whakaae pono ana ki nga Ture o te Kuini me haere mai ki toku aroaro. Ma ia tangata, ma ia tangata, e mau mai i tana pu, i tana pu me ana paura, mata, tingara hoki, me homai katoa enei mea ki au, ki a Te Tianara ranei.

Me tuhituhi hoki te ingoa o tenei tangata, o tenei tangata, ki te pukapuka, me tona whakaaetanga ki nga Ture o Te Kuini.

Ka mutu tenei, me whakaae a ia tangata, a ia tangata, kia haere ki te wahi e pai ai ahau, hei nohoanga mo ratou, me noho ratou i taua wahi, kia oti ra ano te whakarite e ahau he kainga tuturu mo ratou.

Ko nga whenua katoa o nga tangata i uru ki te whawhai ki Waikato ki Taranaki ranei, ka riro tonu atu. A kia mohio tonu ratou, ahakoa homai a ratou pu, kua riro o ratou whenua katoa. Erangi ka whakaritea etahi wahi whenua hei nohoanga mo aua tangata. Ko nga whenua ka whakaritea mo tenei, e 560,000, (e rima rau mano) eka, mo nga tangata o Waikato, o Taranaki, me era atu wahi kua uru nei ki te whawhai. Ka whakaritea e au he kainga mo ia tangata, mo ia tangata, hei kainga tuturu. Ka whakaritea e au he whenua mo ia hapu, mo ia hapu, hei kainga mo ratou. Me ata whakarite ki te maha o nga tangata. Ko enei whenua ka waiho hei whenua mo ratou, me o ratou wahine, me o ratou tamariki, hei nohoanga, hei mahinga mo ratou. Ko te wahi o ia tangata, o ia tangata, me whakatuturu ki a ia, me hoatu he "*Karanga Karati*," hei pupuru i tona wahi mona, mo ona uri, ake tonu atu. Ko nga whenua katoa o nga tangata kua uru ki te whawhai, kua riro tonu atu. Te take i whakahokia ai tetahi wahi, he whakaaro ki te oranga mo ratou, me o ratou tamariki.

Ko nga tangata e whakaae ana ki tenei, e whakarite ana hoki i nga tikanga kua tuhituhia nei, ekore ratou e hereherea, ekore hoki e rapua he utu mo nga he kua mahue ake nei. Heoi ano nga tangata ekore e murua o ratou hara, ko nga tangata kohuru i nga tangata ringa kore, i nga tangata e ata mahi i runga i o ratou paamu, i nga tangata e ata noho ana i roto i o ratou whare, i nga wahine, i nga tamariki, ko enei kai kohuru ekore e murua e au nga hara. Mehemea ka kitea nga tangata peni ka whakawakia. Ki te kitea te pono, ka whakawhiwhia ratou ki te utu tika mo ta ratou mahi kino.

NA TE KAWANA.

(Translation.)

TO PENE PUKEWHIAU (Wharepu) and all the People of Waikato who wrote to HIS EXCELLENCY GOVERNOR GREY on the 25th November.

Ngaruawahia, December, 1863.

The Governor's answer was this, that when General Cameron should arrive at Ngaruawahia, then he (the Governor) would talk to Waikato. Now, General Cameron and his soldiers are at Ngaruawahia, they are sitting there with their guns, and the Queen's flag is flying on the Flag-staff where formerly the flag of Potatau, the flag of Matutaera, used to fly. Now, therefore, I, the Governor, am ready to talk to those people of Waikato, who have been in arms against the Government. These are my words. Let those who desire peace, and who will be obedient to the Queen's law, come before me. Let every man who comes give up his gun, his powder, his bullets, and his caps. Let him give them to me, or to General Cameron. Let his name also be written down, that he will obey the Queen's law. Then let him go to whatever place I shall tell him to go to; let him live there till it shall be pointed out to him where shall be his permanent place to reside.

All the land of those who have been fighting at Waikato and Taranaki shall belong to the Queen and it must be understood, that in laying down their arms, they relinquish all their lands; except only such pieces as I shall allow each man. I will keep 500,000 acres for them at Waikato and Taranaki, and other places where they have been fighting, to live upon. I will give land to each man where he shall live—to this "hapu" so much, to another "hapu" so much, according to their number. This shall be for these men to live upon and cultivate; for them, their wives, and their children.

Each man of the "hapu" shall have his own piece and shall have a Crown Grant, for the same as a bond of permanent possession for himself and his descendents for ever.

All the land of those who have been fighting will be forfeited to the Crown. Any part of it, that is restored to them, will be so done from consideration to the wants of themselves and their children.

Those who agree to this, and do as above written, will not be made prisoners, nor punished personally for what they have already done; except those who have committed murders—who have murdered men who were not fighting, men working quietly at their farms, or sitting in their houses, or women or children. These murderers I will not forgive. When they are discovered, they will be tried and punished for their evil work.

No. 8.

Whare o te Kawana,
Akarana, Tihema 16th, 1863.

Kua rongo a te Kawana ki a Wiremu te Wheoro e wehi ana nga Rangatira o Waikato ki te homai i a ratou pu, i a ratou paura, i a ratou patu, kei hereherea ratou i muri iho.

Ko te kupu tenei a te Kawana ki a ratou, mehemea, ka homai a ratou pu, a ratou patu, me a ratou paura, ekore ratou e hereherea, ekore ano hoki e pa tetahi he ki o ratou tinana mo to ratou urunga ki tenei whawhai ki te Kawanatanga, ki nga whawhai ranei o mau. Otiia, mehemea kua pa te ringa o tetahi tangata ki te kohuru, ka whakawakia taua tangata, ka whakawhiwhia ia ki te utu mo tana hara.

Mehemea, e hiahia ana nga Rangatira o Waikato, kia rongo i te tikanga a te Kawana mo ratou mo nga ra e takoto ake nei, mehemea ka whakaae pono ratou ki te mana o te Kawanatanga, ma nga Rangatira o Waikato e whiriwhiri he tangata, a, me haere mai aua tangata ki Akarana, kia te Kawana: ka whakamanuwhiritia ratou, ka tiakina paitia e te Kawana. Ma te Kawana e whakamarama atu ki a ratou nga tikanga o te Kawanatanga mo ratou, mo nga rangi e takoto ake nei. Ko nga whakaaro atawhai a te Kawana e mau tonu ana, me tona hiahia hoki kia poho tika nga tangata Maori. Mehemea hoki he korero a aua Rangatira, ka ata whakarangona e te Kawana, a, ka whakahokia paitia ratou ki te wahi i haere mai ai ratou.

Na, kia hohoro nga Rangatira o Waikato te hanga i ta ratou whakaaro, no te mea, ekore a Te Tianara e noho, ka haere tonu atu ia ki roto o Waikato, ekore e noho.

G. GREY.

Kia Pene Te Wharepu,
Ki nga Rangatira o Waikato.

(Translation.)

Government House, Auckland,
16th December, 1863.

Te Wheoro having informed the Governor that the Chiefs of Waikato are afraid to give up their arms and ammunition lest they should be made prisoners when they had done so, the Governor informs them that if they will give up their arms and ammunition, they will not be made prisoners, nor will they in any way be molested in their persons, for any part they may have taken in the present or former war against the Government, unless they have committed murders, for which they will be tried and punished.

If the Chiefs of Waikato desire to know the line of conduct the Governor will pursue towards them for the future, if they now submit to the authority of the Government, the Governor will receive at Auckland any deputation of Chiefs that they may send to him; such deputation shall be kindly received, and in every way well treated, and the Governor, who always has, and still takes, the greatest

interest in their welfare, will fully explain to them the future intentions of the Government, and will hear any representations they may have to make; and they shall be allowed to return in peace to the place they came from.

They should quickly determine what they intend to do in this matter, as the General will continue to move to the front, without a stop in his progress.

G. GREY.

The following Memoranda on the subject, dated 18th, 19th, and 24th December, subsequently passed between His Excellency and his Ministers.

No. 9

MEMORANDUM by the GOVERNOR as to going to Ngaruawahia.

Ministers having requested the Governor to state in a Memorandum his reasons for not thinking it advisable to go at present to Ngaruawahia, accompanied by the Premier and Colonial Secretary, in order that they may be placed on record,—he states as follows:—

On reflecting carefully over the subject, the Governor saw various objections to the course proposed.

He thought that, strictly speaking, the only Native chiefs who had yet offered any terms of submission to the Government, were the chiefs who had been taken prisoners, or some of their immediate relatives. He could not find that the Native king, or any other leading chiefs than those he has mentioned above, who can easily at any time be dealt with, had given anything which could be considered as a clear utterance of their desire to accept any terms of submission whatever. On the contrary, he had reason to believe that some of the leading chiefs of the Upper Waikato, aided by the Ngatimanian-potos, were constructing new fortifications within twelve miles of our present position; and generally, from various minor indications, some of which it would be difficult for him even now to recollect, an impression was produced upon his mind that many of the Natives did not consider themselves as yet subdued.

The Governor thinks that any terms with the Natives in arms, which are agreed upon without having been first earnestly solicited by them, and which might, from any action on the part of the Government, appear to have sprung from overtures made by the Government, might prove only temporary and delusive, and might result in a renewed struggle between the two races, at a time when we are less prepared for it than now. He would not for one moment refuse to accept the submission of the Natives when sincerely offered, and he would let them know this if necessary; but he believes they do know it. On the other hand he would not take any step whatever which could possibly lead the Natives to believe that he was trying to gain them over to tender their submission to the Government. He wishes this to spring from themselves, and that the acceptance of their offer of submission, when made, should be regarded by them as a boon accorded to them, for which they have reason to be grateful to Government, from whom they have sought this advantage.

The Governor thinks that if he proceeded to Ngaruawahia with the General, accompanied by the Premier and the Colonial Secretary, the public believing that they were going to offer terms of submission to the Natives, he might be placed in a wrong position. His belief is that very few Natives would avail themselves of these, unless they were of a kind which neither himself nor his Responsible Advisers are prepared to grant. He would thus in the eyes of the world appear to have failed in an object which he had expected to accomplish. Such a failure must weaken his influence with the European race, who never like to see their rulers fail in tasks which they voluntarily enter upon. Such a failure would also weaken his influence with the Native race, and the boldness of chiefs, who, after their recent reverses, rejected overtures made to them by the Governor without any solicitation on their part, might gain them many adherents, and much admiration in the eyes of their countrymen.

If the Governor returned unsuccessful from Ngaruawahia, he thinks many Europeans would be justly annoyed at the undignified position in which their Governor had placed himself, and that others of the European race, already sufficiently exasperated against the Natives, would become more embittered against them, and would press for the adoption of violent measures against a race, with whom they would see no other means of dealing, than by force.

The Governor thinks that one of these two courses should be taken: Either he should be alone with the General at Ngaruawahia, with no especial object of offering terms to the Natives, but merely generally advising with the General on the progress of events; this would give the Natives a favorable opportunity of making any overtures to him, if they chose to do so. If he believed they were sincere, he would send for some of his Responsible Advisers to bring the matter to a close. Or, as he stated to Ministers, what would have been better still as the matter stood, would have been that the Premier and Colonial Secretary should have accompanied the General to Ngaruawahia. If the Natives had been sincere and really anxious to make terms, and had felt that they were really subdued, they would speedily have addressed themselves to Ministers, who could have told the Natives, when they were satisfied of the sincerity of their intentions, to offer to accept such terms of submission as they could advise the Governor to offer, they would send to the Governor and ask him to see the Natives; but that they would not recommend him at present to appear at Ngaruawahia with his Responsible Advisers or to take any steps whatever which might have any appearance of making overtures on his part, or of showing any undue anxiety to come to any arrangement with Tribes who had wantonly advised or countenanced the barbarous murders of British Officers and soldiers, and who had formed plans for attacking or injuring Her Majesty's European subjects.

G. GREY.

18th December, 1863.

No. 10.

MEMORANDUM by MINISTERS in reply.

Ministers beg to thank His Excellency for stating his reasons for not thinking it advisable to go to Ngaruawahia at present, as they felt that some explanation of the change of intention should be placed on record. Ministers, for the most part, entirely concur in the views stated by His Excellency.

When the Governor first proposed, in reply to a suggestion from General Cameron, that he should go to Ngaruawahia, Ministers clearly understood from the Native communications, and especially from a letter from General Cameron, that some of the Waikato tribes were inclined to make a satisfactory submission, and that to refuse to entertain their proposals would probably be the means of "driving them to desperation." Ministers were under the impression that those were the views of the Governor, and thence his adoption of General Cameron's suggestion, and they were unwilling to be the cause of rejecting what they believed the Governor considered satisfactory overtures from some of the tribes in rebellion, and thus drive them, to use the words of General Cameron, to desperation.

Ministers do not think that any advantage would accrue from either the Governor going alone, or some of his Ministers going without His Excellency, for purposes of communicating with the Natives. It might have been very desirable that there should be full authority at Ngaruawahia to receive submission without the delay of a communication with Auckland, especially as those from whom it might have been expected, were in the rear of General Cameron's advanced forces, and it was clearly of importance to remove any obstacle to his advance up the Waipa against the Ngatimaniapoto. As this authority would not have existed in the absence of either His Excellency or of his Advisers, there does not appear to them any advantage in taking either of the courses suggested by the Governor, especially as any offers of submission, if they are to be transmitted to Auckland, can be made as easily, and more appropriately, through General Cameron. Most of the reasons given by His Excellency against his going with some of his Ministers appear to them equally cogent against either party going without the other.

FRED. WHITAKER.

19th December, 1863.

No. 11.

MEMORANDUM by the GOVERNOR.

The Governor thanks Ministers for their opinions communicated to him in their Memorandum of this day's date. He is sure they will pardon him for saying his own belief is that he ought, as soon as practicable, to be with General Cameron, but he yields to their advice in the matter.

G. GREY.

December 19th, 1863.

No. 12.

MEMORANDUM by MINISTERS.

Ministers are led to believe that His Excellency the Governor holds a decided opinion that he should visit General Cameron at Ngaruawahia, but that he has a strong feeling against being present there with any Members of the Government.

Ministers are not able to see what steps can be taken from which political advantage can arise in the absence of those who are required to advise before anything is done, and who are responsible for what is done; but they beg to be permitted to state, they do not wish to oppose any obstacle to His Excellency visiting General Cameron, but rather desire that His Excellency should do so, if in accordance with his own wishes.

FREDK. WHITAKER.

24th December, 1863.

MEMORANDA AND CORRESPONDENCE ON THE SUBJECT OF THE TAURANGA EXPEDITION.

No. 1.

MEMORANDUM by MINISTERS as to sending an Expedition to Tauranga.

Ministers have carefully considered the subject of the expedition to Tauranga, and have come to a clear conclusion. In their opinion, the expedition should go, and that without any delay. The grounds of Ministers opinions are these :—

1. The General is of opinion that, in a Military point of view, he would derive considerable advantage from the diversion,—and great deference is due to this opinion.
2. There is no doubt that Tauranga has been the route for all the disaffected Natives from the East Coast to go to and return from the war in Waikato. It was used for the same purpose during the war at Taranaki in 1860–61.
3. All the Natives of the west side of the harbour are decided enemies—have been to the war—are there now—or are preparing to go.
4. There are large crops there, just ready for gathering in, upon which the Waikato rebels depend—especially on some plantations a short distance in the bush, at the back of the harbour.
5. In 1860, the principal store house of gunpowder was at the back of Tauranga, and the supplies taken to it were taken through the harbour. During the present war it has been the route by which both munitions of war and food have been taken to the Waikato.
6. To stop this route would be a serious blow to the enemy, and would assure and encourage our friends. It would not raise additional enemies, but rather the reverse;—in this point of view, advantage rather than disadvantage would result.

Ministers think there should be no delay for the following reasons :—

1. It has become publicly known that such an expedition is in contemplation—to delay now would be considered a proof of weakness, and encourage the enemy, and operate injudicially on the undecided.
2. On Friday last a vessel was sent to Tauranga (a regular trader there, so as not to create suspicion), with a view to take on board Archdeacon Brown, and the few European inhabitants who live near, as the Natives, knowing the value of Tauranga to themselves, have declared their intention, if that part be interfered with by the Government, of destroying the Mission Station; and, on finding the Europeans have left, or, on hearing, that an expedition is intended, they may proceed to carry that threat into execution. Apart from loss of property, it would be a misfortune if the Mission buildings were destroyed, as they would afford accommodation for about 500 men. It would therefore be highly desirable that the expedition should proceed at once, if at all, in order that the first information the Natives should receive of it would be that the troops are on their way to take possession of the Mission Station.

Ministers are of opinion that 500 or 600 men are fully sufficient for all that can be done at Tauranga. Without further orders, the troops should not go to the east side of the harbour at all,—none of the Natives from there, as far as is known, have gone to the war, and many are decidedly our friends. The expedition should take possession of the Mission Station and all the crops on the west side, stop the Waikato road, and prevent communication across the harbour. The object being, not to open new ground, but to co-operate with the General, by creating a diversion in his favour.

The Natives of Maketu are friendly to the Government, and have rendered assistance by stopping war parties from crossing their territory, compelling them to go by sea to Tauranga; and, from the best information in possession of the Government, the great bulk of the Natives to the East are well disposed. An expedition, therefore, in that direction would be unjust; and, if it were not, is altogether impracticable. There are no harbours for anything but the smallest vessels. Maketu is about 20 miles from Tauranga. Opotiki at least 60; and Tauranganui about 200 miles. To Maketu the road is open and good, but beyond that, most difficult—in fact, to troops, impracticable. There is no doubt that the Ngatiporou have sent men to the war, but the number was not large,—and those left held a meeting, and it is believed decided that they would not receive this war party back amongst them. The latest information relating to the East Coast Natives received by Government will be found in the appended Memorandum by Mr. Baker.

In expressing these views, Ministers trust that they will be coincided in by His Excellency, as, however strong their own opinions may be on the subject, they desire to pay great deference to His Excellency's knowledge and experience in Native matters, and would be most unwilling to urge forward the proposed expedition, if the Governor feels there is any reason to apprehend unfavourable results, or that it would prejudicially affect his contemplated plans.

With regard to Taranaki, Ministers do not think it necessary to strengthen the garrison there at present, beyond the detachment now under orders to proceed there; and, with regard to Wanganui, they think that 200 men would be a sufficient reinforcement, and that it would be in time to send them on the arrival of the "Armenian," now hourly expected, as the danger there is not immediate, but would be the result of what may take place at Taranaki, to which place a considerable number of Natives are gone from Wanganui, and who are, to be feared, on their return, from their present expedition either successful or unsuccessful. The latest information received by the Government, relative to the West Coast Harbour expedition, will be found in the appended Memorandum of Mr. Parris.

FREDK. WHITAKER.

Auckland, 19th January, 1864.

No 2.

MEMORANDUM from the GOVERNOR concurring in the proposed Expedition.

Ministers having expressed it as their clear conclusion, after weighing all the circumstances of the case, that the proposed expedition should go to Tauranga, and that without any delay, the Governor feels that under the present form of Government he ought to issue the necessary orders for its departure, so soon as the preparations now and for some days in progress have been completed, and he will at once issue these orders.

The Governor has thus yielded to the opinion of Ministers with some reluctance, and he still thinks that the understanding on which the expedition proceeds to Tauranga should be that it is only of a temporary character, and that it can at any moment be withdrawn if the safety of the Southern Settlements or any other urgent cause renders such a course desirable.

G. GREY.

Government House,
Auckland, 19th January, 1864.

No. 3.

MEMORANDUM by MINISTERS.

Ministers quite concur with His Excellency that the expedition should proceed to Tauranga, on the understanding that it can at any moment be withdrawn if the safety of the Southern Settlements or any other urgent cause render such a course desirable.

FREDK. WHITAKER.

19th January, 1864.

No. 4.

MEMORANDUM by MINISTERS as to Instructions to be given to Tauranga Expedition.

1. That he (Colonel Carey) will if possible, arrive at the mouth of the Harbour of Tauranga at day dawn, and proceed with the least possible delay to take possession of the Mission Station, so as to prevent its threatened destruction by the Natives.

2. Hitherto the Natives on the East side of the Harbour have not joined in the War, but recent information is to the effect that many of them are about to do so. In the meantime, however, until further orders, the East side of the Harbour, as regards both men and property, should not be interfered with.

3. The crops and cattle and other property of the Natives on the West side should be taken possession of, and the crops gathered in.

4. The Mission Station should be preserved from injury as much as possible.

FREDK. WHITAKER.

Auckland,
19th January, 1864.

No. 5.

COPY of a Letter from Mr. T. H. SMITH to the COLONIAL SECRETARY, as to the loyalty of the Natives of Bay of Plenty.

Te Papa, Tauranga,
22nd January, 1864.

SIR,—

I have the honor to forward for the information of His Excellency's Government copy of a letter addressed by me this day, to Colonel Carey, the Officer Commanding H. M. Forces at Tauranga.

On my arrival here this afternoon, I waited upon Colonel Carey, and learnt from him that his instructions were to regard all Natives living on the West side of Tauranga harbour as rebels—to take their cattle and destroy or gather their crops. As I believe that the carrying out of these instructions would be productive of results which I cannot suppose to be contemplated by the Government, I have felt it my duty, to state my opinion on the subject—more especially as I have already despatched, circular letters throughout this District assuring the Natives in the words of your Memorandums forwarded to me at Maketu this morning by Mr. Baker, “that the object of the expedition is to act as a check on the movements of Waikato sympathisers, but that, unless forced upon them, active hostilities

are not contemplated, and in any case will be only carried on against open rebels." The assurance contained in my letters and the intelligence that an indiscriminate seizure and destruction of property had taken place here, would be so much at variance that I could hardly expect any statement I might make in future to be received as worthy of confidence.

As the mail leaves in the morning, I am anxious not to miss the opportunity of bringing this matter under notice and of suggesting the desirability of modifying the instructions given to Colonel Carey.

I have to report that the news of the arrival of the expedition at Tauranga appears to have caused much satisfaction at Maketu where there are now many of the Arawa chiefs from inland. The Natives here, also those living on the East side of the Harbour, express themselves satisfied with the result of their interview with Colonel Carey.

I have the honor to be

Sir,

Your most obedient servant,

THOMAS H. SMITH.

C. C.

The Honourable
The Colonial Secretary.
(Native Department.)

Enclosure.

COPY of Letter from Mr. T. H. SMITH to Colonel CAREY.

Te Papa, Tauranga,
22nd January, 1864.

SIR,—

Referring to the subject of our conversation to-day, I take the liberty of repeating in an official communication the opinion I then expressed as to the probable result of treating all Natives residing on the Western side of Tauranga Harbour as rebels, and proceeding to take their cattle and destroy their crops.

I am satisfied that any such indiscriminate seizure and destruction of property would inflict injury upon many innocent persons, and that its effect would be to increase the number of the disaffected, to precipitate hostilities here, and to induce other tribes to take up arms who might otherwise remain quiet.

I am of opinion that the occupation of Tauranga by Her Majesty's Forces will have a salutary effect upon the resident Natives, and upon the tribes living on the Coast between this and the East Cape, who may thus be deterred from attempting to reinforce the insurgents at Waikato if it is understood that a force has been stationed here for the purpose of intercepting armed parties proceeding by this route. Should, however, a collision occur here arising out of any act which would be regarded as an aggression upon persons who are not and have not been in arms against the Government, it is probable that many tribes now professing neutrality would rise and make common cause against the Government.

Though true that the majority of the Natives on the Western side of Tauranga sympathise with Waikato, and that many of them have joined the insurgents, yet there are very many individuals and more than one considerable section of a tribe who have not committed themselves—To attempt to ascertain correctly what property belonged to rebels, and what to persons not implicated in the rebellion would be useless. Information obtained from the natives themselves would not be trustworthy, and it could not be obtained from any other source.

If the object of the Government be to minimize the number of the insurgents at the present seat of war without creating another if it can be avoided, I believe that this object is most likely to be attained by abstaining from offensive operations here at least, while the resident Natives refrain from any hostile demonstration.

I have, &c.,

T. H. SMITH,

Civil Commissioner, Bay of Plenty.

Colonel Carey
Officer Commanding Her Majesty's Forces
&c. &c. &c.
Tauranga.

No. 6.

MINUTES by Mr. Fox, and Mr. WHITAKER with Statements by JOHN FAULKNER and DANIEL SELLARS, as to disposition of Tauranga Natives.

Mr. T. H. Smith, Civil Commissioner, Bay of Plenty, told me about a fortnight ago, in the presence of Mr. Whitaker, that all the Natives of that district north of Tauranga, might be considered as King natives,—that they are in fact Wm. Thompson's people,—and more or less implicated in this war. That most of them to the south of Tauranga have hitherto been loyal and kept out of the war. Mr. Edward Clarke, a settler at Tauranga is assured that Rawiti, a leading chief of the Southern Natives, is now about to join the rebels with his people. He has openly said he would, and was lately met by Mr. Clarke with some of the leading Kingites, and seemed ashamed of being found in their company. The Mayor's Island or Flat Island Natives have gone to the war. W. Thompson has lately had emissaries in the Bay of Plenty, stirring up the Natives there to join him with reinforcements. Archdeacon Brown does not think he will get much support, except from those who have been in Waikato already, and the Mayor's and Flat Islanders, who now join for the first time.

WILLIAM FOX.

From conversation with Mr. Smith, Mr. Clarke, and Mr. Faulkner, I had come to the conclusion that all the Natives on the Auckland side of Tauranga Harbour are engaged in the rebellion,—that they are connected with Wm. Thompson,—in fact part of his people, and that they have for the most part been engaged in active hostilities.

24th January, 1864.

FREDK. WHITAKER.

John Faulkner, of Tauranga : I have been in New Zealand thirty-one years. I married a native of New Zealand. I have recently come from Tauranga, because it is not safe to stay there. The Tauranga natives are divided into two parties : those on the east side of the harbour have not gone to the war, they are divided in opinion : part want to go to the war and part to remain at home. Those on the west side have all gone to the war. every man except the old men ; they are connected with Thompson, he has a sort of hold on them.

JOHN FAULKNER.

A part of the Natives have been planting in the forest as a stand-by, expecting something would be done at Tauranga by the Government.

Daniel Sellars : I have been trading to Tauranga these last twelve years. I came up from there about a week ago. The Natives on the west side of the harbour are all King natives,—there is not a village that has not sent its contingent to the war. When I was there a week ago, many were going, and many were there already : a few were left to cut the crops.

DANIEL SELLARS.

No. 7.

COPY of a Letter from NATIVE SECRETARY to Mr. T. H. SMITH.

Colonial Secretary's Office,
(Native Department),
Auckland, 25th January, 1864.

SIR,

1. I am directed by the Colonial Secretary to acknowledge the receipt of your letter dated January 22nd, covering copy of one addressed by you to Colonel Carey.

2. The Colonial Secretary desires me to state that it was not the intention of the Government, that the information conveyed to Mr. Baker in his instructions, should have been communicated by you to the Natives by circular, as you report yourself to have done. Had the Government desired any such steps to have been taken, they would not have failed to instruct you to do it ; and they cannot help remarking that should it be found necessary for Colonel Carey to take any aggressive measures against those Natives of the Bay of Plenty District, who are either actively engaged in the Rebellion or aiding and abetting it, the step taken by you must place both the Government and yourself in a very false position towards the Natives to whom you have conveyed an assurance that no such step should be taken. As you have acted entirely without instruction, the responsibility of your act must rest solely with yourself.

3. I am directed also to express the surprise of the Government at the information contained in your letter under notice, and in that addressed by you to Colonel Carey, in which you state that there are very many individuals, and more than one considerable section of a Tribe who have not committed themselves ; "and that the result of treating all Natives on the western side of Tauranga Harbour, as rebels, would be to inflict injury on many innocent persons and increase the number of the disaffected." During your late visit to Auckland, the Attorney-General and Colonial Secretary both understood you to state to them, while inspecting the map of the district in the Attorney-General's office, that a well-defined geographical line could be drawn between all hostile and friendly tribes of the Bay of Plenty ; and that those on the west side of the Bay were almost to a man committed in the Rebellion ; that the greater part of them had been actually fighting in Waikato ; that they were in fact W. Thompson's people, and the district in which they lived practically under his direct influence. This information (subsequently confirmed by five or six other gentlemen intimately acquainted with and personally interested in the district), induced the Government to advise His Excellency to issue to Colonel Carey the instructions which he gave that officer.

4. As the tenor of your letters to the Colonial Secretary and to Colonel Carey most materially differ from your previous oral statement, it becomes of the utmost importance that the Government should have immediate and accurate information on the subject. You will be so good therefore as to ascertain as accurately as you possibly can, and inform the Colonial Secretary what particular hapus, or proportion of hapus, or the population of what particular kaingas, have been actively engaged in the war, have hoisted the King flag at their places, or otherwise given distinct indications of their complicity in the rebellion, and also what hapus or villages may be considered quite free from all open participation in the rebellion. You will also communicate such information to Colonel Carey, so that he may not be paralyzed by the vague information you have given to him, in case he should consider it his duty to take active operations against supposed rebel Natives on the west side of the Bay.

5. The Government will be glad to receive any explanation you may have to offer of the discrepancy which exists between the statement contained in your letter referred to, and that made to the Government when in Auckland.

I have, &c,

EDWARD SHORTLAND,
Native Secretary.

No. 8.

COPY of a Letter from the GOVERNOR to Mr. T. H. SMITH.

Government House, Auckland,
25th January, 1864.

MY DEAR SMITH,

I wish to mention that Colonel Carey sent me a copy of your letter to him regarding the error I had fallen into in issuing such instructions as I did for treating all the Natives on the western side of the Harbour of Tauranga, as enemies, seizing their crops, cattle, &c. I feel very much obliged to you for the fearless and honorable way in which you did your duty on this occasion, thereby preventing me from being the cause of bringing much misery upon many innocent people.

Faithfully yours,
G. GREY.

No. 9.

COPY of a Letter from Revd. C. BAKER to the COLONIAL SECRETARY.

Auckland, 28th January, 1864.

SIR,—

I have the honor to reply to your note of yesterday, in which you request my opinion in writing, as to the extent to which the Maoris on the east (or Auckland side) of the Bay of Tauranga are committed to the rebellion, and what may be regarded the geographical division between the hostile and friendly tribes.

For more than three years the greater part of the Tauranga Natives have avowed their adhesion to the King movement; and in and since the month of August last, many from the west and the south, and some from the east of the Bay, joined the Waikato tribes in hostilities against Her Majesty's Government.

The Maoris occupying the east side of the Bay, Ohuki, and also a party residing at Maungatapu, the south-east side, have not, with few exceptions, risen in rebellion; but at a large meeting held 28th December last, the voice in favour of the rebellion appears to have been general. Rawiti, who has been a staunch Kingite for several years, but has been ostensibly neutral of late, proposed to the meeting alluded to "that the wheat harvest should first be gathered in, and that then he would join and make common cause with the Waikato."

My opinion is that a very inconsiderable portion of Tauranga has been untainted by the rebellion, the exception applies only to those on the east and south-east side of the Bay.

It is not improbable that had not the troops been sent to occupy a position in Tauranga, many, who have been neutral, if not friendly, would have been induced, or coerced, to join the rebels.

I have the honor to be, Sir,

Your very obedient servant,

CHARLES BAKER.

NOTE.—The writer is the Revd. C. Baker, Missionary of the Church of England, for many years, and till quite recently, a resident at Tauranga, and thoroughly acquainted with the Natives there.

W. Fox.

No. 10

COPY of a Letter from the GOVERNOR to Colonel CAREY.

Government House, Auckland,
25th January, 1864.

SIR,—

In reply to your letter of the 23rd inst., pointing out certain difficulties which might arise in carrying out the instructions contained in my letter of the 20th inst., I have the honor to express my thanks to you for the discretion with which you have acted in this matter, by delaying, after the facts the Civil Commissioner brought to your knowledge, to act on those instructions until I had an opportunity of again communicating with you.

I have now the honor to request that, until otherwise instructed, you will not adopt any aggressive movement against any Natives, and that you will not seize the cattle, or destroy the crops, of any Natives, whom you are not satisfied are open enemies, but at the same time you should, if possible, intercept all armed parties passing by the Tauranga route to aid the Natives now in arms against us in the interior districts.

I have, &c.,
G. GREY.Colonel Carey,
Commanding Expeditionary Force, Tauranga.

No. 11.

MEMORANDUM by MINISTERS.

His Excellency having requested Ministers to advise him whether any reduction should be made in the Tauranga force, for the purpose of carrying out the wishes of General Cameron to have a reinforcement towards the front, Ministers are of opinion, that His Excellency having already ordered such reinforcements to be provided from the Auckland Militia and other sources, it is not now necessary to recall any part of the Tauranga force, more particularly after the receipt of the news per "Corio" this day from Tauranga.

His Excellency having also requested Ministers to advise whether any Proclamation should be issued assuring friendly Natives at Tauranga that they and their crops will not be interfered with, beg to enclose a Notice to that effect, which, if His Excellency approves, shall be immediately translated for transmission.

WILLIAM FOX.

3rd February, 1864.

No. 12.

MEMORANDUM by MINISTERS.

Ministers are of opinion that Colonel Carey should be instructed not to take any offensive measures at present, unless to stop war parties going to Waikato. If any such parties arrive by the East Coast, or collect in the District in positions where they can be successfully dealt with, he should stop them by force, otherwise, for the present, merely to hold his position on the defensive.

WILLIAM FOX.

Auckland,

5th February, 1864.

No. 13.

COPY of a Letter from Mr. T. H. SMITH to the COLONIAL SECRETARY.

Te Papa, Tauranga,
February 11th, 1864.

SIR,

I have the honor to forward herewith the information required by the Government as to the Natives of this place who have hitherto implicated themselves in the rebellion.

See next page.

The enclosed sketch and return have been carefully prepared, and may be relied on as containing correct information on the points referred to in Mr Shortland's letter of the 25th ultimo.

I received Mr. Shortland's letter at Rotorua, where I had to attend several important Native meetings. On its receipt I lost no time in coming over here for the purpose of obtaining accurate information on the points referred to, and communicating it to Colonel Carey.

I have to express regret that I should have misinterpreted the wishes of the Government with reference to the information communicated to me by Mr. Baker, in accordance with his instructions. Having, when in Auckland, represented to the Government the importance of stating distinctly to the Natives in this district the intentions of the Government, before even sending a man-of-war down to Tauranga, and having received no other intimation whatever from the Government with reference to the object of the Tauranga expedition, I certainly supposed that the information which Mr. Baker was instructed to communicate to me "immediately on arrival" was intended to be circulated in the district.

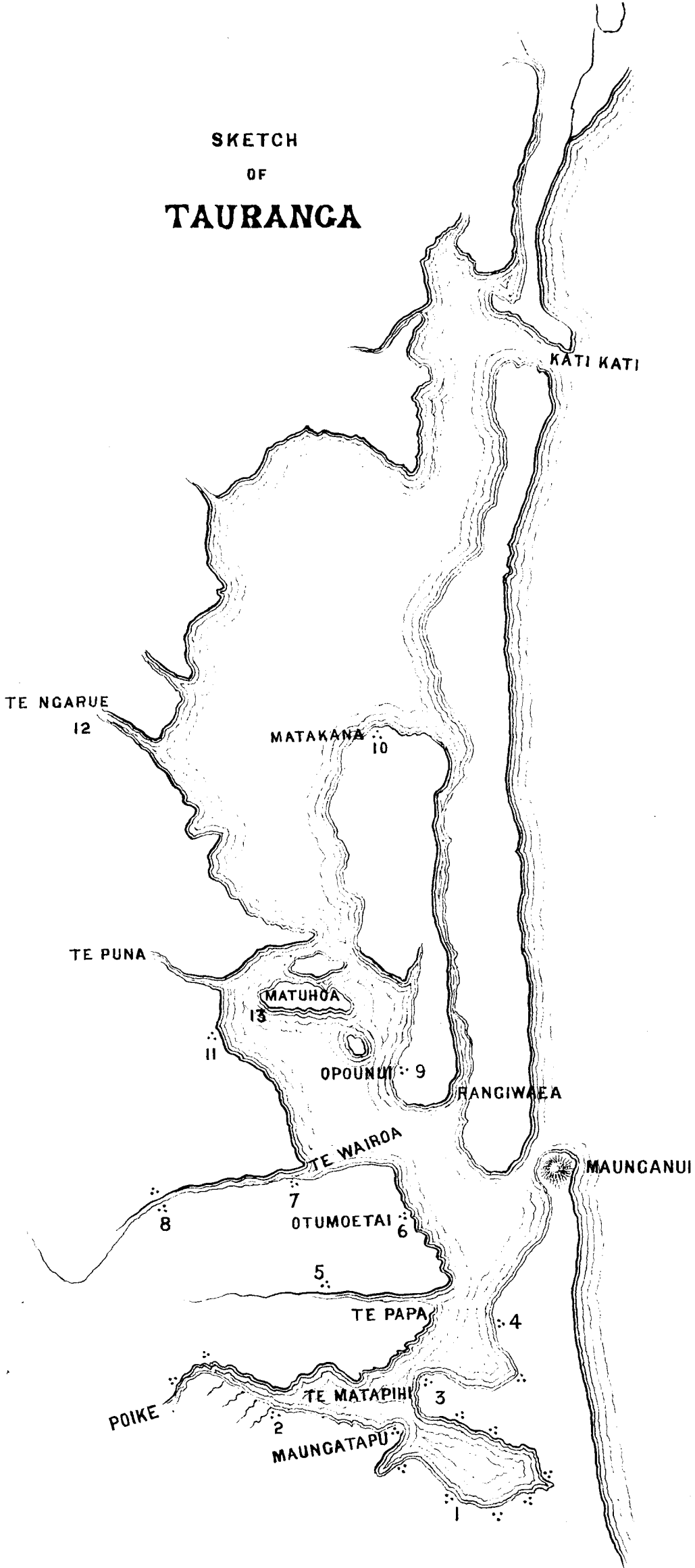
As the agent of the Government here, I am supposed to be informed as to the objects and intentions of the Government in matters affecting the district under my charge, and in a matter of such importance as the military occupation of a portion of it, it would not be believed by the Natives that I was without such information. I had, then, the alternative of remaining silent, or of giving such information as had been furnished to me by the Government. Had I chosen the former, it would have increased in a tenfold degree, the suspicion which already exists in consequence of the sending of troops here without previous notice. My statement that I was uninformed on the subject is disbelieved, especially having so recently returned from Auckland, and I am charged with purposed concealment.

Without presuming to dictate to the Government on the subject, I beg respectfully to state my opinion that any false position in which the Government or its officer may now stand would have been avoided by placing that officer in a position to state plainly, to those who looked to him for such information, what the intentions of the Government were in sending troops into the district.

As regards the assurance given by me in the circular letter referred to in Mr. Shortland's communication, I have to state that that circular was not sent to any tribes in the Bay of Plenty district who are actively engaged in the rebellion, or are known to be aiding or abetting it. It was sent to the Arawa and Ngatiawa tribes, and my object was to counteract the effect which I feared might be produced among the latter—at Te Matata and Whakatane—by the news of the arrival of troops reaching them, unaccompanied by any explanation from Government.

When in Auckland, my opinion was asked as to the effect likely to be produced on these Natives, and others, not implicated in the rebellion, by sending down a man-of-war to Tauranga. My reply was, that if due notice were given, and the object of doing so explained, no ill consequences would follow; but I strongly urged that these precautions should be taken, and I left town under the impression that the course indicated would be followed. I was, therefore, much surprised, after hearing and contradicting a report circulated among the Natives a few days before the arrival of the Tauranga expedition, to the effect that steamers and soldiers were on their way hither, to find that the report was verified.

SKETCH
OF
TAURANGA



With respect to the statement made by me in the Attorney-General's office, with reference to the line of boundary between those Natives who were for the most part compromised, and those who, as a whole, were not implicated, I cannot perceive that any discrepancy exists between that statement and the letters addressed by me to the Government and to Colonel Carey on the 22nd ultimo. The return now sent, I submit, bears out the statement that the majority of the Natives and tribes on the west side of Tauranga are concerned in the rebellion, and that, with few exceptions, those on the east side are free from complicity in it. It also shows that there are important exceptions in favour of the former. the existence of which was pointed out in the letters under notice.

I have the honor to be, Sir,

Your most obedient servant,

THOS. H. SMITH, C. C.,

Bay of Plenty.

Enclosure.

RETURN showing NATIVE SETTLEMENTS and TRIBES in TAURANGA, with Number of ADULT MALE POPULATION in each and Number from each which have joined INSURGENTS since commencement of HOSTILITIES.

Number in Sketch.	SETTLEMENT.	TRIBE.	Have joined Insurgents at Waikato.	TOTAL. Adult Males.
EAST SIDE OF TAURANGA.	1 Maungatapu	Ngatihe, Ngatiwhainoa	5	74
	Ohinekahu	Te Whanauwhero		
	Auhi Tokitoki	Ngatirakei, Ngatirurea		
	Te Apititu	Te Matekiwaho		
	2 Poiki or Hairini (hoisted King flag)	Ngai te Ali	16	30
	Poihakena, Ranana	Ngatiruahine	3	11
	Okaeke, Tongaparoa	Ngatitama, Ngatirehu	0	13
	3 Te Matapihi, Tumataniui	Te Rangihouhiri, Ngaitukairangi	10	78
	Karikari, Te Mania, Te Rauwahine	Ngapotiki, Ngatitapu, Ngatiuarere		
	Otuawahia	Ngatipau	0	12
WEST SIDE OF TAURANGA.	4 Opoutea	Ngatirawharo	0	20
	5 Huria	Ngaitamarawaho	18	30
	6 Otumoetai W	Patutahora	2	13
	Otuatara (hoisted King flag)	Te Matewaitai	19	25
	7 Peterehema	Ngatihangarau	19	21
	8 Papaoharia, Poteriwhi	Ngatitamahapai, Ngatirangi	30	43
	Pukekonui, Purakautahi	Ngatipango, Ngatimotai		
	9 Opounui	Te Ngare	4	30
	10 Matakana	Ngaitamawhariua	30	31
	11 Poututerangi (hoisted King flag)	Te Pirirakau	23	27
	12 Te Ngarue	Ngatitokotoko	20	21
	13 Motuhua	Te Pohoera	4	12
Islands off the Main, not down in Sketch.	Tuhua, Mayor Island	Te Urungawera	19	23
	Motiti, Orongatia	Te Whanau o Tawhao, Te Papaunahi	11	22
	Otungahoro, &c.	Te Patuwai	0	35
			233	571

SUMMARY,—

East Side of Tauranga 34 out of 238
 West Side of Tauranga 169 out of 253
 Islands off the Main, not down in Sketch... 30 out of 80

233 out of 571

RETURN showing the Number of NATIVES who have joined the WAIKATO INSURGENTS.

No. on Sketch, showing Localities.	NAMES OF NATIVE SETTLEMENTS.						Gone to Waikato.	TOTAL.
							Adult Males.	Adult Male Population.
EAST SIDE OF TAURANGA.	1	Maungatapu	...	...	...	...	5	73
		Ohinekahu...	...	...	...	...
		Auhi Tokitoki	...	...	...	...
		Te Apititu...	...	...	...	...
	2	Poike or Hairini	...	...	...	...	18	53
		Poihakena, Ranana	...	...	...	...
		Okaeke Tongaparoa	...	...	...	...
	3	Te Matapihi, Tumatanni	...	...	...	...	7	66
		Karikari, Te Mania, Te Ruawahine	...	...	...	...
	4	Opoutea	...	...	...	...		20
WEST SIDE OF TAURANGA.	5	Huria, Otuawahia	...	...	...	...	18	41
	6	Otumoetai W, Otuatara	...	...	...	...	20	36
	7	Peterelena	...	...	...	...	19	21
	8	Papaohara Poteriwhi	...	...	...	...	29	41
		Pukekonui, Purakautahi	...	...	...	...
	9	Opounui (Te Ngare tribe)	...	...	...	...	4	30
	10	Matakana, Tuhua, Motiti	...	...	...	...	93	105
	11	Poututerangi	...	...	...	...	23	27
	12	Te Ngarue	...	...	...	...	20	21
	13	Motuhou	...	...	...	...	4	8
							260	542

Mr. Smith's two Returns differ materially.—This shows, on the West side, more than two-thirds of the Adult Males gone to the War.

W. F.

No. 14.

COPY of a Letter from the NATIVE SECRETARY to MR. T. H. SMITH.

Colonial Secretary's Office,
(Native Department),
Auckland, 22nd February, 1864.

SIR,
I am directed by the Colonial Secretary to acknowledge the receipt of your letter of February the 11th, covering a return of the Natives at Tauranga, and explaining the reasons which led you to communicate with Colonel Carey on his arrival, with the view of inducing him to suspend action on the Instructions he had received from His Excellency
The Government I am directed to state regrets that it cannot regard your explanations as satisfactory.
The object of the expedition under Colonel Carey, was, to create a diversion by operating on the district from which a considerable number of the rebels were known to have gone to fight with Her Majesty's troops in Waikato. The expedition was despatched at the most urgent request of General Cameron, and the instructions given to Colonel Carey were the result of several days anxious consultation between His Excellency and his Ministers. The Government can see, in the facts of the case, as now explained by you, no ground for your taking the responsibility of urging Colonel Carey to suspend the intended action which, by those instructions, he was directed to take.

The tabular information now furnished by you does not appear to justify your interference on the ground taken by you. A district from which fully two-thirds of the adult males have gone to join the rebels, and are actually fighting with the Queen's troops, leaving only their old men and a few others, barely sufficient, in all probability, to reap their crops, is as much a rebel district, to all intents and purposes, as Waikato itself, and in this instance is the more emphatically so, in consequence of the close relationship of William Thompson with the Tauranga Natives. If the fact that one-third of the adult males are left behind, while two-thirds have gone to the war, were held to be a reason for not invading their territory, when strategical reasons demand it, the Government would find it very difficult to undertake any operations for the suppression of the existing rebellion; for, with the exception of Central Waikato, there is probably no part of the country occupied by Natives engaged in fighting the troops, in which considerable numbers have not been left behind to look after the kaingas, and to grow food for those who fight.

In advising His Excellency to give the instructions which he did to Colonel Carey, Ministers acted on a mass of information collected from various sources, and substantially identical with that now furnished by you, which does not materially differ from that you gave to them when in Auckland. You have since not communicated anything material to them which they were not aware of when Colonel Carey received his instructions. If the course pursued by you, in interposing the weight of your official influence between that officer and his instructions, were allowed to pass without the disapproval of Government, Ministers could never feel certain that their instructions would be executed in any case where a local officer might think proper to criticise the expediency of their orders, and take upon himself to urge their suspension by another officer, specially charged with their execution.

In conclusion, I am directed to express the regret of the Government, that after giving the most favourable consideration to your letter under notice, it cannot approve of the course pursued by you on this occasion.

I have, &c.,
EDWARD SHORTLAND.
Native Secretary.

No. 15.

MEMORANDUM by Mr. RUSSELL as to Blockade of Tauranga.

His Excellency is respectfully advised to instruct Captain Jenkins to maintain a strict blockade of the Tauranga Harbour. The Government will immediately prohibit supplies leaving Auckland for Tauranga,—and, as soon as possible, will communicate with the other Southern ports; but Capt. Jenkins should be authorised to prohibit the landing at Tauranga of stores and supplies of any kind, except for the use of the Troops.

T. RUSSELL.

Colonial Defence Office,
Auckland, 31st March, 1864.

CORRESPONDENCE AND MEMORANDA ON ADDRESS FROM ABORIGINES PROTECTION SOCIETY.

No. 1.

COPY OF LETTER from SECRETARY of Aborigines Protection Society to SIR G. GREY, K.C.B.

Aborigines' Protection Society,
34, Newington Crescent, S., London,
26th January, 1864.

SIR,—

I have the honor to forward you an Address, which, as you will perceive is very numerous and influentially signed. I do not enclose the autographs of the memorialists as each signature was attached to a separate copy of the Address, and they would form a too bulky parcel to send by the Marseilles Mail.

We have taken the liberty of publishing the letter before its transmission to your Excellency, in order that there might be some expression of public opinion on the subject.

I am, Sir, &c.,
F. W. CHESSON.
o

osure in No. 1.

To HIS EXCELLENCY SIR GEORGE GREY, K.C.B., Governor of New Zealand.

SIR,—

The unhappy war which is now raging in New Zealand, between the Maoris and their English rulers, has excited the most deep and painful interest in this country. It was generally hoped that the contest which recently took place in the Province of Taranaki would have been the last of those painful collisions, which have proved as inimical to the best interests of the colony as they have been disastrous to the Native race. This hope was confirmed by the spirit with which your Excellency entered upon the duties of your high office, and especially by the persevering efforts you made to establish a system of self-government in the Native Districts. We cannot express to you with what profound regret we have witnessed the failure of those wise and beneficent measures, and how deeply we sympathize with you in the peculiarly trying position in which you are now placed.

The justice which has ever been the great characteristic of your Excellency's administration of Native affairs, is a pledge to the world that the war, which is now being waged, will be limited to the one object of restoring British supremacy in the disturbed districts, and of achieving an honorable, and, if possible, a lasting peace. Occupying, as you do, a position at once so difficult and so responsible, we would not venture to offer any suggestions of our own, did we not feel that Englishmen, even at so great a distance, ought not to regard the momentous events now transpiring in New Zealand, with indifference, or even with silence.

We would, therefore, express our earnest hope that your Excellency will avail yourself of the first favourable opportunity which may present itself of endeavouring to terminate the War by negotiation, and especially that you will listen to any overtures of peace which any of the Natives who have taken up arms may make. This course will, we are sure, so commend itself to your sense of humanity and Christian feeling, that we should scarcely presume to urge it upon consideration did we not feel that your hands might be strengthened by this expression of our opinion—an opinion which we believe to be shared by the great body of the British people.

We have, however, been alarmed by the pertinacity with which, in some quarters, it has been proposed to confiscate the Lands of all contumacious and rebellious Natives. As has been truly observed, such a policy as this would shut the door to any possible settlement of the difficulty except by the sword; in other words, it would lead to the extermination of a people who value their property in the soil even more than their existence, and who, despite their faults, are worthy of a better fate. We can conceive of no surer means of adding fuel to the flame of War; of extending the area of disaffection; and of making the Natives fight with the madness of despair, than a policy of confiscation. It could not fail to produce in New Zealand the same bitter fruits of which it has yielded so plentiful a harvest in other countries, where the strife of races has been perpetuated through successive generations; and that, too with a relentlessness and a cruelty which have made mankind blush for their species.

We therefore pray that in the hour of victory your Excellency will temper justice with mercy, and give to the world another bright example of forbearance and magnanimity. By such means, and such means only, may we hope to see the Maori Race saved from extinction, and the dominion of our beloved Queen firmly established over every portion of the Islands of New Zealand.

With great respect,
We have the honour to be, Sir,
Your Excellency's faithful Servants,

CHICHESTER,
EBURY,
P. C., Moor Park, Rickmansworth,
Walter C. Trevelyn, Bart.,
John Heaketh Lethbridge, Bart.,
Wilfrid Lawson, Bart.,
S. Gurney, M.P.,
W. E. Foster, M.P.,
Thomas Barnes, M.P.,
Henry Pease, M.P.,
Thomas Bazley, M.P.,
William Williams, M.P.,
P. A. Taylor, M.P.,
Edward Baines, M.P.,
E. A. Leatham, M.P.,
John Brady, M.P.,
Samuel Morley,
Thomas Fowell Buxton,
T. Perronet Thompson, Lieut.-General,
Edward Miall,
R. N. Fowler, Treasurer of Aborigines
Protection Society,
Samuel Lucas,
Thomas Guthrie, D.D., Edinburgh,
Thomas Binney,
Charles J. Hadfield, Colonel,
William Howitt,
Henry Salwey, Colonel,

George Thompson,
David Thomas, D.D.,
Henry Richard,
John Nichol, B.A., Oxon,
Duncan McLaren, Newington House, Edinburgh,
Edward Smith, Sheffield,
Frederick Baines, Leeds,
Benjamin Scott, F.R.A.S.,
Edmond Beales, M.A., Lincoln's Inn,
Edmund Sturge, Birmingham,
John Lee, L.L.D., Hartwell,
Jabez Burns, D.D.,
Joseph Cooper, Lloyds,
John Cropper, Liverpool,
John Hodgkin, Lewes,
Henry Vincent,
Washington Wilkes,
L. A. Chamerovzow,
George Gilfillan, Dundee,
John Cassell,
Arthur Trevelyan,
J. P. Teinholm, Tranent, N.B.,
J. J. Colman, Norwich,
Richard Smith, 7, Highbury Crescent,
F. W. Chesson,
A. K. Isbister, M.A.,
John Epps, M.D.,

J. E. Cairns, Professor of Jurisprudence,
&c., Queen's University, Ireland,
F. W. Newman, late Professor at University College, London,
Newman Hall, L.L.D.,
J. Humffreys Parry, Sergeant-at-Law,
Samuel Stott, Mayor of Rochdale,
Leone Levi, Professor of Commerce and
Commercial Law, King's College,
London,
Charles Sturge,
Henry Christy,
Joseph Pease, Darlington,

Joseph Cowen, junr., Newcastle-on-Tyne,
John Mayfield, 300, Holborn,
Francis E. Fox, Tottenham,
Justin M'Carthy,
James Cropper, Kendal,
James Taylor, junr., Birmingham,
Wilson Armistead Leeds,
William Anderson, L.L.D., Glasgow,
Frederick Wheeler, Rochester,
Henry Richardson, Newcastle-on-Tyne,
Joseph Lupton, Leeds,
Caleb Fletcher, M.D., York.

No. 2.

COPY OF REPLY by the GOVERNOR to Letter of Aborigines Protection Society.

Government House, Auckland,
7th April, 1864.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 26th January, transmitting me an address which had been very numerously and influentially signed, in which a hope was expressed that I would avail myself of the first favourable opportunity which presented itself of endeavouring to terminate by negotiation the war unhappily existing in New Zealand, and especially that I would listen to any overtures of peace which any of the Natives who have taken up arms may make.

Your letter, and the address which it encloses, shall be forwarded to my Responsible Advisers for their consideration: but in the meantime I can have no hesitation in saying that the wishes and instructions of His Grace the Duke of Newcastle impose on me as a duty that which is entirely in consonance with my own feelings and with yours, viz.—that I should certainly listen to any reasonable overtures that the Natives in arms may make, and that I should avail myself of any opportunity that offers of obtaining permanent peace for this Colony. I am quite confident that general public opinion in this country will support me in taking this course, and would expect me to do so.

With regard to the confiscation of portions of the lands of the Natives now in arms, this point has to be considered; that, mercy requires that future contests between the two races should in as far as practicable be prevented, and that there are many tribes in New Zealand who have taken no part in the present lamentable conflict, yet who might hereafter be led into similar acts, whilst nothing would more certainly lead to the extermination of the Native race than a series of contests such as that which is now being carried on.

The object of the local Government, therefore, has been to secure to that numerous part of the Native population who have taken no active share in the present war, the whole of their landed possessions, and also, by laws passed expressly for this object, to give to the lands held by such Natives a value greater than they have previously had for their owners, by in all respects giving them equal rights in their landed possessions with those enjoyed by their European fellow subjects, the intention in this respect being to show that the rights of peaceable citizens, of whatever race, are carefully respected, and to give the Natives so valuable a stake in the country that they are not likely hereafter to hazard it lightly.

On the other hand, it was thought necessary by an example to show that those who rose in arms against their fellow subjects of another race, suffered such a punishment for doing so as might deter others from embarking in a similar career. It is therefore proposed to deprive such persons of a considerable portion of their landed properties, and to provide for the future safety of the Colony, by occupying such lands with an European population.

But even in the case of these persons, it is intended that sufficient lands shall be reserved for themselves and their descendants, to be held on the same tenure, as lands are henceforth to be secured to the rest of the Native population.

That these measures will be carried out in a spirit of liberal generosity, and of mercy, I earnestly hope, and will do my best to ensure, and in my efforts for this end, I believe that I shall be supported by a large majority in this Colony.

You will much oblige me by returning this answer to those noblemen and gentlemen who signed the address which you forwarded to me.

I have the honor to be, &c., &c.,

G. GREY.

No. 3.

MINUTE by the COLONIAL SECRETARY.

The Colonial Secretary begs to thank His Excellency for submitting to him his reply to the noble men and gentlemen who lately forwarded an address to His Excellency on the subjects of peace and confiscation of lands belonging to the rebel Natives.

The Colonial Secretary entirely concurs in His Excellency's observations, and does not think it necessary to offer any on the part of the Ministry.

WILLIAM FOX.

7th April, 1864.

No. 4.

LETTER from the COLONIAL SECRETARY to RIGHT. HON. LORD CHICHESTER.

Colonial Secretary's Office,
Auckland, 4th May, 1864.

MY LORD,—

The letter which you and other noblemen and gentlemen connected with the Aborigines Society addressed to His Excellency Sir George Grey, K.C.B., Governor of this Colony, in January last, has been referred by His Excellency to his Responsible Advisers.

They have submitted their opinions upon it to His Excellency, in the form of an Official Memorandum, of which, at His Excellency's suggestion, they have now the honour to forward a copy to you, and of which His Excellency will forward one to Her Majesty's Principal Secretary of State for the Colonies.

As the letter in which your Lordship and the other subscribers impugned the policy of confiscation, which the New Zealand Government has adopted, was published by you, at the date of its transmission to the Colony, in the *London Times*, and other newspapers, I venture respectfully to express a hope that you will give similar publicity to the enclosed Memorandum.

I have, &c.,
WILLIAM FOX,
Colonial Secretary.

The Right Hon. Earl Chichester,
22, Grosvenor Place, London, S.W.

MEMORANDUM by MINISTERS in reply to Aborigines Protection Society, enclosed in No. 4.

1. Ministers have received a copy of the letter addressed to His Excellency the Governor by Lord Chichester and several other gentlemen connected with the "Aborigines Protection Society" in London relative to the war which is now raging in New Zealand between the Maoris and "their English rulers," on which they beg to make the following remarks.

2. The only two points in the letter which appear to call for any remark are. *First*, the hope expressed that His Excellency the Governor "would avail himself of the first favorable opportunity of endeavouring to terminate the war by negotiation, and especially that he would listen to any overtures of peace which any of the natives who have taken up arms might make," and *secondly*, a protest against the confiscation of the lands of the rebel tribes.

3. With regard to the first of these points, Ministers regret to state that down to this date, the rebels have not as a body, nor have any leading tribes, made the smallest overture of peace. At the commencement of the present unhappy struggle, they appear to have entertained a firm conviction that they could drive the Europeans out of the island, and they commenced by a desperate attack upon Auckland, the seat of Government. Early in the struggle, Thompson, who may be regarded as the leader of the rebel party, announced in writing under his own hand, his determination to carry the war to the utmost extremity, not even sparing unarmed persons. Acting in this spirit, the Maoris threw themselves into the heart of the settled districts of the Province of Auckland, murdering and destroying the settlers within 17 miles of the town, cutting down the Government flagstaff at the Manukau, the western harbour of the City of Auckland itself, and driving from their farms and homesteads a tolerably dense population of agricultural settlers over a space of some twenty miles square. So sudden was their onslaught, and so completely did they succeed in getting possession of the country close around Auckland, that it was not till after the fall of Rangiriri, five months at least after the struggle commenced, that they were driven back and routed out of the wooded ranges to such an extent that even the city and the immediate suburbs of Auckland could be considered safe. Since that period they have been driven or escaped from one stronghold after another till they have been compelled to evacuate the whole of the Waikato proper; they have retreated before our troops to a distance of 120 miles from Auckland, and their main body is understood to be broken into two or three sections, the principal of which appears to have descended upon Tauranga in the Bay of Plenty, where with the resident rebels of that district, they are again defying the British troops and throwing up aggressive works within a distance of three miles from our posts. During all this time they have not as a body shown the smallest symptom of any desire to terminate the war, nor have made any overtures of peace. On the contrary, they continue to make the most strenuous efforts to recruit their forces by enlistment among the East Coast Tribes, whom they encourage to join them by the most monstrous falsehoods, which are circulated by express authority of Thompson and the other leaders, and by means of which they have hitherto succeeded in deluding considerable numbers into a belief that the rebellion has been successful, and that they have only to join it to see the final establishment in triumph of the Maori King. (See Appendix A).

It is a well known fact that, in their inter-tribal wars, the Natives invariably regarded any overtures of peace as a sign that the party who makes it is beaten, that it is an acknowledgment of defeat. It is a matter, therefore, of the utmost delicacy to initiate such negotiations, as nothing could be more fatal to the prospect of actual peace than that the rebels should be able to announce to the distant or non-committed tribes that we had placed ourselves in that position. Such tentative efforts in that direction as the Government has thought it prudent to make, have at once been seized on by Thompson as indications of weakness, and he has, on various occasions, encouraged his followers (and no doubt it has operated to keep them in arms) by assurance that "the Governor and General are now suing for peace." The time, however, has now arrived, when, by the fall of Maungatautari, the last of the fortified strongholds of Waikato, the conquest of that district and its inhabitants is practically

complete, though the latter may, no doubt, still carry the war into the other parts of the island, as they are doing at Tauranga. Still, the event referred to seemed to Ministers to afford a fair opportunity for making a general announcement of the terms on which the rebellion might be terminated, by the issue by His Excellency the Governor of a Proclamation, and Ministers have accordingly advised His Excellency to issue one, the terms of which have been settled by them after much earnest thought and discussion.

While such has been the action of the Government in reference to the rebels as a body, the door has never been closed against such individuals as might be desirous of laying down their arms and returning to their allegiance, without any personal punishment whatever. Numerous efforts have been made by the Government to induce them to do so. On the 16th December last, immediately after the capture of Ngauwawhia (the king's palace), a document was sent to the rebels, in which their principal chiefs were invited to visit the Governor, in order that they might learn the future intentions of the Government towards them, and they were distinctly assured, under the hand of the Governor, that if the rebels would give up their arms, they would not be made prisoners, nor be in any way molested in their persons for any part they might have taken in the present or any former war. On the 6th January last, the Colonial Secretary issued instructions to the Resident Magistrates as to the course to be pursued towards rebels who might surrender, and an abstract of these instructions was circulated, and has been kept before the eyes of the Natives in every part of the island. The terms have been generally admitted, at least by those not actually engaged in hostilities, as extremely fair, and a very considerable number of rebels have actually come in under the terms offered, given up their arms, and signed a declaration of allegiance.

On the 30th March last, immediately previous to the evacuation of Maungatautari, William Nero, a friendly chief of the highest rank, closely related to the leading rebels, informed the Colonial Secretary personally and by letter that he had reason to believe that the rebels were desirous of making peace, but were deterred by the fear that the leaders would be hung; and he suggested that he might be allowed to proceed to the rebel camp in order to disabuse their minds of this supposition. The Colonial Secretary at once acquiesced in the proposal. (See correspondence appended—Appendix B.) Nero proceeded on his mission, but entirely failed, not even an interview being granted with the leading chiefs. Two or three men of rank whom he persuaded to come in and sign a declaration that in two days they would bring in all their tribe, left again on the following day under pretence that they would return with all their people, amounting to some two hundred souls. They did not, however, even return themselves, but very adroitly contrived to thrust upon us some sixty or seventy women, children, and decrepid old men, who were a burden on their commissariat and an impediment to their movements. This was all that was gained on our side by this well-intentioned but certainly not very successful attempt to remove what was believed by some to be the only obstacle to the restoration of peace. It should be observed also that during these negotiations, Thompson, by letter addressed to Nero, affected a great desire to see peace restored, yet at the very moment he was writing such letters he appears to have been organizing a new campaign.

Ministers repeat that, in their opinion, the very greatest caution ought to be exercised in pressing the Natives to come to terms. Every one who knows the Maori must know that, even in the ordinary business of life, any exhibition of anxiety to get him to do anything is the certain way to make him hang back from doing it—his mind, cunning and suspicious beyond that of most races, inferring at once that such anxiety is a sign of weakness on the part of him who shows it, and that by standing out he can obtain his own terms, however extravagant or unreasonable. On the other hand, Ministers have entire faith in the natural results of an actual defeat of the rebel armies enforced with prudence, with firmness, with mercy, and in such broad general principles as may operate not on the mind of one individual here and there, but on the feelings and sentiments of the entire nation, both that part which has been engaged in active hostilities and that which has not.

And it must be borne in mind that this latter portion of the native community is to be considered in what is done equally with the actual rebel. It would be of little benefit to patch up peace in Waikato if rebellion were by that means to be encouraged in Cook's Straits or at Ahuriri. Waikato has been and is the head of the rebellion, and the neck of it must be broken there. If a final, permanent, and complete subjugation of Waikato is effected, this will, in all human probability, be the last instance which will occur of any combined resistance to British authority and British law. If in our anxiety to spare the erring Maori race, we press and persuade them to come to terms before they are really convinced of our superiority, and before we have taken those material guarantees for the future which it is contemplated to take, we shall to a certainty have at some future day to repeat the lesson which we are now endeavouring to teach. If the present struggle should be terminated without convincing the Natives all throughout New Zealand of the folly of trying their strength against the Europeans, and without a sufficient material guarantee being taken, new outbreaks will undoubtedly occur from time to time which can only end in chronic hostility of the race and in wars of extermination. The only hope of saving a remnant of the Maori race is the termination of the present struggle by their full acknowledgement of their mistake, their full acceptance of its consequences, and submission to the supremacy of law. It will not be done by treaties of peace which might leave the impression that they are an independent people, and at liberty in any future imaginary *casus belli* to take up the sword.

In concluding this part of their remarks, Ministers would observe that no time has yet been allowed for the results of the late campaign to bear their natural fruits. It is only three weeks since the final blow was struck in Waikato by the capture of Orakau and evacuation of Maungatautari. The mind of the rebel cannot yet have fully realized to itself the magnitude of the defeat and its consequences; at all events it does not appear to have done so. A little patience on our side may, and there is little doubt will, enable us to reap the fruit of the late costly military operations, while, as already hinted, undue pressure brought to bear on the natives to induce them to come to terms, or undue anxiety exhibited on our part to escape the prolongation of war, will probably have exactly the reverse effect to that which is intended.

One thing must be borne in mind. This is not a war between two independent nations living on separate territory, perhaps hundreds of miles apart. When this rebellion is put down, we have to govern the Maori, to reinstate him in our community, to live with him, to come under numerous mutual responsibilities social and political. A war simply between independent nations involves no such consequences, and may be terminated on a very different basis, while its termination may be brought about by negotiations which would be very unsuitable means by which to terminate a struggle of the sort which exists in this colony.

4. As regards the question of the confiscation of Maori lands, against which a protest is raised, Ministers beg to make the following observations :—

In the first place, it is a custom which has been always recognised by the Maoris themselves. In their wars, a conquered tribe not only forfeited its lands, but the vanquished survivors were reduced to a tributary position, and large numbers to personal slavery. The Government of New Zealand has always recognised such a title as valid. The Waikatos themselves were paid by Governor Hobson for such a proprietary right over the district of Taranaki; and a very large proportion, if not an absolute majority of the purchases of land from the Maoris in various parts of the island, have been made on the basis of a recognition of this right of conquest. There is therefore nothing in the course proposed abhorrent to the moral sense or previous habits of thought of the Maori race. (See Appendix C.)

In the second place they never do consider themselves conquered unless their lands are taken. In previous wars between the British Government and the Maoris, which were not followed by confiscation, friendly Maoris have expressed their surprise at our moderation. "What is the good," they have said, "of taking the *man*? You should have taken his land, then that work would have been finished."

In the third place, when this struggle began, the Maoris openly avowed their intention of taking the land and farms of the Europeans when they should have driven us into the sea. It was not uncommon even before the war commenced, for some of the more insolent to come to a settler's house, and after looking the house over to say, "Ah, this house will suit me very well; that room will do for my wife, that shall be my bed; wait a little; by and bye you will see." An instance of this is within the personal knowledge of a Minister. The feeling was general among the tribes which engaged in, or sympathised with, the King movement, after it assumed an aggressive character, hostile towards the European occupants of this country.

Fourthly, The chief object of the Government is, however, neither punishment nor retaliation, but simply to provide a material guarantee against the recurrence of these uprisings against the authority of law and the legitimate progress of colonisation which are certain to occur if the rebel is allowed to retain his lands after involving the colony in so much peril, disaster, and loss. The natives are fond of war, as almost their only source of excitement. The practice of incessant hostilities with each other for centuries has become a second nature, and though circumstances have to a great extent suspended the operation of their military impulses for some few years, they have neither lost their skill in fighting, nor their taste for it. If they can have the excitement and many advantages of a summer's campaign when it pleases them, with liberty to retain their lands when it is over without suffering any losses except their wretched dwellings and a season's crops, while the colony is nearly broken down by the losses and cost of the war, they will not easily be deterred from renewing hostilities. Mere defeat in the field will not deter them. There must be some more substantial and material guarantee. The guarantee which the Government has proposed, is to introduce colonists chiefly direct from Great Britain into those districts now sparsely inhabited by the rebels, and from which they make their inroads into the settled districts. It is only on the lands of the rebels, at least in Waikato, that population can be so established. But it is not and never has been proposed to leave them without an ample quantity of land for their future occupation. A quantity much larger per head than the average occupation of Europeans in this Island, is proposed to be set apart for them, on a graduated scale, according to rank and other circumstances. These lands would no longer be held under the pernicious system of tribal right, but as individualized properties under the security to each proprietor of a crown grant. Ministers believe that nothing has been or can be more pernicious to the native race than the possession of large territories under tribal titles which they neither use, know how to use, nor can be induced to use. It has, in the opinion of the Ministers, been the principal cause of the slow progress and in some respects (particularly in their physical condition) of the actual retrogression and decay of the race. And though, while the Maoris acknowledged the supremacy of a protecting Government, and professed submission to law, it was just to respect these semi-feudal proprietary rights which they declined to surrender, yet now that they have abandoned their allegiance, renounced all submission to law, and staked their *all* against our *all*, there seems no longer any reason for respecting privileges which are believed to be equally injurious to their moral, social, and political condition. In the present state of this colony it is not a question to be argued by reference to the rights of the Maori in times past, when as an independent people, they were recognized as competent to surrender or retain whatever power or property they might please. It can scarcely be held that after the events of the last year, the rebel Maori is entitled to take this position. On the other hand, the struggle has become one for the bare existence of the colony, which, though now apparently secured for the time by the results of the late campaign, but still only held by military posts, it is no less the duty of the Government to take such precautions as may prevent its being again imperilled. The deliberate and almost unanimous opinion of both Houses of Assembly determined the course of action in the matter which forms the basis of the policy of the Ministry in reference to the confiscation of the lands of those who have been engaged in the rebellion. The deliberate opinion of Ministers is, that to terminate the present insurrection without confiscation of the lands of the rebels, making of course ample provision for their future, would be to surrender every advantage that has been gained, and practically to announce that British rule over the Maori race must cease, and the Northern Island be abandoned as a safe place of residence for Her Majesty's European subjects.

WILLIAM FOX.

5th May, 1864.

APPENDIX A.

EXTRACT from a LETTER from the Bishop of Waiapu, dated Turanga (Poverty Bay), April 15th, 1864.

"The reports which are conveyed are of the most absurd character, such as you have had instances of in other quarters—that the losses sustained by the soldiers are something enormous—that the Queen will not send any more soldiers—that England is at war with America and Russia, and other parts of the world—that the soldiers have been driven out of Rangiriri and Mere-Mere—that Auckland is nearly depopulated—and that the Natives of the coast have only to go there and take possession. The latest accounts which arrived while I was at Waiapu, spoke of 156 of Ngatiwhakaue being killed, and the coast Natives were invited to go and finish the rest, and drive away the soldiers from Maketu and Tauranga. It was to little purpose that I explained the onward march of the troops to Awamutu and Maungatautari. My story was all English and one-sided. I pressed upon their attention the assurance of the Governor, that the lands of the Natives who remain quiet will not be interfered with, but that those who go to fight will lose their land. Those who have gone to Waikato have held out threats against all who remain at home—that on their return from destroying the 'pakehas,' they will serve them in like manner, because they would not join with them."

EXTRACT from PRIVATE LETTER from a Missionary on the East Coast.

"The most absurdly exaggerated reports are in circulation about our losses at Waikato. When the poor 'Avon' (steam transport on the river) was injured, she had on board 1000 men, all of whom perished. The General must have more lives than a cat. He was killed at Waikato, and £20 taken out of each of his boots. He went in disguise as a minister to one of the pas (I think Paterangi). The bell was rung, and he took his station in the pulpit, but counted each person as he entered. As the 'karakia' (Church service) was proceeding, a Maori noticed some part of the uniform under the surplice; the alarm was given, and the unfortunate General was despatched. There are several other stories of the same character flying about, which are all implicitly believed."

EXTRACT from a LETTER written by W. Thompson, to Natives on the East Coast, professing to report the engagement at Rangiaohia. (The actual loss to the Natives was above 100, and only one horse is said to have been killed on our side.)

"Those tribes then went on, and came to close quarters, the one with the bayonet, the other with the tomahawk. Twenty of the pakehas fell. It was a hand to hand fight. Then came the cavalry. They now came upon our party. I called out 'fire.' One volley was fired, and every horse was killed, not one escaped. There was an end. Ngatiraukawa lost three, Turewera two, Tuwharetoa two, and Rangiwewehi one. These were all our dead; as for the pakehas they had the bed (of death) to themselves.

"The General has proposed to make peace. It is ended.

From WI TAMEHANA."

EXTRACT from a PRIVATE LETTER from Cook's Straits.

"A man from Rangiaohia (Waikato) has come here. . . . He has damaged his cause by exaggerated statements, among others that 1500 soldiers were killed at Rangiaohia, and that Bishop Selwyn was now second in command, and rode about with a sword at his side."

APPENDIX B.

CORRESPONDENCE between W. NERO and Mr. Fox.

Auckland, 30th March, 1864.

O Friend! O Mr. Fox!—This is the cause of my thoughts which caused me to speak of our going to Wm. Thompson and the Chiefs of Waikato, namely, their desire to come towards life [meaning to leave off fighting], also to give up their guns, cartouche-boxes, and other munitions of war. The only reason for delaying [carrying into execution] these thoughts is fear lest after having given up their weapons, Wm. Thompson and Matutaera should be seized and hung. This is their fear.

Therefore I reflected and said, let me be let go to inspect these words that I may see the truth of their words or the falsity. If I see that it is true (as stated), I will let you know. Enough. From your friend

WI NERO.

To Mr. Fox.

Auckland, 31st March, 1864.

Friend Wm. Nero,—I have read your letter in which you say that the road to life for Wm. Thompson and the Chiefs of Waikato is stopped, because they are afraid if they give up their weapons Wm. Thompson and Matutaera will be hung; and you ask that you may be allowed to go to tell them whether this thought is true or false.

Friend William! great is your love for Waikato to save these men from destruction. This is good. The Government also desires that they should not perish. But that thought of theirs is wrong altogether. The word of the Government is, that *all will be spared* if they lay down their arms and agree to live under the Queen's law. Their land will be gone to the Queen, but they will be allowed *enough to live on well*. A Crown grant will be given to each. This word is for Matutaera, for Tarapipipi, for all Waikato; *none are excepted but the murderers*. Let not these men then be afraid; but let them be quick in giving up their arms, for otherwise the General will not be held in—he will go on till the arms of the rebels are laid down.

This is a true word. Now if you like to go, go. If you will not go that also is well. This is that your love for Waikato may save the lives of those men, of Matutaera, of Thompson, and the others.

From your loving friend,

TE POKIHA.

APPENDIX C.

The custom of confiscation from a variety of causes is a fixed one among the natives, and has been practised for centuries in every part of the colony. When Captain Fitzroy failed to take the Wairau Plains after the massacre of 1843, Rangihaeata, the principal actor on that occasion said, "He paukena te pakoha:" the Governor is soft; he is a pumpkin.

No. 5.

MEMORANDUM by the GOVERNOR as to usage and customs in confiscation, as quoted by the Revd. Mr. TAYLOR.

The Governor wishes to inform his Responsible Advisers that on mentioning to the Rev. R. Taylor the interpretation which had been put upon a passage in his work *Te-Ika-a-Maui*, regarding the forfeiture of native land on which blood had been shed, Mr. Taylor explained to him that he had no intention of giving so extensive an interpretation to that passage as it appeared was being done by Ministers, and he is consequently about to write a letter to the Governor, showing the meaning of the passage alluded to, and its relation, as he believes to a different state of things to that now prevailing in this island.

G. GREY.

Government House,
May 2nd, 1864.

No. 6.

MEMORANDUM by the Governor, transmitting copy of a Letter to the Revd. Mr. TAYLOR, with the reply thereto.

The Governor herewith transmits to his Responsible Advisers a copy of a letter which was, by his direction, addressed to the Rev. R. Taylor, regarding a quotation from his work on New Zealand made by Ministers, together with a copy of Mr. Taylor's reply to that letter.

G. GREY.

Government House,
May 3rd, 1864.

Enclosure 1 to No. 6.

Private Secretary's Office,
Auckland, May 2nd, 1864.

SIR,—

The Governor thinks it right to acquaint you that a quotation of your work *Te-Ika-a-Maui*, relative to Governor Fitzroy's not having claimed the district of Wairau after the massacre at that place, having made the Natives entertain a very low opinion of British power, is about to be sent home by him, as a proof, in part, that the Natives will not consider themselves conquered unless their lands are confiscated. If you have any explanations of your views on this subject to offer, the Governor will be happy, at the same time, to transmit them.

I have, &c.,
SPENCER M. MEDLEY,
Acting Private Secretary.

The Rev. Richard Taylor,
Parnell, Auckland.

Enclosure 2 to No. 6.

Auckland, May 2nd, 1864.

SIR,—

In reply to His Excellency's communication through you, relative to a quotation from my work *Te-Ika-a-Maui*, which is interpreted to justify the total confiscation of the lands owned by those tribes now in arms against Her Majesty's authority, I have first to thank His Excellency for informing me of the circumstance of which I was previously ignorant, and to state, in explanation, that the Wairau case and that of the present war cannot be considered as being at all parallel.

That the land at Wairau was claimed as having been purchased by the New Zealand Land Company, and its servants were actually sent there to survey it.

That the interruption of the work led to the collision which terminated in the death of many of the chief persons connected with that Company.

That whatever might have been the justice or injustice of the European claim to that district, the blood there shed the Natives viewed as fully establishing the claim, and the not preferring it by Capt. Fitzroy was considered by Rangihaeata as a proof of weakness and fear on his part.

That in such a case Captain Fitzroy would have been justified in Native opinion had he claimed the land in dispute, which would have been acquiesced in by the Natives, and been calculated to make a salutary impression upon them.

But in the *present* case, independent tribes who have never owned the Queen's supremacy have taken up arms against Her Majesty, under an impression that their lands would be seized, as the Europeans multiplied in the island, and therefore that they must fight to maintain their nationality.

That whatever may be the error they have committed in so doing, they cannot be viewed in the light of mere rebels.

That to secure this island from foreign interference Captain Hobson took possession of the whole in the name of Her Majesty, but neither he nor any of his successors have ever attempted to exercise any rights of sovereignty over the interior tribes. When subdued, therefore, they will have a claim to be treated as any other sovereign power subdued by our arms.

That whilst it may be advisable and salutary to punish the leaders of this war by the confiscation of their lands, it cannot be claimed just or equitable to confiscate the entire territory of the hostile tribes.

That the knowledge of such intention is calculated to retard the pacification of the island, and to prolong the struggle of a race so pre-eminently warlike, to the last extremity, in every corner of the Island. That in fact it gives no other alternative to the Natives, nor any sufficient inducement to submit; but on the contrary, were honorable and liberal terms offered, on condition of their submitting to Her Majesty's rule, it is highly probable so shrewd and sensible a people would at once accept them, and voluntarily lay down their arms.

Trusting that this statement will fully explain my views on this subject,

I have, &c., &c.,

RICHARD TAYLOR.

The Private Secretary,
Government House.

No. 7.

MINUTE by the COLONIAL SECRETARY.

The Colonial Secretary begs to acknowledge His Excellency's Memoranda of the 2nd and 3rd May, relative to a passage quoted by the former, from a book by the Rev. Mr. Taylor, in his remarks on Lord Chichester's letter.

The Colonial Secretary was not aware that his Memorandum, intended for His Excellency's, His Grace the Duke of Newcastle's, and Lord Chichester's perusal, would be subjected to criticism by any other person in the Colony before its transmission to England,—the less so, because, at His Excellency's request, he altered the form of the Memorandum, as originally sent in, expressly to render it unnecessary that His Excellency should accompany it by any remarks of his own.

The Colonial Secretary is not aware that he has drawn any inference from the passage quoted from Mr. Taylor's book other than a perfectly legitimate one, which, in a rather remarkable manner, illustrates his statement that the idea of confiscation *per se* was not novel to the mind, nor repugnant to the moral sense of the Natives. He sees no reason why the force of his argument (whatever it may amount to) should be weakened by an opportunity afforded to Mr. Taylor, not only to explain away the meaning of the quoted passage, but to argue, on independent grounds, the question of confiscation. The Colonial Secretary thinks that Mr. Taylor's argument could be very easily answered, but he respectfully declines having his official remarks subjected to such out-of-door criticism, while still in official custody, and he has really neither the time nor the inclination to engage in controversy with every person from whose printed books he may cite a passage in support of his opinion. In the present instance, however, it seems to the Colonial Secretary of very little consequence whether the quotation is appended or not,—and, if His Excellency will oblige him by returning the documents, he will erase the quotation, and the reference to it.

WILLIAM FOX.

Auckland, 3rd May, 1864.

This is the passage to which His Excellency called Mr. Taylor's attention, and which was subsequently altered, by leaving out the allusion to that gentleman.

W. FOX.

APPENDIX C.

The following passage, from the "IKA-A-MAUI," by the Reverend R. Taylor, a missionary of upwards of twenty years' experience, illustrates the feelings of the Natives on confiscation, and their habit of enforcing it in their own wars. Speaking of Governor Fitzroy's condonation of the Wairau massacre, he says:—

"It is a pity the Governor was not acquainted with Native customs, otherwise he would have claimed the district as having been paid for with blood; this was what the chiefs themselves expected. It would have asserted our power, and made a salutary impression on the Native mind, for it is a fixed custom among themselves. Captain Fitzroy's not doing so made that chief Rangihaeata entertain a very low opinion of British power. He is reported to have said, 'He Paukena te Pakeha'—'The Governor is soft, he is a pumpkin.'"

No. 8.

MEMORANDUM by the GOVERNOR.

The Governor has received the Colonial Secretary's Memorandum regarding a quotation from Mr. Taylor's work. He thinks a misunderstanding has arisen. He has not submitted the Colonial Secretary's Memorandum to the criticism of any person whatever.

Upon a most important point regarding which the Governor had a great desire to satisfy his own mind, he was told that this point was fortified by Mr. Taylor's opinion being in its favour.

This was not on a question of abstract right, but upon a question of what the national prejudices and feelings on certain points would be,—on this subject Mr. Taylor's opinion would have carried great weight with it.

The Governor, knowing Mr. Taylor, thought, and still thinks, that he was perfectly justified in asking Mr. Taylor what his opinion on this subject was. In order that, in forming his own conclusions, there might be no mistake, and, finding that Mr. Taylor had been misunderstood on a subject which involved the interests of an entire race, he thought that it could not be fair, either to the Natives, to Mr. Taylor, or the Colonial Secretary, to allow Mr. Taylor to be adduced as thinking one thing, when he really thought another, without affording Mr. Taylor an opportunity of explanation. He gave him this, and forwarded to the Colonial Secretary a copy of Mr. Taylor's letter, advising him of every step in the transaction,—and now returns the copy of the Memorandum, for the Colonial Secretary to make any alterations in it he thinks necessary. The Governor would suggest, as the usual course, that Ministers should themselves forward their own Memorandum to the "Society for the Protection of Aborigines." He will forward that to the Secretary of State.

G. GREY.

Government House, 3rd May, 1864.

No. 9.

MEMORANDUM by the COLONIAL SECRETARY.

The Colonial Secretary regrets that "a misunderstanding" should have arisen in reference to the circumstances under which the Rev. Mr. Taylor was invited to offer explanations of a quotation which the Colonial Secretary had appended to a copy of his remarks previously forwarded to His Excellency. The misunderstanding, however, the Colonial Secretary cannot admit to be on his part.

The Colonial Secretary did not tell His Excellency that "on the most important point" of confiscation, he was "fortified by Mr. Taylor's opinion." The Colonial Secretary never appealed to Mr. Taylor's opinion on the point. He merely quoted a passage from Mr. Taylor's work, for the sake of the remarkable fact accorded in it, the expression of surprise by "*Rangihaeata*," that Governor Fitzroy had not confiscated the Wairau district, in which the blood of the Queen's subjects had been shed. It was *Rangihaeata's* surprise, not Mr. Taylor's opinion, to which the Colonial Secretary referred as "*illustrating the feeling of the Natives*." If he had intended to appeal to Mr. Taylor's opinion, he would have said that it "corroborated" his own, not that it "illustrated the feelings of the Natives," an expression which is perfectly applicable to the citation of the fact accorded by Mr. Taylor.

If the Colonial Secretary had desired to rest his case on the opinion of a Missionary, His Excellency is aware that he could have quoted that of a gentleman of much greater experience even than Mr. Taylor, and who fills a much higher office in the Missionary Church of New Zealand.

The Colonial Secretary accepts without reserve His Excellency's statement that he has not submitted the Colonial Secretary's Memorandum to the criticism of any person whomsoever, in the sense in which His Excellency no doubt intends it, namely, that he has not permitted its perusal by any person. But, in inviting, officially, an expression of opinion in writing from the Rev. Mr. Taylor on the most material point of the document, and on which he had already ascertained by conversation (as appears to have been the case), that Mr. Taylor's opinion was not in conformity with that of the Colonial Secretary, and with the intention of forwarding Mr. Taylor's letter to England with the Colonial Secretary's, the latter regrets to state that he still feels obliged most respectfully to dissent from the propriety of the course pursued by His Excellency in this matter.

In expunging, as he has done, a portion of the quotation from Mr. Taylor's book, and all reference to his name, the Colonial Secretary has acted solely with the desire to prevent an irrelevant discussion in connection with an official document, where he conceives it would be misplaced, and to engage in which, as already stated, he has not time.

WILLIAM FOX.

Auckland, 4th May, 1864.

No. 10.

MEMORANDUM by the GOVERNOR.

The Governor has received the Colonial Secretary's Memorandum of this day's date, regarding a quotation which had been made from the Rev. R. Taylor's work on New Zealand.

The Governor had hoped that his Memorandum to the Colonial Secretary of yesterday's date, would have put an end to this matter. But as the Colonial Secretary still officially records his opinion that the Governor has adopted an improper course of proceeding, it would be satisfactory to the Governor, in order that there may be no misunderstanding as to what he has done, if the Colonial Secretary would now allow the Memorandum as it originally stood to be filed in his office, accompanied by copies of the correspondence and memoranda in relation to it, and with any alterations the Colonial Secretary may wish to make in it. In this manner the Governor's proceedings in this matter can at any time be referred to. If the Colonial Secretary wishes, these papers can also be referred to the Secretary of State.

G. GREY¹

May 4th, 1864.

No. 11.

MEMORANDUM by the COLONIAL SECRETARY.

In reply to His Excellency's Memorandum, of yesterday's date, relative to a quotation from Ika-a-Maui, the Colonial Secretary begs to state that he will take care that the papers are filed in the same manner as it is usual to file Memoranda which pass between His Excellency and his Responsible Advisers.

The Colonial Secretary has no wish that these papers should be forwarded to Her Majesty's Secretary of State, but has no objection, if His Excellency wishes it.

The Colonial Secretary will be obliged if His Excellency will inform him whether he intends to send the Rev. Mr. Taylor's letter to England, as originally intended.

WILLIAM FOX.

Auckland, 5th May, 1864.

No. 12.

MEMORANDUM by the GOVERNOR.

In reply to the Colonial Secretary's Memorandum, of this day's date, the Governor begs to state that there has been a misunderstanding regarding the Rev. R. Taylor's letter. It was never intended to send it home, except in the case of his supposed opinion being at the same time sent home by Ministers. In that case, it appeared to the Governor to be just to all parties, that Mr. Taylor's letter should go home with the Ministerial Memorandum.

G. GREY.

May 5th, 1864.

No. 13.

MEMORANDUM by the COLONIAL SECRETARY as to the Memorial of Aborigines Protection Society.

The Colonial Secretary is going to publish in the *Gazette* his letter to Lord Chichester, which will be preceded by Lord Chichester's letter to the Governor. The Colonial Secretary begs to request His Excellency's permission to publish also His Excellency's reply to Lord Chichester.

WILLIAM FOX.

16th May, 1864.

No. 14.

MINUTE by the GOVERNOR.

The Governor wrote the letter alluded to to Lord Chichester and other gentlemen, under the impression that it would be left to them to publish it when they received it, which he has no doubt they will do. He thinks that this is the most usual course, and would much prefer—if any option is left to him, that it should be followed.

G. GREY.

No. 15.

MINUTE by the COLONIAL SECRETARY.

Lord Chichester published his letter to His Excellency in the *Times* before it was posted for New Zealand. This certainly releases His Excellency from the ordinary rule on the subject, and the Colonial Secretary thinks it would be desirable that His Excellency's reply should appear in the Colony without delay, but if His Excellency objects, he will not press it.

WILLIAM FOX.

17th May, 1864.

No. 16.

MINUTE by the GOVERNOR.

Any informality of proceeding on the part of those who sent an address to the Governor, would not incline him to be guilty of a similar informality on his part. He would much prefer his letter not being printed until it is printed by those to whom he sent it.

G. GREY.

No. 17.

MEMORANDUM by COLONIAL SECRETARY, transmitting copy of his reply to Aborigines Protection Society.

The Colonial Secretary begs to forward to His Excellency a duplicate of the remarks by the former upon Lord Chichester's letter, for transmission to Her Majesty's Principal Secretary of State. Another copy, at His Excellency's suggestion, will be forwarded direct to Lord Chichester.

MILITARY OPERATIONS.

No. 1.

MEMORANDUM by the GOVERNOR as to future operations.

The Governor has received a letter from the General, requesting him to state what his views are as to the General's future operations, and how much further it is proposed the force under his command should advance into the country.

The General states that, in as far as he can learn, it would be difficult, if not impossible, for him to occupy the line between Rangiawhia and Mangatautari, but that he could take possession of Ahuta where he believes the pah has been abandoned by the Natives, and of Kirikiriroa, where, in his opinion the Government would have more land than it can occupy with settlers for years to come.

The General is at present having a redoubt constructed at Rangiawhia, as he believes it is wished that the troops should hold that place. The General also proposes to construct a redoubt at Kihikihi Rewi's village. He is also constructing a redoubt, of a large size, at Te Awamutu, as that place must be a depot of supply.

The Lieutenant-General is anxious for a speedy answer to the questions he has raised, and the Governor requests the advice of his Responsible Ministers regarding them.

The General, in the meantime, has ordered that the materials for constructing huts for 3000 (three thousand) men should be at once purchased, as it will be necessary to put the troops under cover during the winter.

G. GREY.

February 27th, 1864.

No. 2.

MEMORANDUM by MINISTERS in reply.

1. The Governor's Responsible Advisers have given a careful consideration to the subject of His Excellency's minute of this date.

2. Ministers do not propose that the force under the General's command should advance further into the country, with a view to keep possession of it. The Government may now have "more land than it can occupy with settlers for years to come," but the primary object to be attained by military operations is, not the acquisition of country, but to reduce the Natives to submission, and to take and keep possession of land so far only as it may be auxiliary to that object, and necessary to secure permanently the country from future rebellion, by the location of military settlers in convenient districts,—not to the exclusion of the native inhabitants, but in conjunction with them.

3. Ministers approve of the General's proposal to hold possession of Awamutu, Rangiawhia, and Kihikihi. They do not think it necessary that the line between Rangiawhia and Maungatautari should be occupied, but they deem it of the first importance that a position as far up the Waikato as is conveniently navigable by steam-boats, should be taken and held. It does not however appear to them, with their present information, that Kihikihiroa is the most eligible site for the purpose, especially keeping in view the desirability of cutting off the sources from which the enemy derive their supplies.

4. Ministers have always considered that the want of supplies, if nothing else, would eventually bring the Natives to terms, and they deem it essential that every effort in that direction should be made to deprive them of the means of carrying on the war. Ministers believe that the rebel Natives have their main stock of stores which they now possess at Maungatautari, and extensive crops, ready for gathering, near the banks of the Waikato, and Ministers advise that, if practicable, as it may be by way of the river, that the rebels should be deprived of these supplies. With the same object all the crops within reach of the position now held by the General's forces should be dealt with in like manner.

5. Ministers propose to commence without delay to establish military settlements in convenient localities, if there is no objection on military grounds to such a course.

FREDK. WHITAKER.

27th February, 1864.

No. 3.

MEMORANDUM by MINISTERS as to future Military operations.

Ministers beg respectfully to express their concurrence in the proposal of His Excellency the Governor to visit the General at his Head Quarters, with a view to confer with him as to future military operations, especially with reference to the number of positions it may be considered desirable and practicable to hold in the Waikato district.

Ministers have fully explained their views in their Memorandum of the 27th of February. In explanation, they wish to add that it is, in their opinion, indispensable that the General should have at command a strong force, available for operations anywhere it may be thought expedient to use it. If, therefore, the carrying out of their views in full would render this impracticable, they desire that

the plan should be modified, so far as may be necessary; but they are still of opinion that it would be desirable, if practicable, that it should be carried out in its integrity.

With regard to the Colonial Forces which will be available for the future in the Auckland Province, Ministers have to state that they have afforded the men of the Auckland Town Militia an opportunity of providing substitutes, by bringing men, at their expense, from the Australian Colonies. A considerable number have already availed themselves of that privilege, which has very much reduced the Force, and the Town Militia must therefore, for the future, be considered as not available for any duty beyond supplying the Town Garrison in an emergency. The substitutes have been formed into the 4th Waikato Regiment.

The Waikato Regiments of Militia, of whom about 1,000 men were enlisted from the Auckland district, and were originally intended as substitutes for the Town Militia, now number upwards of 4,000 men, of whom about 300 have arrived within the last ten days. Ministers will endeavour to keep this Force in a state of efficiency for service whenever it may be required.

FREDK. WHITAKER.

5th March, 1864.

MEMORANDA AND CORRESPONDENCE ON THE SUBJECT OF RESPONSIBLE GOVERNMENT.

No. 1.

MEMORANDUM by MINISTERS as to Responsible Government.

The Governor's Responsible Advisers have to thank His Excellency for submitting to their perusal his Despatch of the 17th December, 1863, intended to be transmitted to the Secretary of State by the next mail.

The Governor in this Despatch requests the instructions of the Secretary of State as to the confiscation of Native Lands,—and, at the same time states, that, until these instructions reach him, he shall act in the matter as he may think Her Majesty's interests require.

Ministers cannot but see that it is possible that the result of such instructions may be the resumption of that control in Native affairs which has been recently abandoned by the Imperial Government, and been undertaken on their requirement by the General Assembly of New Zealand,—and, moreover, that until these instructions arrive, it is the Governor's intention to act as he may think fit. Responsibility can of course, rest only where the power exists. Ministers are, of course, fully aware of the difficulty, under existing circumstances, of dealing with questions of this kind. While, therefore, on the one hand, they desire to guard against being considered as acquiescing in His Excellency's views, they do not deem it their duty to do more at present than to reserve themselves the right of being considered unprejudiced, as Ministers Responsible to the General Assembly and Colony, in dealing with any question which may practically arise in the management of Native affairs.

Ministers think it right to observe that the views His Excellency speaks of, as entertained in reference to a magnificent and extensive territory being thrown open to any amount of prosperous colonisation are, as stated by His Excellency, those of writers of articles (which Ministers have not seen) in the local papers, and not those of his Responsible Advisers, or of the General Assembly, or, as Ministers believe, of the Colonists generally.

The general views which Ministers entertain may be gathered from the Memorandum of 31st July, 1863, on the subject, which has already been forwarded to His Grace by His Excellency, with a Despatch.

FREDK. WHITAKER.

Auckland, 29th December, 1863.

Enclosure.

COPY of a Despatch from GOVERNOR GREY to His Grace the DUKE OF NEWCASTLE.

Government House,
17th December, 1868.

MR LORD DUKE,—

I understand that some uneasiness exists in the public mind here, from the opinion being entertained that I may not, in the confiscation of the lands of those Natives who have been engaged in the present war, go so far as some of the settlers think proper and desirable.

2. Under these circumstances, I request your Grace will advise me, whether, in assenting to the confiscation of these lands, I am, as of course to assent to any advice that my Responsible Advisers may tender to me; or whether your Grace proposes to issue any special instructions to me on the subject; or generally, what course you wish me to pursue in regard to it.

3. Until your instructions reach me, I shall act in this matter in the manner which I may think Her Majesty's interests require me from time to time to adopt, carefully reporting to your Grace each step that I may take.

4. I ought to mention to your Grace that I believe I was the first to recommend the forfeiture of lands by those Natives who took arms against us, and I did so for the following reasons :—Because such a proceeding is in conformity with their own customs. It will only affect lands of those who have forced us into war, and leaves secure to the Native owners who have remained at peace, their large landed possessions in other parts of this island. They will thus, from contrast, see the advantages secured by being protected by British rule, and the punishment which follows wanton attacks upon the European race and their properties. At the same time, from enactments recently made, the well-disposed Natives, who retain their lands can deal as they please with them.

It seems perfectly just that those who forced us into a war we did our utmost to avoid, and which entails great losses on us, should pay the cost of that war, and they can do so in no other way but by the sale of their lands.

It also appeared just that those who by their acts had shown that the lives and properties of the Queen's inoffensive European subjects were not safe from them, should afford us the means from their properties of placing the lives and properties of the Europeans in security for the future.

5. These reasons will be understood by the great mass of the Natives, who have not hitherto taken up arms against us, and I think they will admit the substantial justice of such proceedings, and acquiesce in them.

6. Some persons, however, as I gather from articles I see in the local papers, appear to desire that the Native lands should be taken, not for the reasons and objects, and to the extent which would follow from the views I have above stated, but in order that a magnificent and extensive territory may be thrown open to any amount of prosperous colonization ; such persons may not unnaturally think with uneasiness that I may not in the confiscation of the lands of the Natives go so far as they desire for I think that if it was believed that such views were being acted on, nearly all the Native tribes would join in rebellion against us, and that we should be drawn into a long and most expensive war for objects which Her Majesty's Government ought not to sanction.

I have the honor to be, my Lord Duke,

Your Grace's most obedient humble servant,

G. GREY.

No. 2.

MEMORANDUM by MINISTERS as to Responsible Government.

In the present state of the country, when the hearty co-operation of everyone is an imperative duty, Ministers have the greatest repugnance to entering on any subject of controversy with His Excellency the Governor, but an occasion has arisen which, in their opinion, leaves them no alternative, without committing what they would feel a serious dereliction of their duty. It appears to Ministers that on a recent occasion His Excellency the Governor has ignored the principles of Responsible Government, as Ministers understand them, and notwithstanding the greatest respect for His Excellency's opinions, they feel bound not to let the occasion pass without notice.

A cabinet meeting was held on Monday night, at the instance of Mr. Russell (the Minister for Colonial Defence) to consider a requirement by General Cameron, that 500 men should be advanced from the Auckland district towards the front, and their places supplied by sending into the field an equal number of the Auckland Town Militia.

Mr. Russell informed his colleagues that, on consultation with the Governor, the conclusion had been arrived at that the required force should either be made up by a draft of 350 men of the Auckland Militia (150 being already in the field) or that 300 of the regular troops should be withdrawn from Tauranga, if the news expected by the "Corio" on the following day would justify the reduction of that force. This was the alternative that Ministers were required, at the request of His Excellency, to decide.

They did decide on adopting the latter course, and communicated that decision the same night to General Galloway, in accordance with the arrangement made with His Excellency. On the afternoon of the following day, however, Ministers found that their decision had been reversed, without any communication with them, and without any subsequent explanation, and Ministers still remain in ignorance of the reasons even which caused the course adopted to be taken.

On a careful consideration of recent events, especially His Excellency's Despatch of the 17th December, 1863, (referred to in the Ministerial memoranda of 29th December, 1863), His Excellency's correspondence with their subordinate officer, Mr. Smith,* and now the matter under notice, Ministers fear that the conclusion is inevitable that the views of the Governor and those of his Ministers differ essentially as to the practice of Responsible Government.

Justice to both parties, and the interests of the Imperial Government and the Colony, require that such differences should be removed, and with that object Ministers respectfully submit that the subject should be referred to Her Majesty's Imperial Government, and afterwards, if necessary, to the General Assembly, at the earliest time at which the state of the country will permit a session to be held. Ministers propose, with His Excellency's concurrence, to embody their views in a Memorandum for transmission to Her Majesty's Secretary of State for the Colonies.

3rd February, 1864.

FREDK. WHITAKER.

* See page 11.

No. 3.

Memorandum by the GOVERNOR.

The Governor has this moment received the Ministerial Memorandum of this day's date, upon the subject of Responsible Government. He takes the earliest opportunity of informing Ministers that Mr. Russell has only just told him that a meeting of the cabinet was held upon Monday night, the 1st instant, and of the decision at which Ministers then arrived. Until Mr. Russell made this communication to the Governor he was ignorant that a meeting of the cabinet had been held upon Monday, that the subject alluded to had been discussed at it, or that such a decision had been arrived at regarding it.

The Governor is at present of opinion that on so important a matter as this, Ministers ought to have fully and clearly informed him of all that had taken place. To the other serious questions raised in their Memorandum he will lose no time in replying, but he has thought it his duty at once to make the above explanation.

G. GREY.

February 3rd, 1864.

No. 4.

Memorandum by the GOVERNOR as to Responsible Government.

The Governor having further considered the Ministerial Memorandum upon the subject of Responsible Government, of yesterday's date, requests Ministers to be good enough to furnish him with a copy of the Memorandum, embodying their views which they wish transmitted to Her Majesty's Secretary of State; when he has perused this Memorandum, he will be better able to determine what course he should pursue.

G. GREY.

Government House,
Auckland, February 4th, 1864.

No. 5.

Memorandum by the GOVERNOR as to Responsible Government.

Adverting to the Ministerial Memorandum, dated the 3rd instant. The Governor's attention having been directed to that part of it in which Ministers allude to a draft Despatch to the Secretary of State, regarding the forfeiture of Native lands, the Governor begs to state that his intentions in writing the draft of that despatch have been misunderstood by his Responsible Advisers. He wrote it in consequence of a conversation he held with the Colonial Secretary, and upon receiving the Ministerial Memorandum upon it, he thought the correspondence then was in so unsatisfactory a form that he ought not to send it home until Ministers had in some explicit form stated to what extent they thought it might be necessary to carry the confiscation of Native lands. The Governor felt that to have proposed this question to his Responsible Advisers, at the present moment, might have proved a serious embarrassment to them, whilst if General Cameron's present operations terminated successfully, they might shortly be able to come to a clear and satisfactory conclusion upon this subject. The Governor therefore, anxious in no way to throw any difficulties in the way of his Ministers, did not send on, or in any way allude to the draft Despatch to which Ministers have referred in their Memorandum, nor will he, after what they have said, send it to the Secretary of State.

G. GREY.

Government House,
Auckland, 5th February, 1864.

No. 6.

MEMORANDUM by MINISTERS as to Responsible Government.

1. Ministers respectfully request that His Excellency will allow them to bring under his notice the state of the questions between himself and his Advisers as to Responsible Government.

2. In His Excellency's Minute of the 4th of February, he requested Ministers to furnish him with a copy of the "Memorandum embodying their views, which they wish transmitted to Her Majesty's Secretary of State," and His Excellency stated that "when he has perused this Memorandum he will be better able to determine what course he should pursue."

3. Since the Memorandum of Ministers of the 3rd of February, to which His Excellency's Minute of the 4th of the same month was a reply, explanations and Despatches from the Secretary of State have materially altered the position of the questions then under consideration.

4. His Excellency's Despatch of the 17th of December last, to which Ministers objected, has not His Excellency informs them, been sent and will not be sent to the Secretary of State.

5. In reference to the question as to the Militia, there appears to have been some misunderstanding between His Excellency, Mr. Russell, and General Galloway, and it does not appear that His Excellency claims the right of sending on active service the Colonial Militia, on his own responsibility without taking the advice of his Responsible Advisers.

6. And with respect to the last matter of which Ministers complained, viz., His Excellency's correspondence with one of their subordinate officers, they trust that His Excellency will not insist on that which they believe to be very inconvenient, and as they think inconsistent with Responsible Government.

7. Ministers do not now see any advantage in troubling the Secretary of State on these matters, as they believe that there does not at present exist any essential difference between His Excellency and his Advisers, as to their relative functions under Responsible Government.

FREDK. WHITAKER.

4th March, 1864.

No. 7.

MEMORANDUM by GOVERNOR in reply.

Government House,
March 5th 1864.

The Governor begs to acknowledge the receipt of the Ministerial Memorandum, of the 4th inst., relating to the state of the questions between himself and his Advisers, as to Responsible Government: He willingly acquiesces, in the view now expressed by his Responsible Advisers, but in order that no misunderstanding may hereafter arise, as to the part he has taken in the matter, he would ask that a copy of his draft of a Despatch of the 17th December, 1863, to the Secretary of state, relating to the confiscation of Native Lands, a copy of the Governor's letters to Lt. General Cameron of the 1st & 2nd. February,* of Lt. General Cameron's Letters of the 31st January,* and a copy of General Galloway's Memorandum, of the 6th of February, may be attached to the papers relating to this correspondence.

G. GREY.

No. 8.

MEMORANDUM by GENERAL GALLOWAY, (referred to in No. 7.)

I was under the impression that your Excellency had, with the consent of your Responsible Ministers, informed Lieutenant-General Cameron that five hundred Auckland Militia would, on his requiring them, be placed at his disposal.

I was present on Friday evening, when your Excellency read General Cameron's letter to the Honorable Mr. Russell and myself, in which the General said he would require five hundred Militia at once.

It was thought advisable to bring back to Auckland three hundred of the Tauranga expedition (if the news by the "Corio," expected the following day, would warrant it) to relieve the Militia, who would be called out, and Mr. Russell said he would see the other Ministers on the subject that evening, and let me know. He accordingly called that night at my house, and informed me that the Ministers had determined on withdrawing part of the Tauranga force.

I never supposed this information was to interfere with the immediate Militia movements which were necessary for me to make, to carry out the General's orders—"as rapidly as possible." To delay which, till the return of part of the Tauranga force to Auckland, would consequently delay the Lieutenant-General's operations.

T. J. GALLOWAY, Major-General,
Commanding Colonial Forces.

Auckland, 6th February, 1864.

PAPERS RELATIVE TO THE CONFISCATION OF NATIVE LANDS
AND PROPOSED TERMS OF PEACE.

No. 1.

DESPATCH from HIS GRACE THE DUKE OF NEWCASTLE KG., to SIR GEORGE GREY, K.C.B.

Downing Street,
26th November, 1863

SIR,

I have the honor to acknowledge the receipt of your Despatch (No. 109) of the 29th August, transmitting a Memorandum from your Responsible Advisers, containing the details of a plan which they have formed for the introduction into the Northern Island of a large body of settlers, to whom it is proposed to assign land on a species of military tenure in the Waikato, and hereafter probably in the Taranaki districts.

You also enclose a copy of your reply, authorizing the immediate raising of 2000 men for active service, pending the meeting of the General Assembly, together with copies of the conditions under which they are to be enrolled.

I do not disapprove of the principle of this measure. I think that any body of Natives which takes up arms against Her Majesty on such grounds as these which are alleged by the Waikatos, may properly be punished by a confiscation of a large part of their common property. I think that the lands

thus acquired may properly be employed in meeting the expenses of carrying on the war, nor do I see any objection to using them as the sites for military settlements, which, moreover, must soon lose their distinctive character, since it is probable that the Natives of these districts, unlike those in the Cape Colony and Kaffraria, will soon become an unimportant minority of the inhabitants.

But while I acquiesce generally in the principles which you have adopted, I must add that the application of these principles is a matter of great danger and delicacy, for which the Colonial Government must remain responsible. It will be evidently very difficult to control within wise and just limits that eagerness for the acquisition of land which the announcement of an extended confiscation is likely to stimulate among old and new settlers, and which, if uncontrolled, may lead to great injustice and oppression. Still more evidently is it possible that the Natives who still remain friendly to the Government may view this measure, not as a punishment for rebellion and murder, but as a new and flagrant proof of the determination of the colonists to possess themselves of land at all risks to themselves, and at any cost, and as thus furnishing the true explanation of the past and present policy of the Government.

Such belief would obviously tend to make the Maoris desperate, and aid the efforts of the King party to effect a general rising throughout the Northern Island.

Your Ministry do not notice this danger in their memorandum, but they cannot have been blind to it, and I do not doubt (though you do not so inform me) that they feel their power to control the application of the principle which they have introduced, and have taken sufficient means to persuade the Maories in general that the property of innocent persons and tribes will be strictly respected, and that a different measure of severity will be administered to those who have taken a lead in the war and those who, though in some degree accessories to what has passed, have, as far as circumstances would allow, favoured the cause of order.

Whether due caution has been used in these respects is a question of which the Home Government can only judge by the result. And I must not disguise from you that if this important determination of your Government should have the effect of extending and intensifying the spirit of disaffection, and of thus enlarging the sphere or prolonging the period of military operations, these consequences will be viewed by Her Majesty's Government with the gravest concern and reprehension.

I have, &c., &c.,

NEWCASTLE.

Governor Sir George Grey, K.C.B.
&c., &c., &c.

No. 2.

MEMORANDUM by MINISTERS on the DUKE OF NEWCASTLE'S Despatch, No. 110.

1. Ministers desire to make a few remarks on the Despatch of the Duke of Newcastle (No. 110) dated the 26th of November, 1863, in which His Grace states that, while he acquiesces generally in the principles which have been adopted in reference to the confiscation of Native land, he must add that the application of those principles is a matter of great danger and delicacy, for which the Colonial Government must remain responsible, and His Grace then proceeds to point out two dangers, which he observes that the Colonial Ministry (Mr. Domett's) have not noticed in their Memorandum, but which, he remarks, that they cannot have been blind to.

2. The Colonial Government fully recognise the responsibility that rests upon them, and they will endeavour to fulfil their duties with prudence and with justice.

3. Ministers do not feel any apprehension that the confiscation of land cannot be confined within wise and just limits, and they fully believe that if they were to attempt to carry this principle beyond such limits, their acts would not receive the sanction of the General Assembly.

4. With respect to His Grace's apprehension that the Natives who still remain friendly may view confiscation, not as a punishment for rebellion, but as a flagrant proof of the determination of the Colonists to possess themselves of land at all risks. Ministers have to state that every means have been taken to persuade the Maoris in general that the property of innocent persons and tribes will be strictly respected, and that the measure of punishment will be apportioned to the degree of guilt.

5. Ministers are glad to be able to add that, though the proceedings of the Government were at first naturally looked upon with some degree of anxiety and distrust by the Natives, those feelings have much subsided generally, and in some instances complete confidence has been established in the intentions of the Government.

6. Ministers request that His Excellency will be pleased to transmit, for His Grace's information, this Memorandum, and the copies enclosed herewith, of two notices circulated by the Government in reference to one of the points referred to in the Despatch.

FREDK. WHITAKER.

Auckland, 29th February, 1864.

No. 3.

MEMORANDUM by MINISTERS as to the Terms of Peace.

Ministers have perused the terms of peace offered by General Cameron to the rebel Natives.

Ministers respectfully beg to express their approval, provided that it is distinctly understood that the Colonial Government are in no way committed to anything inconsistent with the terms proposed at the date of the occupation of Ngaurawahia (but not promulgated) a copy of which is appended.

Auckland,

25th February, 1864.

FREDK. WHITAKER.

*Printed in page
4 of this paper.

No. 4.

MEMORANDUM by the GOVERNOR.

The Governor understood yesterday that the Colonial Secretary had acquainted him with the advice, which his Responsible Advisers intended to tender him with regard to the manner in which those Natives who had surrendered their arms, and their wives and children together with certain other women and children who had come in with them, should be disposed of.

The Governor certainly differed from the advice which he understood was to be offered to him. He may have misunderstood it, but if he understood it rightly he could not have acted on it.

The Governor therefore in order that there may be no misunderstanding upon the subject wishes for the advice of his Responsible Advisers, as to the mode in which the Natives he has above alluded to, should be dealt with.

G. GREY.

Government House,
April 20th, 1864.

No. 5.

MEMORANDUM by MINISTERS as to disposal of Rebel Natives who have surrendered.

In reply to His Excellency's Memorandum, of 20th inst., requesting that Ministers will advise him as to the mode in which the Natives who have surrendered, and the women and children who have come in with them should be disposed of, Ministers respectfully advise as follows :—

1. That any women who are widows, or whose husbands are still in rebellion, should be distributed among the several friendly Chiefs in Waikato, who it is understood are willing to receive them, the Government providing for the present, food for their reasonable maintenance.

2. Any children of sufficient age might be placed in the several industrial schools, so far as there is room for them. The rest must remain with their mothers.

3. As regards able-bodied men, Government is carrying on public works in the district of Waikato, to which a considerable number of returned rebels have already resorted for employment, and the Government is prepared to give similar employment to as many as are likely to require it, which Ministers are informed is what they expect and are ready to take. A portion are now, and more may be, employed in the Water Transport Force, for which their previous habits particularly qualify them. This will afford a maintenance to the Natives in question till they may be located on lands to be assigned to them by the Government, and till they shall have had time to grow food for themselves. This will both keep them out of mischief, and afford the Government a certain amount of surveillance. If there should be any chiefs of such rank that employment of that sort would be felt as a degradation, they may easily be provided for as superintendents of working parties, or in other ways in which chiefs are in the constant habit of working voluntarily.

Of course the wives and families of any who take such employment will accompany them in such temporary encampments as are usually erected for such purposes.

WILLIAM FOX,

22nd April, 1864.

No. 6.

MEMORANDUM by HIS EXCELLENCY in reply to No. 5.

The Governor having carefully considered the Memorandum of Responsible Advisers of the 22nd ultimo, upon the subject of the mode in which the Natives should be disposed of, who have surrendered, is of opinion that these Natives have all surrendered under the terms of the Government notice of the 2nd of February. This notice has not, in as far as the Governor is aware, been revoked, or yet replaced by another notice or proclamation.

The Natives who have come in appear, therefore, to have a claim to be treated under its provisions, which are :—

“ They will be left alone, neither will they be tried hereafter, unless it is ascertained that they have taken part in any murders, robberies, or any other evil work.”

“ This, however, is to be remembered—the disposal of their lands is with the Governor.”

So far as the course proposed by Ministers in regard to the Natives who have come in, is not inconsistent with the terms of the notice, the Governor thinks it should be carried out.

He would wish, however, for an explanation of the views of Ministers, as to the power the Governor is actually to have over the disposal of the lands of these Natives, in accordance with the terms of the notice.

G. GREY.

May 5th, 1864.

Enclosure.

Government Notice of 2nd February.

THESE are the REGULATIONS in reference to Maoris who have taken part in the War and in the King Movement.

1. In reference to Natives who have been actually engaged in fighting with the Queen's troops The regulations for these men are the following.

If any of them be seen going about without permission in the Queen's Districts, they will be apprehended, and taken before a magistrate. But if any of those who have been in arms wish to forsake their evil work, and to be permitted to come again within the bounds of peace, they must come to a Magistrate, or to the Officer in command of any of the military posts, and give up their guns, cartouch boxes, and powder, and they must then declare that they will be Queen's men, and obey the Queen's law for ever thereafter; their names will then be written in a book, that there may be no mistake about them afterwards.

If they do not like this regulation, enough; they must not be allowed to come to the places of the Queen's Natives, lest blame alight on those who are living in quiet.

II. In reference to those who joined the enemy, but did not fight, and now wish to return to their own tribes. The Regulations for such are the following:—They must give up their guns, cartouch boxes, and powder, and they must declare that they will ever be good subjects of the Queen. However, let not any man suppose that his offence is wholly condoned when his gun is given up. Rather when the war is over: then only will it be said that the Governor has made peace. All the peace that is conceded to them at the present time is this;—that they will be allowed to remain unmolested, and they will not hereafter be brought to trial unless they are found to have taken part in murders, plunder, or other evil acts.

Let this, however, be borne in mind, the disposal of their lands rests with the Governor.

III. In reference to the Maoris who have not personally gone to the disturbed districts, but have gone into the king movement, and have joined in strengthening that work, that is to say by giving money, by hoisting king flags, and by other acts tending to disturb the peaceable and well disposed. They must understand that all such acts are a trampling on the law, and that those who commit such acts will be considered as aliens to the Queen, and that if not discontinued, but persisted in, the consequences will be trouble or disaster.

This is another word. If the desire for peace arise in the heart of any man, let him speedily make known to the Government his wish to fulfil these conditions. The man who hastes to return to peace, his offence will not be regarded in the same way as that of him who hesitates and delays.

Akarana, Pepuere 2, 1864.

Ko nga tikanga mo nga tangata Maori kua pa ki te whawhai, ki te mahi kingi hoki.

1.—Mo nga tangata kua tino whawhai ki nga hoia o te Kuini.

Na, ko te ritenga tenoi mo enei tangata. Ki te kitea tetahi o ratou e haere noa ana i nga takiwa Kuini, ka hopukia, ka arahina ki te Kaiwhakawa.

Engari ki te hiahia etahi o taua hunga mar: paru ki te whakarere i ta ratou mahi kino, kia tukua mai ratou ki roto ki nga rohe o te pai; me haere mai ratou ki tetahi Kaiwhakawa, ki te apiha tumuaki ranei o nga paraki hoia, me homai a ratou pu hamanu, paura hoki: hei reira ratou ki tuturu ai hei tangata ratou mo Te Kuini, me whakamana e ratou ana Ture ake, hei reira hoki tuhia ai o ratou ingoa ki te pukapuka, kei pohehetia a muri ake nei.

Ki te kore ratou e pai ki tenei tikanga, heoi ano, kua ratou e tukua mai ki nga kainga o ngatangata e noho Kuini ana, kei tau te he ki runga ki te hunga noho pai.

II.—Mo nga tangata i uru ki roto ki te hoa-riri, otira kahore i whawhai; a, i naianeia kua mea ki te hoki mai ki o ratou ake Iwi.

Ko te ritenga mo te hunga penei, me homai a ratou pu, hamanu, paura hoki; me ki tuturu ratou, hei tangata pai ratou mo Te Kuini ake, ake.

Otira kua te tangata o whakaaro kua murua katoatia tana hara i te tukunga mai o tana pu. Engari kia mutu ra ano te whawhai, tatahi ka kiia he maunga rongo na Te Kawana. Heoi ano te rongo i whakaetia ki a ratou i tenei takiwa, ka tukua kia noho noa iho, a, ekore ano ratou e whakawakia a muri atu, ki te kore e kitea to ratou panga ki te mahi kohuru ki te muru taonga, ki era atu mahi kino ranei.

Erangi ko tenei kia maharatia, ko te tikanga mo o ratou whenua kei a Te Kawana ano.

III.—Mo nga tangata Maori kahore i tae tinana ki nga takiwa o te whawhai; engari kua tomo ki roto ki te mahi kingi, kua uru ki te whakakaha i taua mahi, ara, i tuku moni, i whakatare kara Kingi, i mahi hoki i etahi atu mahi whakaoho i te hunga e noho pai ana.

Na—kia mohio ratou, ko nga mahi pera katoa, he takahi i te Ture, a, ko te honga o pera ana, ka kiia he hunga whakatangata ke i a Te Kuini, a ki te kore e whakamutua, ki to tohe tonu, tona tukunga iho—he Mate.

Na, tenei hoki tetahi kupu. Ki te tupu ake te hiahia mo te pai ki roto i te ngakau o tetahi tangata, kia tere tonu te whakapuaki mai ki te Kawanatanga i tona hiahia kia whakaritea enei tikanga. Ko te tangata e hohoro ana te hoki mai ki te pai, e kore e tirohia peratia tona hara, me to te tangata e ngakau ruarua ana, e whakaroa ana.

DR. SHORTLAND,

The Panuitanga No. 8, prescribing the course to be pursued towards rebel Natives by the Magistrates, has been much criticised by some of the newspapers, which declare that it pronounces death to be the penalty for hoisting the king flag, or otherwise countenancing the king movement. The English version, as approved by me, simply says, "the end will be trouble."

Will you be so good as lay it before the interpreters in the Native Office, and also request Mr. T. H. Smith, Mr. Baker, and any other good Maori scholar with whom you may be in communication from time to time, what, looking at the context, they conceive to be the idea which Maoris, reading the Maori version, would have of the intention of the Government.

WILLIAM FOX.

July 13, 1864.

OPINIONS called for in the above Memorandum.

In compliance with the request of the Hon. the Colonial Secretary, I here state my opinion as to the idea conveyed to the Maori reader by the second paragraph of the third section of the Proclamation of the 2nd of February, and as to what is understood by the expression "tona tukunga iho, he mate."

The language of the paragraph referred to is that of simple warning. The light in which certain acts will be regarded is stated, and the consequences of persisting in a certain course are indicated. I should render the sentence thus:—"Now, let them understand that all such proceedings are offences against the law, and that those who so act will be held to have estranged or alienated themselves from the Queen, and that if such proceedings are not discontinued, but are persisted in, disaster will be the result." I believe the above to convey to an Englishman as nearly as possible the idea which the Maori words convey to a New Zealander. They cannot be fairly construed as expressing or implying a threat. The word *mate* signifies a state or condition, and even if translated Death, (which would be to render a word of indefinite by one of definite signification) still the words convey no threat. If death were intended to be threatened, a Maori would use the word *whakamate*, to cause to die, or to put to death. The word "mate" however has a very wide signification. It may be used as correctly to express "discomfort" as "death." Distress, sickness, want, and many other words can be rendered into Maori by scarcely any other word. It is the opposite of "*ora*" which may be rendered life, health, wealth, satisfaction. The word "suffer" is more nearly equivalent to "mate" when used in a general sense as in the present case. A person experiences the feeling of shame and expresses it by the words "mate i te whakama." He feels the cold—he is "mate i te makariri." He is in want of food or—"mate i te kai." In the sentence under notice the word "mate" may be correctly rendered "suffer." "If they persist they will in the end suffer for it." In the Maori version of the New Testament, the words "In the world ye shall have tribulation" are correctly rendered "E mate mate kotou i te ao nei."

I am of opinion that the words in question convey to the Maoris generally, the idea that the Government intends to intimate that all persons taking part in the King Movement will be regarded and treated as rebels, and that those who continue to aid or promote it by the acts specified in the preceding paragraph will bring trouble upon themselves.

THOS. H. SMITH.

Auckland, Nov. 8th, 1864.

The Maori words "tona tukunga iho he mate" would in my opinion mean "the conclusion (or end) will be suffering." The word "mate" is generally used to signify sickness, or to express any evil which has happened, or may happen.

I have explained Proclamation No. 8 to a very large number of Natives, at various times and places, and I never heard any objection raised to that portion of it being too harsh.

JAMES MACKAY.

November 7th, 1864.

Now, they must know, that all such works are a trampling upon the law, and that those who act thus will be considered as strangers to the Queen, and if they are not discontinued, if they are still persisted in, the result will be trouble.

The word *mate*, as here used, would be understood by a Maori to mean trouble, disaster, or affliction of any kind, that perseverance in the acts described would be ruinous to themselves.

HENRY MONRO.

"Na—kia mohio ratou, ko nga mahi pera katoa, he takahi i te Ture, a ko te hunga e pera ana, "ka kiia he hunga whakatangata ke i a Te Kuini, a ki te kore e whakamutua, ki te tohe tonu, toa "tukunga iho—he mate."

Literal Translation.

Now, let them know that all such acts are a trampling upon the law, and the people doing so will be designated a party separating themselves from the Queen, and if they do not cease, if they persist, the result will be trouble.

The word "mate" is so vague that it is almost, if not quite, impossible to fix it definitely. It may be taken to signify anything the reverse of *ora*, passing through innumerable grades and shades of meaning, from the most trivial matter that can affect the body or mind up to the point beyond which it can go no further—Death. Thus a man wanting anything is "mate" for that article; a thirsty man is "mate wai;" a disease or sickness is "mate;" a man may be "mate" with vexation; "mate" with the heat of the sun or fire; "mate" with love; "mate" with labor;—in short he may be "mate" with or by the exercise or endurance of any of those emotions and feelings which cannot be classed as *pai*—good.

Again—taking the word "mate" in connection with a threat. A parent threatens a troublesome child with punishment—Ka *mate* koe i au akuanei, (you will presently be *put to pain* by me.) A man expostulating under a sense of injury says—Kua *mate* au i a koe, (I have been injured by you.) When used in its extreme sense the adverb *rawa* is generally added thus:—Kua *mate* a Hone. (John is "mate.") Ae? mate rawa? (Indeed, *quite* "mate"?) Mate rawa! Quite (Dead.)

Looking at the question from a Maori point of view, and entirely removing from my mind the presumed bias of an English education, I should take the passage in the Maori version to mean that persistence in the acts there denounced would be attended with serious consequences. Death being the extreme sense in which it would be received.

WILLIAM B. BAKER.

TRANSLATION of 10th paragraph of Panuitanga No. 8.

"Now let them know that all doings of that kind are a trampling upon the law, and those persons who do so will be considered persons who make themselves strangers to the Queen, and if they are not put a stop to, but persisted in, the consequences will be trouble or disaster."

The word "mate" conveys to the Maori mind an amount of disagreeableness varying from the most trivial inconvenience to death itself, but my opinion is that in this instance trouble or disaster coupled give the true meaning in accordance with the ambiguity of the word.

E. W. PUCKEY.

Native Office,
Auckland, 7th November, 1864.

The words in the Proclamation No. 8, dated February 2nd, 1864, "ki te tohe tonu, tona tukunga iho, he mate," to persist, the consequence will be trouble. A Native would never for a moment take the words "he mate" as in the sentence to mean anything else than "trouble," "disaster," "evil" or any other word expressing the same.

JAMES FULLOON,
Interpreter.

Auckland,
November 7th, 1864.

No. 7.

MEMORANDUM by MINISTERS on the same subject as the foregoing.

In reply to His Excellency's Memorandum, of the 5th inst., in which he asks Ministers as to the power the Governor is actually to have over the disposal of the lands of the Natives, in accordance with the terms of the notice of 2nd February, 1864, Ministers would respectfully refer His Excellency to those Memoranda in which they have discussed the principle of Confiscation, and would express an opinion that the extent to which His Excellency's power would reach may be gathered from their Memoranda, and that Ministers presume it may be exercised to that full extent under the advice of His Responsible Advisers for the time being.

WILLIAM FOX.

18th May, 1864.

No. 8.

MEMORANDUM by MINISTERS enclosing Draft Proclamation.

Ministers submit the accompanying draft proclamation for His Excellency the Governor's approval.

It will be found substantially to reiterate the terms upon which the Government have from time to time made known, in various ways, that the submission of rebel Natives would be accepted, and upon which terms a considerable number, during the last three months, have submitted.

Apparent anxiety by the Government to press terms upon the Natives without any overtures on their part, is no doubt open to the greatest objection, and operates to defeat instead of to advance the object in view; but the capture of Maungatautari, the last stronghold of the rebels in Waikato, appears to afford a convenient occasion on which, perhaps, without being misunderstood, the terms which the Government are willing to grant may be reissued in the most authentic form.

Hitherto no day has been fixed after which the Government will not pledge itself to be bound by their offer. The time has arrived, as it appears to Ministers, when this should be done, and the 1st July is proposed as affording ample opportunity to all who wish to submit.

FREDK. WHITAKER.

22nd April, 1864.

His Excellency Sir George Grey, Governor of the Colony of New Zealand, to the Chiefs and Tribes of Waikato who have been fighting against the Queen's Troops

General Cameron and the soldiers have conquered Waikato, and are now in possession of all the paha and strong places. Meremere, Rangiriri, Ngauawahia, Paterangi, Rangiawhia, Kihikihi, and Maungatautari have been taken, and are occupied by the Queen's troops. The Chiefs and Tribes of Waikato have already had opportunities afforded them of obtaining peace and protection: although they have been perverse and obstinate, and by their conduct have justly forfeited all their lands, yet, out of consideration for themselves, their wives and their children, another opportunity will now be given them to return and live in Waikato as peaceable subjects of the Queen, and under her laws and protection.

Now, therefore, I, the Governor, say to every man who desires peace,— Let him go before one of the Queen's officers or magistrates, and take with him his gun, his powder, his bullets, and his caps, and let him give up those to the officer or magistrate. Let him write down his name that he will obey the Queen's laws, and then let him go temporarily to such place as shall be pointed out to him, where

employment will be given to him, for which he will be paid, until he can raise produce from his own land. Let him remain at that place until land shall be given to him to reside on permanently as his own. Every man who does this will not require arms to protect himself; he will be subject to the Queen's law, and that law will give him protection—the same protection as it gives to the pakeha; no one will be allowed to molest him in person with impunity, for the law will punish the evil-doer. To each chief who accepts these terms the land will be given more than to the common men, and to every man who accepts them sufficient land to live on and cultivate, to provide for the wants of himself, his wife and his children. For the land thus given to him, every man shall have a Crown Grant, so that the law afford him the same protection for his land as it does to the pakeha. Military and other settlers will be placed throughout Waikato, so that the law may be upheld, peace preserved, and the well-disposed of both races protected. No man who gives in his submission upon the terms set forth in this proclamation will be made a prisoner, or otherwise punished in person for what he has already done, except he has committed murder. Murderers will not be forgiven. When they are discovered, they will be tried by the law, and, if found guilty, punished.

This proclamation will be in force until the 1st day of July, 1864, and it will not be open to any man to claim the benefit of it unless he gives up his arms before that day.

Witness my hand and seal, at Government House, Auckland, this
day of April, 1864.

Other Maoris who have been fighting against the Queen's troops, but are now desirous to live in peace, will be permitted to do so upon the like terms as those offered to the Chiefs and Tribes of Waikato.

NOTE.—On the 30th April, the Governor wrote G. GREY at the foot of the translation of the Maori of this document.

No. 9.

MEMORANDUM by the GOVERNOR as to proposed Terms to Rebel Natives.

The Governor having signed the Proclamation to be issued to the Natives now in arms, in the manner ultimately agreed to by his Responsible Advisers, thinks it right to state that in signing it he has done so without approving of the principle upon which the provisions are drawn, which require the Natives to bring in and give up their arms and ammunition, and that he thinks the Government, in proclaiming to the Natives of all parts of the Island who may do so, that they will be protected in person and property, in the same manner as the Europeans are protected, has undertaken to do more than it may be capable of performing.

The Governor has always desired to see the Government, having conquered the Waikato District, proclaim exactly what regulations it intended to establish in that district, encouraging those of its former inhabitants who may be well disposed to return and live there in peace and security, under regulations framed with an evident view to their future welfare, as well as to that of the European population which is to be located there, such a plan would be in strict fulfilment of the legislation of the General Assembly during its last session. As additional districts were required for settlement they would be proclaimed in like manner, and the law then pronounces the penalty for all those engaged in the rebellion, that they shall receive no compensation for any of their lands which the Government may take possession of for the purposes of settlement in such districts.

The Governor would, amongst other things, require of all Natives who returned to reside in such districts that they should neither carry or possess arms without having a license to do so, and that they should reside in such localities as might be approved by the Government, letting it also be understood that all such people as might bring their arms with them, would establish an additional claim upon the consideration of the Government, when the question of their ultimate location came to be considered. In this manner the Governor believes that there would have been no difficulty in getting all the well-disposed Natives of the Waikato, Thames, and other neighbouring districts to return at once to their allegiance, in the manner many of them are now doing, and will probably continue to do.

The Proclamation about to be issued cannot be read alone, it must be considered with the previous instructions of the Government upon the same subject. These provide penalties for those who come in without arms and ammunition. The Proclamation only provides for the case of those who give their guns up. It is known there are Natives without guns, who want to come in. Such people are now forced to remain with the rebels, and to continue to be dangerous characters.

Various feuds exist between the Native Tribes. The Government are now supplying some of these people, who are friendly, with arms and ammunition, or are repairing their arms. It seems unlikely that whilst this is done, those opposed to them will come in and give their arms up, whilst their hereditary enemies, embittered against them by recent events, are permitted to retain their arms and ammunition. The Governor cannot say that he thinks the Government would be able in all cases to protect those who gave up their arms against the attacks of others who were allowed to retain them.

Only to pardon those who come in with guns and ammunition in their hands will, the Governor fears, be regarded as a declaration of lasting war against those who do not comply with the terms of the Proclamation. It is his belief, having regard to its other provisions about land, that its probable effect in that case will be to spread ultimately the war over the whole of New Zealand, to draw many other tribes into it, to endanger other settlements which we have no sufficient force to protect, and to prolong it almost indefinitely. In fact the Governor does not see where it is to stop. As long as it was a question of rendering Auckland and the Waikato country safe, and filling these up, and of protecting and filling up the country between New Plymouth and Whanganui, he saw what was intended; now, he does not see the ends the Government propose to gain. He fears they will endanger that which

they have already obtained, and that the settlement of the country may be delayed for a long period. We have now hardly troops to hold that which we have got possession of, and are yet doing that which the Governor fears will bring new enemies on us, and embarrass us in other quarters, without at the same time being just and necessary in principle.

We have no means of compelling people of distant tribes to come in and give up their arms, and we hold out no inducements to them to do so. We tell them they have forfeited all their lands by rebellion, if it can be proved they were engaged in it. We now call on them, without having subdued them, to come in and register their names, as those who have so forfeited their lands, and at the same time to give up their arms,—their only means of defending those lands, or of protecting themselves against their enemies, and we offer them no adequate inducement whatever to do this. We issue offers of peace to them, for which they have not yet asked, in a form which the Governor believes must alarm and irritate many who have not yet been hostile to us, whilst others may be encouraged to become so from deeming this act on our part a sign of weakness. All these difficulties might be avoided by acting on the line of policy approved by the General Assembly, of simply issuing proclamations from time to time regarding those districts wanted for settlement, and giving such proofs of our justice and good intentions in these districts, as viewed together with the stern punishment inflicted on the Waikato Tribes, would probably influence the distant tribes themselves to sue for similar terms.

If deemed necessary, a clause could be added to the Proclamation relating to the Waikato district and tribes, stating that the Government had, in its proceedings in relation to them shown its determination promptly and thoroughly to suppress rebellion, as also its willingness, having done so, to treat those misguided people who might return to their allegiance with such lenity as it thought consistent with the safety of the country, and that its earnest desire was, that other persons who had joined in the rebellion might, profiting by this example, return without delay to their allegiance.

G. GREY.

Auckland,
3rd May, 1864.

No. 10.

MEMORANDUM by MINISTERS as to proposed Terms to Rebel Natives.

Ministers beg to acknowledge the receipt of His Excellency's Memorandum of the 3rd of May, relative to the terms of the Proclamation which Ministers had advised His Excellency some days previously to issue, and which advice His Excellency had accepted.

Ministers beg very respectfully to state that they have received the Memorandum in question with feelings of considerable surprise. The substance of the Proclamation had been under consideration for a length of time; the draft had formed the subject of protracted discussions on several occasions between His Excellency and the Colonial Secretary, and Ministers understood and believed that with the exception of a single point they had succeeded in bringing it into strict conformity with His Excellency's views. The Colonial Secretary has reported to his colleagues that on His Excellency putting his approving signature to the draft he said, "I sign it willingly, all but the part about giving up their guns," and on that point, having consulted Dr. Shortland, the Native Secretary, and found that he concurs "with Ministers and differs from myself, I surrender my own opinion." The Colonial Secretary also stated that on the following day His Excellency expressed his intention of putting on record his opinion in writing on the single point of giving guns up.

Ministers regret that they cannot arrive at the same conclusion as His Excellency on the question as to the surrender of arms. They have not yet seen any evidence that the Natives are afraid to give up their arms on the ground stated by His Excellency,—fear of other Native Tribes; but it does appear from a report of a recent conversation with "Rewi," the Ngatimaniapoto chief, that they desire to keep their arms to protect themselves against, and not to be at the mercy of, General Cameron. Whether this conversation be real or imaginary, it at least indicates the current of Native thought on the subject of giving up arms. The proposal of His Excellency to require that all Natives who return to reside in districts approved of by the Government, should neither carry nor possess arms without having a license to do so, would clearly rather be in opposition to than in accordance with this Native view, as it is presumed that it would be deemed out of the question to grant licenses to Natives to carry or possess arms for the avowed object of fighting General Cameron, if they should consider that they had grounds for doing so.

With regard to the other point objected to by His Excellency, Ministers are willing to admit that it might be difficult, in case of inter-tribal wars arising in distant and inaccessible parts of the country, to carry out a pledge that Natives surrendering their arms will be protected in person and property in the same manner as Europeans are protected. The pledge given by His Excellency in September last to the "Arawa" tribe, residing at Maketu and Rotorua, has been a source of embarrassment, and has placed the Government in the dilemma of either, on the one hand, breaking a pledge given by the Governor, acting on the faith of which the Natives to whom it was given had involved themselves in hostilities with other tribes: or, on the other hand, of becoming involved in military operations in a distant part of the country, and on a new field, altogether unconnected with the Waikato campaign. With this case before them Ministers cannot but feel that such a pledge, extended by proclamation to all New Zealand, might prove still more embarrassing, if not impossible to redeem.

Ministers consider that it would be injudicious to issue any Proclamation of the character of that under consideration so soon after the recent events at Tauranga. They advise, therefore, that it should stand over, at all events for the present, and if it should hereafter be deemed advisable to issue such a document, Ministers will be prepared to first re-consider the points referred to by His Excellency, and to advise, at all events, a modification. In taking this course Ministers beg respectfully to point out that His Excellency's proposition only to "issue Proclamations from time to time regarding those

"districts wanted for settlement," will exclude the greater portion of the Natives now in arms. It is true that this may not be of much practical importance, as the Natives generally understood the terms on which submission will be accepted; but it may be hereafter desirable to embrace an eligible opportunity of officially announcing the terms upon which the Government are willing to grant peace to any of those who are in arms against the Queen's authority. It is also to be remembered that His Excellency's objection to offering terms for which Natives have not asked, and whom we have not subdued, applies equally to the Waikatos as to others; for although the Waikato country has been conquered, the Waikato tribes have neither asked for peace nor have been reduced to submission.

Ministers are equally anxious as His Excellency to encourage the well disposed of the former inhabitants of Waikato to return and live there in peace and security, under regulations framed with an evident view to their future welfare. Ministers are, moreover, extremely anxious that no unnecessary delay should take place, and they beg respectfully to remind His Excellency that the first step towards carrying this object into effect is to determine the country that is to be used for the purpose. It has now for some time rested with His Excellency to express his opinion on the proposition of Ministers that a line near the Punui River shall be taken for the location of military settlers, with a view to render the country between that place and Auckland available for the occupation of European settlers, and Natives willing to accept terms of submission. The whole operations connected with the location of settlers and Natives in Waikato are now delayed awaiting His Excellency's decision. As soon as this question of a line of protecting posts is determined, Ministers are prepared at once to proceed to carry into effect the legislation of the last session of the Assembly, by proclaiming districts under the New Zealand Settlements Act.

Ministers cannot but observe that His Excellency sees objections and difficulties which do not appear to strike the Natives, or oppose obstacles to their accepting terms of submission offered by the Government. It is quite new to the Ministers that there are Natives without guns who want to come in, and are forced to remain with the rebels, and to continue dangerous characters, because they have no guns to give up. Ministers would have thought that these men, if they desired to submit, would have profited by example, for about one half of those who have given in their submission in Waikato have been accepted, though they brought no guns with them. It must also be borne in mind that only those who have *been fighting* are required to give up their arms, which it does not appear unreasonable to assume that they must possess. Attempts will doubtless be made by many who have arms to evade giving them up, and this practice will be more or less followed as it is found to be successful, or otherwise: Care and caution are no doubt requisite to avoid the evils which would result either from too great stringency on the one hand or too easy a lenity on the other.

But for His Excellency's observation "that he does not see the ends the Government propose to gain," Ministers would not have considered any explanation on that subject to be necessary. The policy which Ministers declared on taking Office, the ends they proposed, and the means by which those ends were to be attained, are the same now as then. Ministers have as yet seen no cause to change the views they then held, and they have not at present the slightest intention of doing so. Moreover they are not aware that they have said, written, or done anything which can be fairly construed into a departure from that which was affirmed by a large majority of the General Assembly. "If we have now hardly troops enough to hold that which we have got possession of," the responsibility does not rest with Ministers: they did not propose the line of posts now occupied; it was proposed to them by His Excellency, on the suggestion of General Cameron. Ministers, however, feel that it is but fair to add that the line now occupied as the frontier is simply that which the emergencies of the campaign have imposed. The Maoris have fought Her Majesty's forces up to that line, making determined resistance, at a succession of strong posts. They have been driven from these, leaving Her Majesty's Forces in possession of the country of which the line referred to is the frontier. Fortunately, it happens to be in the opinion of Ministers, confirmed by General Cameron, the very best line which could be taken with a view to the permanent occupation of the country.

Ministers regret that His Excellency should be of opinion that "we are yet doing that which the Governor fears will bring new enemies on us, and embarrass us in other quarters, without, at the same time, being just and necessary in principle;" but Ministers must, at the same time, be permitted, most respectfully to state that they are quite at a loss to understand to what acts His Excellency refers in the passage just quoted from his Memorandum.

FREDK. WHITAKER.

Auckland,
6th May, 1864.

No. 11.

MEMORANDUM by the GOVERNOR.

The Governor has received His Responsible Advisers' Memorandum of yesterday's date, in reply to his Memorandum of the 3rd, on the subject of the Proclamation, which acting under their advice he had signed on the 30th April, 1864, but which had not been issued, and which it is not now intended to issue.

The Governor has for several months past never varied in his opinion, and has always maintained in speaking on the subject, that the course of proceedings he advocated in his Memorandum of the 3rd of May was an advisable one, whilst it carried out strictly the Legislation of the General Assembly. He is glad, therefore, that by writing that Memorandum he has removed from the mind of his Ministers the impression that their Proclamation was in strict conformity with his views. The alterations made in it before he signed it, were in his belief absolutely necessary, but he always thought that his own plan was the preferable one. To meet the wishes of his advisers he signed the Proclamation, but he felt it due to himself, to place his own views on record. If these views have no weight, they cannot

embarrass his Advisers; on the contrary, it will be to their credit to have taken a better course; if his views have weight, and his Advisers act on any of them, then he will have the pleasure of having been of assistance to them.

In answer to some remarks of his Responsible Advisers, the Governor would state that he read the former Government notice and the present Proclamation as requiring all Natives who came in, to come in with guns and give them up. His only experience of the matter was, that he saw on the Upper Waikato, fourteen Natives who had come in without guns, and had been made prisoners for so doing, and he felt considerable hesitation in ordering their release when applied to on the subject; he also believed that what had then taken place, had prevented other Natives who had no guns from coming in. If (as Ministers state) half of the Natives who have given in their submission in Waikato have been received, though they brought no guns with them, and this is the principle to be acted on, and if as the Governor has understood from those who have seen them, many of the guns are worthless, there appears to be the less necessity for calling on the Governor to sign a formal declaration informing all those who want to come in, that they must bring guns with them, especially when for the reasons he stated in his Memorandum of the 3rd of May, he thinks that such a Proclamation may produce bad results. The object that he had in view in proposing that no Native should be allowed to have a gun in any district proclaimed open for settlement, without a license, was to provide for the case of the friendly Natives who may be living within the limits of such a district, and gradually to bring about a registration of arms. He proposed that those who have been in arms against us should be required to come in without arms, or to give them up, and he would not give such people a license to have arms. Friendly Natives, who cannot well be disarmed, he would give a license to have guns. He still thinks that his Advisers might do well not to reject this suggestion too lightly. It would have many practical advantages.

The Governor still believes that we have hardly Troops enough to hold what we have got possession of, looking to the exigencies of Taranaki, Hawke's Bay, and other parts, and it is this consideration which makes him so anxious to see no steps taken which may lead us into collision with other tribes, and spread the war over a larger space. He is well aware that many of the Waikato chiefs have not sued for peace, and he would not propose terms of peace to them; but what he proposes, is to issue an Order in Council, for the settlement of a territory of which we have taken possession, and in that territory to establish certain regulations for our own welfare, and for our own objects. For some time he has thought that this step should be taken without delay, all that has recently happened confirming him in this view. He can see no difficulty in taking it at once.

G. GREY.

May 7th, 1864.

No. 12.

MEMORANDUM by the GOVERNOR.

The Governor having been advised by his Responsible Advisers, that all those Natives who have been fighting against the Queen's troops, have forfeited all their lands—would feel much obliged to Ministers, if they would furnish him with a statement of the grounds on which the legality of this opinion rests, for the purpose of transmission to Her Majesty's Government, and in order that the legality of the measures he may have to take to give effect to this advice of his Ministers, may be fully admitted and established.

G. GREY.

May 5th, 1864.

No. 13.

MEMORANDUM by MINISTERS.

With reference to His Excellency's Memorandum of the 5th of May, Ministers most respectfully submit that His Excellency is under a misapprehension that his Responsible Advisers have advised that all those Natives who have been fighting against the Queen's troops have forfeited all their lands. His Excellency's present Advisers at all events have neither given such advice, nor have been asked to advise on the subject.

As far as Ministers are aware, the first declaration as to forfeiture was made at Taranaki in May 1863, in reference to the Oakura block, as Ministers understood, by His Excellency; but the first public record in the cognisance of Ministers, of any declaration of forfeiture of Native Lands is contained in His Excellency's proclamation of the 11th July 1863, in the following words in the *New Zealand Gazette* of the 15th of July, 1863:—"Those who wage war against Her Majesty, or remain in arms, threatening the lives of her peaceable subjects, must take the consequences of their acts, and they must understand that they will forfeit the right of possession of their lands guaranteed to them by the Treaty of Waitangi, which lands will be occupied by a population capable of protecting for the future the quiet and unoffending from the violence with which they are now so constantly threatened."

It appears to have been assumed from that time that the passage from the Proclamation was a correct statement of the Natives position, as regards their lands, and Ministers have so accepted it.

FREDK. WHITAKER.

Auckland,
6th May, 1864.

No. 14.

MEMORANDUM by the GOVERNOR.

The Governor has received the Memorandum of his Responsible Advisers of this day's date, in which they state that they have never advised him that those Natives who have been fighting against the Queen's troops, have forfeited all their lands.

The Governor only intended to quote the words of a Proclamation drawn up by his Responsible Advisers, and the other day presented to him under their advice for his signature. This Proclamation purported to be addressed by the Governor to the Chiefs and Tribes of Waikato, who have been fighting against the Queen's troops, and they are told in it that they have been perverse and obstinate, and by their conduct have justly forfeited all their lands.

The Governor thought that before advising him to sign this Proclamation, his Advisers had satisfied themselves that the Natives had, in point of law, by their conduct forfeited all their lands, of which it was proposed in the Proclamation to restore small portions to them; and he would feel obliged to his Ministers now to advise him whether he is, or is not, justified in point of law in informing those Natives who have fought against the Queen's troops, that they have forfeited all their lands, and in then taking all such lands from them.

If Ministers are of opinion that the Governor is justified in point of law in doing this, he trusts that they will explain the grounds on which their opinion rests.

G. GREY.

Auckland,
6th May, 1864.

No. 15.

MEMORANDUM by MINISTERS.

In reply to His Excellency's Memorandum of the 6th instant, Ministers have respectfully to state for His Excellency's information that in advising him to sign the Proclamation referred to, they did not wholly rely on the authority of the declarations formerly made by His Excellency, though they presumed that these were not made without sufficient grounds; but that Ministers otherwise satisfied themselves that His Excellency would be justified in point of law in informing the Native Chiefs and Tribes to whom the Proclamation was addressed, that they had "justly forfeited all their lands, and in then taking all such lands from them,"

It appears clear to Ministers that the claim which the Natives have on the good faith of the Crown to the possession of their lands, under the treaty of Waitangi, can last only so long as they fulfil their share of obligations of that treaty. Therefore, when they throw off their allegiance and levy war against the Queen's authority the guarantee ceases, both in law and reason, to be of any binding force, and they forfeit that right of possession which they previously enjoyed.

But if there were any doubt on this point, as a matter of law, the New Zealand Settlements Act, 1863, would virtually justify the declaration which it was proposed that His Excellency should issue and would afford ample means of practically carrying it into effect.

F. WHITAKER.

10th May, 1864.

No. 16.

MEMORANDUM by the GOVERNOR.

In reply to the Ministerial Memorandum of the 10th instant, on the subject of the forfeiture of all the land of those Natives who have been fighting against the Queen's troops, the Governor would offer the following remarks:—

This question is one which concerns the whole future destiny of the Maori nation. The Governor may by sending forth a few words be made the means of reducing whole generations, including the offspring of many loyal Englishmen from wealth to poverty, and of depriving of property they would otherwise have inherited, men who have rendered services to the Government, upon account of the misconduct of relations, over whose actions they had no control, and of which they disapproved. He also may possibly be made the means of involving hitherto peaceful settlements in the miseries of war. He cannot therefore lightly dismiss this question.

At the end of April, the Governor acting under the advice of his Ministers, signed a Proclamation, in which he informed those Natives who had been fighting against the Queen's troops, that they had forfeited all their lands, and he proceeded in the same Proclamation to treat all such lands as already actually forfeited, undertaking on the part of the Crown to restore small portions of such lands to the Native owners, who might comply with certain conditions before the 1st of July next. In signing this Proclamation he believed that his Advisers had carefully satisfied themselves that the Governor was doing that which the law required him to do, before they advised him to do it. Subsequently, he doubted whether this important question had been fully considered by them.

He therefore wrote to them on the 5th instant, reminding them that they had advised him that those Natives who had been fighting against the Queen's troops, had forfeited all their lands.

His Advisers then placed him in a most painful position by directly contradicting this statement, and by replying upon the 6th of May, that they had not given him such advice, nor had they been asked to advise upon the subject,—and this direct contradiction of theirs, still remains unrecalled, the whole responsibility in this matter being thus thrown upon the Governor.

The Governor cannot think that his statement regarding the block of land at Oakura, which he knew must be confirmed by an Act of the Assembly, and which was so confirmed can in any way be regarded as authorising that which Ministers are now advising him to do. Nor does he think that his declaration to the Chiefs of Waikato of the 11th of July, made under peculiar circumstances, that they would forfeit the right to the possession of their lands guaranteed to them by the Treaty of Waitangi, can be regarded as establishing the fact that if the Natives by their conduct annul that treaty, thereupon all their lands pass from themselves and their heirs for ever, and become the property of the Crown. The Governor knew when he issued the notice of the 11th of July, that he could not take any land from the Natives until a law was passed for that purpose; but he thought the conduct of the Natives in breaking the Treaty of Waitangi, authorised him in asking the Assembly to pass a law, enabling him to take from hostile tribes such lands as were necessary to enable him to introduce into the Colony a sufficient number of European settlers able to protect themselves and preserve the peace of the country, —and the Assembly did pass such a law.

Nor can the Governor think with his Advisers, that the Act to enable the Governor to establish settlements for colonization in the Northern Island of New Zealand, justified him in declaring that those Natives who have been fighting against the Queen's troops have forfeited all their lands, and in then dealing with all those lands as being the property of the Crown.

He cannot think that an Act for the purpose of such general confiscation would have been called in its title, an Act to enable the Governor to establish settlements for colonization; —he cannot think that in an Act intended to punish so severely a large portion of the Native race and their descendants for ever, the Preamble would have been made to recite, that its object was to permit of the introduction of a sufficient number of settlers, able to protect themselves, and to preserve the peace of the country, —nor can he believe that if such severe punishment had been the intention of the Act, the Assembly would ever have subjected to it, all those persons, and their heirs, who had been guilty of no greater offence than comforting a parent, a child, or husband, who had borne arms against the Queen.

On the contrary, the Governor thinks that the Assembly, by distinctly limiting his powers, to taking from the Natives any land required for the actual purposes of any particular settlement, and then saying that Natives who had committed certain specified offences, should not be entitled to compensation for any lands so taken for the above named purposes, by implication enacted that the residue of the property of Natives who had been guilty of the offences specified, could not be touched by the Governor. The more numerous the persons, and the more trifling the class of offences brought within the operation of the Act, the greater is the necessity for interpreting the Act in this sense.

Upon the whole, therefore, for the above mentioned reasons, and because the main part of the responsibility of the Proclamation of the 30th of April, is thrown by his Advisers upon the Governor, he feels it to be his duty to request that that Proclamation may be regarded as being revoked.

G. GREY.

Government House,
Auckland, 11th May, 1864.

No. 17.

MEMORANDUM by MINISTERS.

The manner in which His Excellency has been pleased to treat the subject of the forfeiture of Native Land in His Excellency's Memorandum of the 11th inst., renders it indispensable that Ministers should not leave the subject without some further observations

There is no doubt that the question is one of very great importance, and shall receive, as Ministers believe it has received, the most careful consideration. With all due deference to His Excellency, Ministers cannot but feel that he takes altogether a one-sided view. In his zeal for the Maori, he appears to forget the European colonists. Ministers cannot overlook them as unworthy of consideration, as the question vitally "concerns the whole future destiny" of the present and future European inhabitants of the Northern Island at least. Ministers fully believe, however, that the real interests of both are identical. It is even of more importance to the Maori than to the European that this should be the last war; the very existence of the former, indeed, may be said to depend on it. A weak, vacillating policy, cannot produce so important and desirable a result, for, to use the words of His Excellency, it is necessary "now to take efficient steps for the permanent security of the country, and to inflict upon those chiefs a punishment of such a nature as will deter other tribes from hereafter forming and attempting to carry out designs of a similar nature, which must in their results be so disastrous to the welfare of the Native race, as well as to Her Majesty's European subjects."

Ministers agree with His Excellency that there is no other plan by which this end can be obtained than by taking land as (again to quote His Excellency) "a punishment of this nature will deter other tribes from committing similar acts, when they find that it is not a question of mere fighting, which they are allowed to do as long as they like, and then when they please to return to their former homes, as if nothing had taken place, but that such misconduct is followed by the forfeiture of large tracts of territory which they value highly, whilst their own countrymen will generally admit that the punishment is a fair and just one." These opinions of His Excellency are expressed in reference particularly to the Chiefs and Tribes of Waikato, but they are, of course, in principle, equally applicable to all who are in rebellion. Personal punishment is far less calculated to effect the desired end than confiscation of land, and, if we hesitate on this point, especially after the declarations on the subject by His Excellency the Governor, we shall surely draw upon ourselves a like contemptuous reproach as that cast on us by Rangihæta, when he found that his land was not to be taken after the Wairau massacre,—"The pakeha is soft, he is a pumpkin."

Ministers would respectfully suggest that as great, or even greater, evils might result from omitting to "send forth a few words," which the occasion should require, as possibly would follow from

sending forth a few words unadvisedly. And it may be remarked that if a few words declaring a forfeiture of lands could produce such results as those pointed out by His Excellency, the evil must long since have been done by His Excellency's declarations on the subject of forfeiture.

His Excellency, probably, when reminded, will recollect that he never signed the Proclamation he refers to. The draft of the Proclamation was submitted to him for his approval, and he affixed his approving signature, and addressed still stronger approving words to the Colonial Secretary. His Excellency was quite right in believing that his Advisers had carefully satisfied themselves that the Governor was doing that which the law "required" (authorised) him to do, and His Excellency was mistaken in subsequently doubting that this important question had been carefully considered by them.

His Excellency's Advisers deeply regret that he should feel that they placed him in a painful position. It was wholly unintentional on their part. They merely meant most respectfully to submit, what they believed to be the fact, that they had not given the advice which His Excellency, they considered, was under the misapprehension that they had given. They beg to be permitted at once to recall what His Excellency considers a direct contradiction in terms, and they will leave the facts, as they appear on the paper, to speak for themselves.

Ministers had not the slightest intention of throwing any responsibility on His Excellency for the contents of the Draft Proclamation they submitted to him. The whole responsibility was theirs; they did not desire to be relieved of any portion of it; and they willingly admit that, if the proposed Proclamation was illegal or unjust, His Excellency's prior declarations to the same effect would not exonerate them from the responsibility. At the same time it appeared to Ministers that as His Excellency had made previous declarations of the forfeiture of Native Lands, he had made up his own mind on the subject, and that he would, on being reminded, call to memory the sufficient grounds which, no doubt, he felt at the time justified the course he had taken.

Ministers would beg most respectfully to remind His Excellency that, on numerous occasions, during their tenure of office, when the subject of forfeiture has been under consideration, he has never in their recollection, expressed a doubt, or raised a question, as to its justness or legality. There are two instances to which Ministers beg to be permitted to refer to, to bear them out in their statement.

On the 16th of December, 1863, His Excellency had a Draft Proclamation submitted to him, which it was intended should be issued from Ngaruawahia, whither His Excellency was about to go. His Excellency made alterations in it with his own hand, and, with his full assent, it was printed and got ready for issue. His Excellency subsequently decided not to go to Ngaruawahia, chiefly on account of a difference of opinion as to whether he should go alone, or be accompanied by Ministers, and this Proclamation was never issued. One of the passages inserted by His Excellency, with his own hand, in that draft, is in these words:—"All the land of those who have been fighting will be forfeited to the Crown. Any part of it that is restored to them will be so done from consideration to the wants of themselves and their children, and it must be understood that in laying down their arms they relinquish all their land." This passage intensifies the original draft of the Colonial Secretary, which was not so strongly worded.

In another Draft Proclamation, which was before His Excellency on the 8th of March last, and which he had under consideration for many days previously, there is this passage:—"All the land of those who have been fighting is forfeited to the Crown, but part of it will be restored to them." His Excellency with his own hand struck out the words "them," and added the words "who now come in without delay, as pointed out in this paper." This document was verbally assented to by His Excellency, and printed, but subsequently withdrawn on account of difference of opinion on another point, namely, the surrender of guns.

It should not, moreover, be overlooked, that the statement in the proposed proclamation of the 30th of April, "that the rebel Natives had been perverse and obstinate, and by their conduct have justly forfeited their land," is but the recital in the preamble of a foregone conclusion, come to by His Excellency before the present Government came into office, and that the operative part of the proclamation was intended to modify the extent to which confiscation had been previously threatened, and thus hold out an inducement to the Natives to submit.

As clearly showing the understanding of His Excellency and his late Advisers on the subject of confiscation, Ministers beg respectfully to refer to the Memorandum of the 24th of June, 1863, signed by Mr. Domett, and His Excellency's reply thereto, of the 6th of July (published in Session papers of General Assembly, E—No. 7, pages 8 and 9), from which the following are extracts:—

"His Excellency then proceeded to explain in detail to Ministers the plan he would recommend for the defence of the southern frontier of the settled districts of the Province of Auckland, and the establishment of a basis for further military operations in the interior of the enemy's country."

"The plan, briefly stated, is to make the Waikato River, from the sea on the west coast to its southern bend in the middle of the island, a temporary line of defence, by placing armed steamers on the river, and by establishing posts on its northern bank. Then from the bend of the river to establish a line of fortified posts, extending to the Hauraki Gulf, the intervals to be defended by cavalry, the gulf and its shores to be looked after by another steamer. Next to those forward military posts, from the central bend of the river up to Paetai and Ngaruawahia, taking permanent possession of these places, the latter of which will be the point where one steamer will usually be stationed. At the same time to clear out all hostile Natives at present residing between the Auckland isthmus and the line of the river and fortified posts above mentioned, which together cross the island. Lastly, to confiscate the lands of the hostile Natives, part of which lands would be given away, and settled on military tenure to provide for the future security of the districts nearer Auckland, and the remainder sold to defray the expenses of the war."

"The execution of these plans would require the employment of a considerable body of Militia and Volunteers, and the consequent expenditure of large sums of money on the part of the Colony. Measures for the defence of the other settlements of the northern island would necessarily have to be taken at the same time: and the lands of the Natives, in their neighbourhood, who should take up arms against us, would have to be similarly confiscated and dealt with."

"Ministers cordially concur in these plans of His Excellency, and they are willing to take upon

"themselves the responsibility for their adoption, on the understanding that they will be carried out as a whole, and also that, as far as the responsibility relates to military expenditure, Ministers will pay from colonial funds all that is connected with the Militia and Volunteers. They also consider that a general notice should at once be officially published, that the claims to land of any Natives who may take up arms against the Queen's Government will be forfeited."

In reply to this, His Excellency states as follows:—

"Ministers have left untouched the general question of the relations which should exist between the Governor and his Responsible Advisers regarding Native affairs. He trusts that this question may be settled as soon as practicable; he forbears, however, to press it to a solution at a moment of such great difficulty and danger, feeling that his Advisers have aided him well in so heartily co-operating in a plan he believes to be essential to the safety and welfare of this part of the Colony, and which he will continue, with the assistance of the military and civil authorities, to carry out vigorously."

His Excellency will not fail to observe that these documents contain a positive engagement to carry out vigorously a plan which His Excellency believed to be essential to the safety and welfare of this part of the Colony, and upon the faith of which his then Ministers, on behalf of the Colony, undertook to pay from colonial funds all that is connected with the Militia and Volunteers." The General Assembly made liberal pecuniary arrangements to meet this expense, upon the distinct understanding that this plan should, in all its essential particulars, be adhered to, and what Ministers have, from time to time, proposed, has been in furtherance of this plan, and has rather fallen short of than exceeded it.

No one of His Excellency's Ministers has any recollection, down to the date of His Excellency's Memorandum of the 5th of May, of any objection being taken by His Excellency to the principle of confiscation, however broadly stated; on the contrary, His Excellency twice, as above stated, added to, and gave force to, the passages in which that principle was enunciated.

Ministers, under these circumstances, trust that His Excellency will be pleased to excuse them for saying that his Memorandum of 5th of May took them by surprise, and still they are at a loss to understand the object that His Excellency has in view in bringing about the present discussion.

Ministers do not take the position that what His Excellency has said or done in reference to confiscation authorises that which Ministers advise, if it were otherwise wrong. They were called upon by His Excellency for an authority, and, with great deference, it did appear to them that in order to satisfy His Excellency they could not take a better course than to quote His Excellency's own words, and point to his own acts. It did, moreover, appear to Ministers that another reference to Her Majesty's Secretary of State on the question of confiscation was superfluous, after his Despatch of 26th of November, 1863, in which His Grace, with the proposal of His Excellency in reference to confiscation before him, says: "I do not disapprove of the principle of this measure; I think that any body of Natives which takes up arms against Her Majesty on such grounds as those which are alleged by the Waikatos may properly be punished by the confiscation of a large part of their common property."

Ministers were ignorant what were His Excellency's intentions when he made the declaration in May in reference to Oakura, or that in July to the Waikato Chiefs and Tribes. In reference to the latter, the question of legality was not overlooked, and a reference was made to the present Attorney-General (not then a Responsible Minister) as to how far His Excellency would be justified in using the language, in reference to the Treaty of Waitangi, contained in the declaration of the 14th of July, and that officer confirmed the views His Excellency proposed to put forth on the subject. His Excellency's acts and declarations in both the cases referred to, clearly lead to the impression among both Europeans and Natives that His Excellency had the power to take the land in rebellion, and that he intended to do so, and Ministers most respectfully submit that His Excellency is not entitled to interpret, by the light of what was passing in his own mind, declarations, which, taken according to their plain wording, were not calculated to convey the meaning which His Excellency now proposes to attach to them.

His Excellency's Responsible Advisers regret to differ with him on the subject of the "New Zealand Settlements Act, 1863." To them, with great deference, it appears, beyond question, clear that the object and effect of that Act go far beyond the limits His Excellency now places on its provisions. Whether the Preamble actually defines, or even points to all that the Act contains, is a question of no practical moment. The Preamble does not limit the clear enactments, and so far from the scope of the Act being confined only "to permit the introduction of a sufficient number of persons able to protect themselves and preserve the peace of the country" the 17th and following sections enact that after providing for this object, the Governor in Council may cause town, suburban and rural land to be laid out and sold, and the proceeds applied towards the payment of the cost of suppressing the rebellion, the formation and colonisation of the settlements, and other objects named in the Act.

If the New Zealand Settlements Act enables the Governor to give practical effect to his previous declarations on the subject of confiscation, Ministers are quite at a loss to understand the ground on which His Excellency considers that it would not have the same operation in reference to the declaration contained in the Proclamation submitted for His Excellency's approval: with this obvious advantage that the law legalising the latter is in force, and has not to be asked for, as was, His Excellency states, necessary in the former case.

But if the law already passed was insufficient, as His Excellency appears to believe, the declaration of the proposed Proclamation, submitted by Ministers, has the manifest advantage, that it is in strict conformity with the policy proposed by Ministers, and all but unanimously adopted by the General Assembly, and there can be no question that the Assembly is already committed to give effect to it by further legislation, if it were necessary.

Ministers again assure His Excellency that they had not the slightest intention of throwing on him the responsibility, or any part of it, for the proposed Proclamation of April last, and they beg to state that it requires no revocation, as it never received His Excellency's signature.

FREDK. WHITAKER.

Auckland,
17th May, 1864.

No. 18.

MEMORANDUM by the COLONIAL SECRETARY.

His Excellency having called the Colonial Secretary's attention to the fact that a quotation made by Mr. Whitaker in a Memorandum of this day's date, from a pencil alteration of a draft notice to Natives, prepared in December last, contains two words which are not in His Excellency's hand-writing in the original "without delay," the Colonial Secretary begs to take the entire responsibility of the error, and regrets in copying the pencil marginal note for his colleague, Mr. Whitaker, he did not observe that the two words alluded to were not in his Excellency's hand-writing.

The Colonial Secretary requests therefore that His Excellency will allow him to strike the words from the quotation, the rest of which is in His Excellency's hand-writing.

WILLIAM FOX,

Auckland,
17th May, 1864.

No. 19.

MEMORANDUM as to verbal alteration in Memorandum of 17th May, on CONFISCATION OF NATIVE LANDS.

In reply to the Ministerial Memorandum of the 17th May, the Governor begs to state that he would prefer that Memorandum remaining in the form in which it was transmitted to him; but he will attach to it the Colonial Secretary's explanatory Memorandum of the same date, explaining the manner in which the words "without delay" were stated to have been in the Governor's handwriting.

The Governor's anxiety that this Memorandum should remain in the form in which he received it is, that the error to which he drew the attention of the Colonial Secretary is not, in his belief, the only one connected with the alteration which Ministers have attributed to the Governor, as will appear from his reply to their Memorandum of the 17th instant.

G. GREY.

Government House, 25th May, 1864.

No. 20.

MEMORANDUM by the GOVERNOR.

The Governor has considered his Responsible Advisers' Memorandum of the 17th May. It will be to him a subject of deep regret if, in his alleged zeal for one race he has overlooked the interests of the other. In his belief, the interests of the two races are inseparable; a strict adherence to the course which justice and generosity requires is the only manner in which those interests can be permanently promoted; to that course he has endeavoured to adhere.

In as far as the Governor understands the Memorandum of his Advisers, it advances no solid objection against the justice or generosity of the course he thinks should be now pursued: it rather seems intended to show that he at one time held opinions different from those he now holds. But even if this were the case, it would not shake him in the view he has taken of the manner in which the pressing difficulties he has at this moment to meet should be encountered. If he has taken a wrong view, let this be made clear to him, and he will without delay abandon it.

But he thinks that there is a material misunderstanding upon the part of his Advisers on this subject. His views have never varied as to the propriety and necessity of confiscating large portions of the territory of the Waikato, Ngatimaniapoto, and Ngatiruanui Tribes; portions which in extent should be made, in as far as possible, to vary with the degree of guilt of the several Tribes, or sections of Tribes. He has always felt strongly the necessity of such *confiscation*, and has perhaps expressed himself strongly in regard to it. He thinks all the documents quoted by Ministers will show this.

The Governor understands the Secretary of State to express the same views when he says:—"I do not disapprove of the principle of this measure: I think that any body of Natives which takes up arms against Her Majesty on such grounds as those which are alleged by the Waikatos, may properly be punished by the confiscation of a large part of their common property."

This appears to be different from the principle Ministers asked the Governor to enunciate, that every Native, from whatever part of the island, who had been in arms, had forfeited the whole of his lands, and that only upon his complying with certain conditions before the 1st of July, would a small portion of such lands be restored to him; conditions which, from various causes, it would probably be impossible for many Natives to comply with before the day named.

His Responsible Advisers state in their Memorandum that the Governor twice added to and gave force to passages in which the principle of confiscation was broadly stated by them, in proof of this Ministers say, that "In a draft Proclamation which was before His Excellency on the 8th of March last, and which he had under consideration for many days previously, there is this passage "'all the land of those who have been fighting is forfeited to the Crown, but part of it will be restored to them.' His Excellency with his own hand struck out the word "them," and added the words "who now come in without delay as pointed out in this paper." This document was verbally assented to by His Excellency, and printed, but subsequently withdrawn on account of a difference of opinion on another point, namely, the surrender of guns."

To this the Governor replies, that an inspection of the papers will show that he did not strike out the word "them" with his own hand, and that he did not add all the words attributed to him.

It appeared to him that the word "them," as it stood in the draft Proclamation, meant "all those who have been fighting." He believed such was not the intention of his Advisers, he drew attention to

the mistake by underlining with a pencil the word "them," not by striking it out, and wrote in the margin in pencil what he believed was the real meaning intended to be attached to the word "them," viz.—"who now come in as pointed out in this paper." The words "without delay" were added by some other person.

The other instance given by Ministers is as follows :—

"On the 16th of December, 1863, His Excellency had a draft Proclamation submitted to him which it was intended should be issued from Ngaruawahia, whither His Excellency was about to go. His Excellency made alterations in it with his own hand, and with his full assent it was printed and got ready for issue. His Excellency subsequently decided not to go to Ngaruawahia, chiefly on account of a difference of opinion as to whether he should go alone or be accompanied by Ministers, and this Proclamation was never issued. One of the passages inserted by His Excellency with his own hand in that draft is in these words, "All the lands of those who have been fighting will be forfeited to the Crown. Any part of it that is restored to them will be so done from consideration to the wants of themselves and their children, and it must be understood that in laying down their arms they relinquish all their land." This passage intensifies the original draft by the Colonial Secretary, which was not so strongly worded."

An inspection of the papers laid before the Governor will show that what is called a Proclamation was really a letter, and that this letter as it is stated to have been altered by the Governor, was not printed, and got ready for issue, at least that is not the case with the printed copies sent to him, and which he has seen. This letter was also addressed to Te Wharepu and all the people of Waikato, who wrote to Governor Grey. It was not a general Proclamation. An inspection of the papers will also show that he was dissatisfied with the letter itself, and with the alteration attributed to him by Ministers, and that at least two alterations were considered by him. The point he believes, from looking over the papers, he was particularly thinking of, was the pledge he was asked to give that he would only reserve 500,000 acres for all the Natives.

The Governor has stated that he cannot find that the Proclamation as said to have been altered by him, was printed and prepared for issue. He also cannot find that he ever approved it by signature or otherwise. The draft is in the handwriting of the Colonial Secretary. The papers also show that the Governor did not send this letter, which was under discussion, on the 15th of December, but on the contrary, on the 16th of that month he wrote a letter with his own hand, which was slightly altered by the Colonial Secretary; this was the letter actually sent, and which was minuted at the time in the Colonial Secretary's office, as "stating conditions on which peace will be made with the Waikato Tribes, as finally arranged by His Excellency." A copy of this letter, as written by the Governor, is attached to this Memorandum.

Ministers state that none of them, down to the date of the Governor's Memorandum of the 5th of May, have any recollection of any objection being taken by the Governor to the principle of confiscation, however broadly stated. The Governor would remind his Responsible Advisers that on the 16th of December last the Colonial Secretary, at the time these matters were under discussion, waited on the Governor and told him that uneasiness existed here, from an opinion being entertained that he would not, in the confiscation of the lands of those Natives who had been engaged in the present war, go so far as some persons thought proper and desirable, and that the Governor, then fearing that difficulties might arise from differences of opinion between himself and his Responsible Advisers on the subject, wished to write to the Secretary of State for specific instructions, as to whether, in assenting to the confiscation of such lands, he was as of course to assent to any advice that his Responsible Advisers might tender to him, or whether he was to act in such manner in regard to it as Her Majesty's interests might appear to him to require.

G. GREY.

Government House, Auckland,
25th May, 1864.

Enclosure to No. 20.

Government House, Auckland,
16th December, 1863.

Te Wheoro having informed the Governor that the chiefs of Waikato are afraid to give up their arms and ammunition, lest they should be made prisoners when they had done so, the Governor informs them that if they will give up their arms and ammunition they will not be made prisoners, nor will they in any way be molested in their persons for any part they may have taken in the present or former war against the Government, unless they have committed murders, for which they will be tried and punished.

If the chiefs of Waikato desire to know the line of conduct the Governor will pursue towards them for the future, if they now submit to the authority of the Government, the Governor will receive at Auckland any deputation of chiefs that they may send to him. Such deputation shall be kindly received, and in every way well treated; and the Governor, who always has, and still takes the greatest interest in their welfare, will fully explain to them the future intentions of the Government, and will hear any representations they may have to make; and they shall be allowed to return in peace to the place they came from. They should quickly determine what they intend to do in this matter, as the General will continue to move to the front without any stop in his progress.

G. GREY.

No. 21.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

In reply to the Governor's Memorandum of the 25th day of May, Ministers respectfully point out to His Excellency a material difference between his views of confiscation, as therein expressed, and those contained in the Secretary of State's Despatch of the 26th November, 1863, from which His Excellency quotes. In the memorandum referred to His Excellency limits his expression of the propriety and necessity of confiscating large portions of territory to that of the Waikato, Ngatimaniapoto, and Ngatiruanui tribes. The Secretary of State as expressly extends his expression of opinion to "any body" of Natives which takes up arms against Her Majesty on such grounds as those which are alleged by "the Waikatos." Ministers entirely concur with the Secretary of State. There are other tribes, who, if possible, have less pretence than any of the tribes mentioned by His Excellency for taking up arms, and so far as regards the justice of confiscating their lands, Ministers do not feel a doubt that they deserve punishment fully as much as, or even more than, the tribes of Waikato.

Admitting then the justice of forfeiture of lands as a punishment for rebellion, there does not appear to Ministers any ground, as a matter of justice, for limiting it either to some of several rebellious tribes, or to a portion only of the land of any tribe. But on the other hand though forfeiture of land may have been justly incurred it does not necessarily follow that it would be proper and expedient to confiscate it. The penalty may have been incurred, but there are, no doubt, some cases in which it would be both improper and inexpedient to enforce.

The proposed Proclamation of the 30th of April as Ministers have already had occasion to observe simply declared in the preamble that the Natives to whom it was addressed had by their conduct justly forfeited their lands, and thus a promise was made that each person who accepted the terms of sub-mission offered should receive a Crown Grant for sufficient land to provide for the wants of himself, his wife, and and children. His Excellency speaks of the land thus promised as a "small portion" of the lands forfeited. These are neither the words, nor is this the meaning of Ministers. It was not intended that the land to be given to each should necessarily be a portion of the land forfeited by him, nor that the quantity should be small, for up to 1000 acres each was promised in some cases to individuals.

Ministers regret that a clerical mistake on their part should have caused His Excellency so much trouble in writing a long explanation, but they cannot at the same time but feel that this might have been avoided if His Excellency had permitted the correction to be made as proposed by the Colonial Secretary—a course the more unobjectionable as the words which had been accidentally introduced were surplusage not affecting the sense of the passage as originally written by His Excellency.

With regard to the 2nd instance referred to in His Excellency's Memorandum, Ministers do not consider explanation necessary as His Excellency's observations do not, on the only point of importance, impugn the accuracy of the statement made by Ministers, that the addition, on the subject of confiscation, made by His Excellency "intensifies the original draft of the Colonial Secretary, which was not "so strongly worded." They must however most respectfully add that an inspection of the documents referred to by His Excellency does not lead them to the same conclusion as that at which His Excellency appears to have arrived, viz.:—that he was dissatisfied with the alteration attributed to him by Ministers. On the contrary, from an inspection of the documents themselves, and from His Excellency's statement that at least two alterations were considered by him, and from the erasure of one alteration and the substitution of another, Ministers would rather have been led to believe that a deliberate opinion had been come to after a careful consideration of the subject in all its bearings.

Ministers have not overlooked that in December last it was His Excellency's intention to request from the Secretary of State specific instructions as to whether in assenting to confiscation His Excellency "was as of course to assent to any advice that his Responsible Advisers might tender to him, or "whether he was to act in such manner in regard to it as Her Majesty's interests might appear to him "to require." That such instructions were not asked for in consequence of the receipt of Despatches on the subject from the Secretary of State and of Ministers objecting that the course His Excellency proposed to pursue tended to an infringement of their rights as Responsible Advisers of His Excellency. And Ministers did not certainly understand that His Excellency was in any way objecting to the principle of confiscation, but simply asking for instructions in the event of difference of opinion arising at a future time between His Excellency and his Advisers as to the extent to which confiscation, or in other words appropriation of land by the Governor should be carried.

FREDK. WHITAKER.

Auckland, 3rd June, 1864.

No. 22.

MEMORANDUM by the GOVERNOR

The Governor requests the attention of his Responsible Advisers, to the enclosed copy of a Memorandum made by the Superintendent of the Province of Wellington, on a letter from the Resident Magistrate of Manawatu, dated the 12th of April last, and begs that they will inform him if such language as the Superintendent alludes to, has been used by authorised persons to the Natives in the Province of Wellington.

G. GREY.

Government House,
May 9th, 1864.

Enclosure to No. 22.

What the Natives of this Province who have taken part in hostilities at Taranaki and Waikato say, is this:—

“What have you pakehas been telling us ever since the war broke out at Waitara? There must be no more fighting here—we must keep peace in this Province. If any are anxious to fight let them go to Taranaki and Waikato. We have done what you told us. There has been no fighting here. We have done our best to preserve the peace; but some of us who have determined to fight, have been at Taranaki and Waikato. Is it right then, that as soon as we return, we should be arrested and thrown into prison, our guns taken from us, and our lands confiscated? Why did you pakehas tell us if we wanted to fight, to go Taranaki and Waikato?”

I confess that knowing that such was the language held to the Natives in this Province, it was not easy to answer these queries.

I. E. FEATHERSTON.

20th April, 1864.

No. 23.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

In reply to His Excellency's Memorandum of yesterday's date, covering a Copy of a Minute made by His Honor the Superintendent of Wellington on a letter from the Resident Magistrate of Manawatu, Ministers beg respectfully to inform His Excellency that they are without other knowledge on the subject than that which is conveyed by the Minute itself; but that judging by the expressions used in it they have no reason for inferring that the statements said to have been made were made by “authorised persons.”

WM. FOX.

Auckland, 10th May, 1864.

No. 24.

MEMORANDUM by the GOVERNOR.

The Governor has read and considered the statements* of the two Natives, Reihana and Hapimana, and also the statements of the Native Chief, Paora Tuhaere. From these he collects—that Rewi, Thompson, and other leading chiefs, desire that the existing war should be regarded as having ended; that they are prepared to relinquish the whole of the Waikato country now taken and held by our forces; and that if, after an interview with the Governor, they were satisfied of their safety if they would give up their arms and ammunition to him. That they made no written proposals on these subjects, because, as two native prisoners had been sent to see them without a letter, they imagined that a Message should be sent by the same individuals to the Governor.

Vide Enclosures.

The Governor would feel much obliged to Ministers if they would advise him what steps they think he should, under these circumstances, take.

G. GREY.

Government House,
Auckland, 21st June, 1864.

Enclosure to No. 24.

Mei 18 ka tae matou ko Hēnare Moanaroa ki te Tiki-ateihingarangi; ka hoki mai to maua hoa i reira, 19 ka haere maua ki Tirau, moe tonu iho, 20 ka haere maua ka tae ki Tapapa; tae atu tangi tonu ka mutu ta matou tangi, ka tahi a maua pukapuka ka wahia; tuku ana ki Peria, tuku ana ki Maungatautari, tuku ana ki Hanganatiki, ko nga iwi katoa kua tata ki Rangitoto, ki taua Paraki, ko tera ki Maungatautari kua noho ki te tahi wahi raka. i runga o te Tikiateihingarangi, nga tangata i te ra i Rangitoto, 300; nga tangata i tenei i Maungatautari, 340; ka mau i a maua pukapuka, ka tahi ka tirohia kua kite i o maua ingoa, ka tahi ka karangatia ko nga Herchere tenei; ka tahi ka hoki mai tera i Rangitoto, me tera i Maungatautari, penei tonu to ratou mohio-tanga; ka tahi ka hoki katoa mai ua huaki 2, ka tae mai ki a maua a Tamati, a Rewi, a Mohi, a Arama Karaka, tangi tonu, ka mutu, kei runga ko Rewi, Haere mai aku tuakana haere mai ki Waikato wai kau, ki Waikato mauunga kau, kaore he tangata, heoi na no te tangata koi-naka ko koutou-haere mai e na, kaore au e mohio kia korua, i tukua mai korua e te Kawanatanga, me he mea i tukua paitia mai korua, ho mai te pukapuka kia mohio au na te Kawanatanga korua i taku mai, ki taku mohio i tahuti mai korua; ko tena haere mai maua atu te pakanga, me Waikato wai, Waikato whenua, maua atu; me he pukapuka ta korua, na he pukapuka hoki ta matou, ko tenei ko korua tana pukapuka, ko korua ano hoki taku pukapuku. Ko tenei aku tuakana, na te Awaitaia te he e ki ana na Kawana tana pukapuka, ka ore nana ano tana pukapuka, ka mutu ta Rewi.

Kei runga ko Reihana, Tenei te haere nei, te wairua nei ko Hona i horomia e te tohoro; e toru po e toru ra, ka ruakina ki waho; koi nei te haere nei he tono i te hau kia homai, ara i te hau tika ma taua hau tika e whiu ki uta, ki te kahore te hau tika e homai koiraka tonu to matou nei kainga ko te moana, ka mutu. Kei runga ko Tamati ko aua tu korero ano i a Rewi ra, ka mutu ta Tamati kei runga ko Hapi, ko taua tu korero ano i ta Reihana; ka mutu, kei runga ko Arama Karaka, ko taua tu korero

ano ara mo te whakamutu tonu te whawhai ki Waikato. Ka mutu, kei runga ko Ruihana, mo te mutu tonu te whawhai ki Waikato, kia korua Waikato. Ki te whawhaitia Tauranga ke te Tianara, a huri au ki reira; ko Waikato ki a korua. Ko tena kei a Rewi nga korero e ia atu nei e Rewi te kupu kia korua, ka mutu.

Kei runga ko Kereopa Honehono, ko taua tu korero tonu i te timatanga ra. Ka mutu kei runga Ko Kereopa, o Ngati rangiwewehi ko taua tu korero tonu mo te mutu tonu te whawhai ki Waikato; me he mea he pera ta korua ritenga me ta te Awaitaia e kore rawa au e korero atu kia korua, ko tenei haere mai maua atu te pakanga kahuri au, ka titiro ki taku hoa; ki te haere taku hoa ki Tauranga kei reira ano au. Engari ko Waikato kia korua, ki te pikitia mai to korua huarahi e te Pakeha katahi au ka tahuri mai; ara ki te haere mai te pakeha ki te whawhai ki au, katahi au ka tahuri atu, ka mutu.

Kei runga ko WIREMU TAMEHANA.

Haere mai e hoa ma, ka hua kua mate atu koutou, haere mai maua atu te pakanga; ko te tikanga ano tenei e korerotia atu nei e Rewi ki a korua. Kei mea mai korua tenei te kupu kei au, kahore pena tenu taku me ta Rewi.

Huihui katoa taua whakaminenga 640 tangata nana tenei whakaaetanga.

He kupu whakamarama tenei mo nga konihi.

Ko taua ritenga he tomo i te paraki i Rangitoto i te Tikioteihingarangi, he tomo mo aua paraki kia horo i a ratou, ara ki to matou ritenga.

Ki ta ratou mohiotanga hoki ka horo aua paraki i a ratou, no te mea i poto katoa tenei i Rangitoto ki te kani rakau ko etahi ki te tapahi raupo, ko etahi ki te tapahi wiiwi.

Me tera i te Tikioteihingarangi i haere ki Maungatautari ki te tahu i nga whare o te Maori ki te kapura, tuwhera kau ana nga pa; me i roa iti mai maua kua huakina kua horo aua paraki e rua ki ta ratou korero mai ki a maua.

Na Te HAPIMANA TEKEHA.
REIHANA TE NGOHI.

Witness—T. A. WHITE,
June 11th, 1864.

Translation.

Reporting visit to Patetere and interview with WI TAMIHANA and REWI.

We arrived at the Tiki-o-te-ihingarangi on the 18th May, in company with Mr. Henry Monro. Our friend returned from there, and on the 19th we proceeded on our journey as far as Tirau, slept there, and on the following day reached Tapapa. We had a tangi, and when that was over our letters were opened; one was sent to Peria, one to Maungatautari, and one to Hangatiki. All the people (or tribes) were close to the Redoubt at Rangitoto. Those (the party) at Maungatautari were in a wooded place, above the Tiki-o-te-ihingarangi. Those at Rangitoto numbered 300, and those at Maungatautari 340. When our letters reached them they read them, and when they saw our names they said, "The prisoners are here." So both those war parties returned, from Rangitoto and Maungatautari, both decided alike.

Tamati (Ngapora), Rewi, Mohi, Arama Karaka, came to us, had a tangi, and when that was over, Rewi stood up and said:

Welcome, my brothers! Welcome to Waikato, to the river only, to the mountains only; there are no men; the only men left are those (on board the hulk) and yourselves. Come, but I do not know whether you have been sent by the Government. If you have been sent (or permitted to come) in peace, give me the letter that we may know that you have been sent by the Government. My opinion is that you have run away. And now, welcome. Take away with you the war, and Waikato river, and Waikato land take with you too. Had you brought a letter we should have sent a letter (in reply), but as you yourselves are his (the Governor's) letter, you must also be my letter. As it is, O my brothers, the fault is Te Awaitaia's (Wi Nero); he told us the letter he had was from the Governor, whereas it was his own. This was the conclusion of Rewi's speech.

Reihana (one of the prisoners) stood up and said: Here comes this spirit (like) Jonah who was swallowed by a whale, and after lying in its belly three days and three nights was cast on shore. Here we have come to ask for a wind, for a fair wind, so that we may be blown on shore (or wafted to the shore). If a fair wind is not given to us, our dwelling place must still be on the sea. He ended, and Tamati (Ngapora) stood up and spoke to the same effect as Rewi.

Hapimana (one of the prisoners) stood up and said the same as Reihana had said.

Arama Karaka stood up and made a similar speech—that is about ending at once the war with (or in) Waikato. He ceased, and Reihana stood up and spoke about ending the war in Waikato. He said that we should leave Waikato, but that if the General made war at Tauranga he should go there; that Rewi would speak to us—Rewi had told us (their views).

Kereopa Honehono stood up and made a similar speech to those made at the commencement.

Kereopa, of Ngatirangiwewehi, stood up and spoke about the war in Waikato being ended at once. He said: Had your plan been the same as that of Te Awaitaia, I should not have spoken to you. As it is, carry the war away with you. I shall turn and look to my friend. If my friend goes to Tauranga, I shall go there, but Waikato shall be yours. If the pakehas cross your road (the boundary), then shall I turn, that is, if the pakehas come to fight me I shall turn (and fight them).

Wiremu Tamehana stood up and said: Welcome, friends! I had supposed you dead. Come, and carry away the war. This that Rewi has told you is how we intend to act (or, Rewi has already explained our views.) Do not suppose that the word is with me. No, mine is the same as Rewi's.

There were 640 men at that meeting who assented to this.

This is a word of information relative to these ambushades.

The plan was to attack the two Redoubts—that is, according to our custom. They felt sure that they should be able to take those Redoubts because all (the greater number of) the men from the Rangitoto Redoubt used to go out, some to saw timber, some to cut raupo, and others to cut rushes.

Those at the Tiki-o-te-ihingarangi had gone to set fire to some Maori huts, and the Redoubt was left unguarded. Had we been a little later, the attack would have been made, and according to what they told us, both those places would have been taken.

TE HAPIMANA TEKEHA.
REIHANA TE NGOHI.

STATEMENT made by the two Maori prisoners on their return from Waikato, in presence of MESSRS. WHITAKER, FOX, and RUSSELL.

We left Te Tiki on the 19th May, slept one night on the road, and arrived at Patetere on the 20th; on reaching the place we ascertained that all the men were away on a war expedition. One party, numbering 340 men, had gone to plant an ambuscade at Maungatautari; and another, numbering 300, to make an attack on a small redoubt at Rangitoto (nearly opposite Pukerimu). We immediately sent off messengers to both parties. It appeared that a party of soldiers had gone from the redoubt at the Tiki to burn some old Maori whares at Maungatautari, and when our messenger arrived with the letter, the Maoris had got between them and the redoubt, and were lying in ambush, waiting to intercept them on their return. On receiving the letter they abandoned the idea, and as soon as the troops had passed returned to Patetere. The other messenger found the party of 300 also lying concealed, waiting for an opportunity to attack the redoubt; they knew that it was garrisoned by but a small party, and that a number of them were in the habit of going out to cut raupo and sticks for whare building. It was their intention to make the assault as soon as the raupo cutting party had left. On receiving our letter they also said that there should be no more fighting, and immediately returned home.

When we had been two days at Patetere, Rewi came, accompanied by Tamati Ngapora and Kereopa, a Ngatiwhakaue man. We asked Rewi for his word (kia homai tana kupu). He said that he doubted whether we had been sent by the Governor at all; there was nothing to shew that we had not run away. Had the Governor sent us he would have sent a letter; but as there was no letter from the Governor he could send no reply.

Tamihana arrived on the 24th with his war party; we had a tangi and made speeches. He said the same as Rewi, that had the Governor sent us he would have written. They both said that as the Governor had permitted us to visit them they would give up the whole of the land between Waikato and Waipa to us and to the soldiers, and that there should be no fighting within that space; but that if the pakehas at any time carried the war beyond the boundaries, they would consider that the truce (or peace) had been broken, and that they would then be at liberty to renew the war. Wiremu Tamihana said that if the General went to Tauranga that he also should go there; and that so long as the Government demanded their arms they would never make peace, lest, on losing their arms they should afterwards be hung; the affair at Rangiriri had been a warning to them; the Maoris there who surrendered their arms were all made prisoners. This was all.

The Maoris were very much pleased to see us, and judged from our condition that we had been well treated. They gave us plenty to eat; they had beef, pork, potatoes, and flour, but no sugar,

On our return we met Paul at Kawehitiki, and hearing from us that it was useless to go on, he came back with us.

No te 1 o nga ra o Hune ka tutaki maua ki a Reihana raua ko Hapimana ki Kawehitiki, katahi ka ui mai kia matou, korero mai. Katahi matou ka mea atu kahore a matou korero, erangi korerotia mai. Ka korero mai. Ekore koutou e kite i a Waikato. Ka ui atu, kei hea? Ka ki mai, kua riro ki Tauranga; ka mea atu au. Kei te aha i reira? Ka mea mai he mea tuhituhi na nga rangatira o Tauranga kia haere atu. Erangi kokoe anake te tangata i whakatikaia atu kia haere atu. Tena ko nga rangatira katoa o te whakakupapa, a ma, a W. Kukutai ma; kua e haere atu, kua keria te hangi hei tao mo ratou, engari mau e haere atu e piki i nga mate i ngatoto o Waikato. Ko te he na Te Awaitaia, no te taenga atu ki te tiki i a ratou i te Tiki. Ko te kupu a Te Awaitaia Ai homai a koutou, pu, me ki te kore koutou e homai a ianei ka whawhaitia koutou apopo; ka mea atu a Mohi, Na wai taua tikanga, na Te Kawana? ka mea atu Te Awaitaia—naku ano.—Katahi ka mea a Waikato me pupuru te pu kia puta te hiahia o Te Awaitaia kia whawhaitia ratou.

E toru ra i tatari ai ratou ki te kupu a Te Awaitaia, kahore i tae atu—katahi ratou ka haere—ko te kino tenei a Waikato ki nga kupapa, he mahi korero tini-hanga.

Tetahi tinihanga o Te Awaitaia i reira, ko te hunanga o te pukapuka o te Kawana. Kaorei hoatu kia ratou kia kite. He mea tino tohe e Mohi katahi ka hoatu. Katahi ka mea Waikato he tangata maminga rawa a Te Awaitaia, whakaputainoa ana ko tana tikanga huna ana ta Te Kawana.

Tenei ano tetahi take i hurihuri ai Waikato. Me he mea e ki atu ana Te Kawana ki a ratou, ko tana kupu ake kia houhia te rongo, kua nga pu e tangohia mai, kua mau te rongo, kua whakae ratou. Erangi kia roa te maunga rongo, hei reira Te Kawana ka haere atu ki reira kia ata korero ia ki a ratou kia kite ratou i nga korero pai a Te Kawana, katahi ka tukua nga pu ki te aroaro o Te Kawana, nga paura, nga mata. Te homai inaianei te pu kei tinihangatia ratou, kei homai ratou i a ratou pu, ka hopuhopukia ratou ka kawea ki te whare herehere. Ko te take i mohio ai Waikato, ko te korero o te Tianara i Rangariri, i mea kia kawea mai nga Maori ki te Ruato noho ai ki reira whakawakia ai; me i tika taua korero o te Tianara kua e kawea mai ki te taone nei, kua mau te rongo, kua whakakahoretia te kingi i reira, kua tukua mai te mana ki Te Kuini anake. No reira ratou i whakaaro ai ko te maunga rongo inaianei, kahore he whawhai ki roto o Waikato, ka tukua Waikato wai me Waikato whenua me nga rahurahu hei tikanga mo te haerenga atu o nga herehere nei, erangi ma te Pakeha ano e poka te whawhai ki nga Takiwa ki tua o te rohe, ka whawhai ano, ki te kahore e poka atu, kahore he whawhai.

Tenei tetahi mea te hohoro ai te mutu, he reta kore na Te Kawana, me he mea e tukua atu ana e Te Kawana tana ake reta, kua tuhituhi mai hoki a Tamihana, a Rewi, he reta he reta. Tena ko te kupu mau atu a nga tangata Maori ka mea na Te Kawana te tikanga, ekore ratou e whakarongo.

Kotahi kupu pouiri a Tamihana i rongo ai au ki nga herehere nei, ko te kupu tenei i whiriwhiria e taua iwi nei—ko te kupu tenei. Ki te mea ka mau te rongo, ka oma a Tamihana raua ko Matutaera, ta te mea ko te mutunga o tenei whawhai ko ia te utu, ko Matutaera, ko Tamihana, ka taronatia o raua kaki e Te Kawana mo tenei mahi.

NA PAORA TUHAERE.

Translation.

PAORA TUHAERE'S account of meeting the two prisoners REIHANA and HAPIMANA on their return from Waikato, and what they reported to him.

On the 1st June we met Reihana and Hapimana at Kawehitiki (on their return). They asked us to speak. We said that we had nothing to say (no news), and we asked them to speak. They said: You will not see the Waikatos. We asked: Where are they? They said: They have gone to Tauranga. We said: What to do there? They replied: They were written for by the chiefs of Tauranga. You are the only one they approve of going to see them. As for the other neutral chiefs, Ahipene, Waata Kukutai and the rest, they are not to go; an oven has been dug to cook them in; but you may go and walk over the blood and dead of the Waikatos. The fault is with Te Awaitaia (Wi Nero). When he went to Te Tiki, at the time when they were there, his word was: "Give me your guns; if you do not give up your guns to-day you will be attacked to-morrow." Mohi said: Whose plan is that, the Governor's? Nero said: It is my own. Waikato then said that they would hold to their guns, so that Nero might carry out his wish, and fight them. They waited three days for Wi Nero's word, but it did not reach them, and they then went away.

It is this that sets Waikato against the neutral Natives, their deceitful (or false) statements. One piece of deceit of Wi Nero's at that time was, concealing the Governor's letter; he did not shew it to them. It was not given until Mohi demanded it. The Waikatos, therefore, said that Nero was a very deceitful man, proposing his own plans and concealing (or keeping back) those of the Governor.

This was another cause of hesitation with the Waikatos. Had the Governor himself, by his own word proposed to them to make peace, and said that their guns should not be taken away, peace would have been made long ago; they would have agreed to it; and then after peace had been made some time, for the Governor to go and quietly talk with them, that they might see his good talk (that he might explain his good intentions), they would then give up their guns, powder, and lead to the Governor (or lay them down before him). They do not give up their guns now, lest they should be deceived, lest when they had given up their guns they should be apprehended and taken to prison. The Waikatos judged thus from the General's talk at Rangiriri; the General said that the Maoris should be taken to the Ruato (Queen's Redoubt) to stay, and that they should be judged there. Had that talk of the General's been correct, and had they not been brought to the town, peace would have been made, the King would have been done away with, and the *mana* would have been yielded to the Queen alone, they therefore think that the peace now shall be this, that there shall be no fighting in Waikato, and that Waikato river and Waikato land shall be given up, with the fern upon it, in consideration of the visit of these prisoners (*i.e.*, of their having been permitted to visit them), but if the pakehas attempted to carry on the war in any district beyond the boundary, they would fight again; if the pakehas did not do so, there would be no fighting.

There is another thing which prevents it being ended quickly, there being no letter from the Governor. Had the Governor himself sent a letter, Tamihana and Rewi would also have written (in reply) letter for letter, but a mere verbal message taken by Maoris who said it was from the Governor, they would not listen to. There was one dark word of Tamihana's that I heard of from these prisoners; this was the word which that tribe deliberated upon. It was this: if peace was made Tamihana and Matutaera would run away, because, when this war was ended, they would be the payment; Tamihana and Matutaera would be hung by the Governor for this work.

PAORA TUHAERE.

No. 25.

MEMORANDUM by MINISTERS.

Ministers are glad to learn, from His Excellency's Memorandum of the 21st instant, that His Excellency puts so favourable a construction on the statements made by Hapimana, and Reihana, and Paora Tuhaere, as to what passed between the two former and the leading rebel chiefs whom they visited in Waikato. While equally anxious with His Excellency to detect any indications of a desire for peace on the part of the leading rebels, Ministers feel it necessary to be cautious not to ground any very sanguine expectations on the statements referred to. Ministers are ready however, in deference to His Excellency's views, to advise that steps should be taken to ascertain whether the leading rebels are really desirous of submitting on terms which can be reasonably acceded to by the Government, our recent success at Tauranga, of which we have just received the news, may possibly render them more amenable to reason than they otherwise would have been.

Ministers propose that His Excellency should make known authoritatively to the rebel chiefs and tribes of Waikato the terms upon which their submission will be accepted, and especially that the best assurance should be given to satisfy them of their safety and freedom from personal punishment if they give up their arms and ammunition.

WILLIAM FOX.

No. 26.

MEMORANDUM by the GOVERNOR.

The Governor transmits herewith, for the information of his Responsible Advisers, a letter he has received from Mr. George Graham, M.H.R., enclosing a letter for transmission to the Secretary of State.

G. GREY.

June 21st, 1864.

Enclosure to No. 26.

Auckland, 16th June, 1864.

SIR,

I have the honor to enclose herewith a letter for the Right Hon. the Secretary of State for the Colonies, and I take the liberty to request that you will be pleased to cause the same to be forwarded by the next mail to England, with any remarks that you may think proper to make thereon.

I have also enclosed with the letter a *New Zealander* newspaper monthly summary, of May 31st, also a tracing showing the Waikato district, &c., and a return copied from the Statistics of New Zealand for the year 1861; these I also wish to be sent with the letter.

The enclosure to this was forwarded to the Rt. Hon. the Secretary of State, to whom it was addressed, and no copy was retained.

I have the honor to be,

Sir,

Your most obedient humble Servant,

GEORGE GRAHAM.

His Excellency Sir George Grey, K.C.B.,
Governor of New Zealand,
&c., &c., &c.

No. 27.

MINUTE by the COLONIAL SECRETARY.

The Colonial Secretary begs to return to His Excellency the letter from Mr. George Graham, which he was requested to forward to the Right Honorable the Secretary of State for the Colonies.

(Signed) WM. FOX.

Auckland,
22nd June, 1864.

No. 28.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

His Excellency the Governor is respectfully requested to authorise the publication in the Gazette of the Secretary of State's Despatch* of the 26th of April, 1864, No 43, in reference to the New Zealand Settlements Act and the Loan Act of 1863.

Printed elsewhere.

FREDK. WHITAKER.

Auckland, 24th June, 1864.

No. 29.

MEMORANDUM relative to publication of SECRETARY OF STATE'S Despatch as to New Zealand Settlements Act.

In reply to the Ministerial Memorandum of this day's date, advising that the Governor should assent to the publication of the Secretary of State's Despatch No. 43 of the 26th of April last, the Governor wishes that his Responsible Advisers should regard themselves as at liberty to publish it, if they think that their doing so will be advantageous to the public interests.

G. GREY.

June 24th, 1864.

MEMORANDA RELATIVE TO MILITARY SETTLEMENTS AND THE CONFISCATION OF NATIVE LANDS.

No. 1.

MEMORANDUM by the HON. T. RUSSELL.

To enable the Government to commence and push forward as soon as possible the foundation of Military Settlements on the Waikato frontier, Ministers propose to locate the 2nd Waikato Regiment, under Colonel Haultain, in the Waikato district, between Pirongia and Maungatautari. This Regiment is at present broken up into detachments, and these are located at posts in various directions. It will be necessary, to enable the Government to carry on the work of locating these Military Settlers rapidly and successfully, to concentrate Colonel Haultain's Regiment along the proposed line; His Excellency the Governor is therefore respectfully advised to move the Lieut. General Commanding to give the necessary orders for carrying out this arrangement with as little delay as possible.

T. RUSSELL.

Colonial Defence Office, Auckland, April 22nd, 1864.

MINUTE.—It would be very desirable that the Governor should be able to inform the Lieut. General what are the precise points on the proposed line which the Government wish the 2nd Waikato Regiment to occupy, and what is the strength of the detachment which it is proposed to locate at each point.

April 23rd, 1864.

G. GREY.

No. 2.

MEMORANDUM by the HON. T. RUSSELL.

In reply to the Governor's note on Ministers' Memorandum of the 22nd inst., No. 17, Ministers beg to state that the precise points on the proposed line must be chosen by the Military Authorities having regard to defensive positions, and land eligible for settlement.

Ministers propose that along the line of the Punui River positions should be chosen for the proposed settlements. The strength of the detachment which it is proposed to locate at each point is about one hundred men.

T. RUSSELL.

Colonial Defence Office, Auckland, April 23rd, 1864.

No. 3.

MEMORANDUM by the GOVERNOR.

At the request of his Responsible Advisers, the Governor puts into writing his remarks upon a Memorandum addressed to him by the Minister for Colonial Defence, on the 23rd of April, in which the Governor is told that the precise points (at which detachments are to be placed) on the proposed line (between Pirongia and Maungatautari) must be chosen by the Military Authorities, having regard to defensive positions, and land eligible for settlement.

The Governor and the General are Imperial officers, entrusted with certain powers over Her Majesty's Forces of every kind; these powers are conferred by commissions and instructions emanating directly from Her Majesty; they are responsible for the due exercise of their respective powers, and cannot interfere with each other. Nor can the Governor's Responsible Advisers require him to give up the powers entrusted to him, and to call upon the General to exercise them.

The Governor, who is also Commander-in-Chief, is responsible to Her Majesty for the safety and welfare of the colony; he gives orders for such a distribution of Her Majesty's Forces as may appear to him fitted to attain these ends, for the formation and march of detachments and escorts, and generally for such military service, as the safety and welfare of this part of the Queen's possessions may appear to him to require.

The duty of the General is to regulate the Military details, regarding the distribution of the Forces ordered by the Governor; and the manner in which the detachments shall be formed and composed, rest also with the General, who is responsible that all these arrangements are conformable in every respect to the instructions issued to him by the Governor.

If his Responsible Advisers give the Governor their advice that detachments should be placed at certain points, he will always carefully consider such advice, and will even consult, in so far as he thinks consistent with the public safety, their wishes upon such subjects. In determining the distribution that should be made of Her Majesty's Forces, he also, in almost all cases, decides such questions in concert with the General; but he regrets that his Responsible Advisers should tell him that the points where detachments are to be placed must be chosen by the Military Authorities, as he feels it to be his duty to act in conformity with Her Majesty's instructions.

G. GREY.

Auckland, May 9th, 1864.

No. 4.
MEMORANDUM by the Hon. T. RUSSELL.

The Governor's Responsible Advisers beg respectfully to thank His Excellency for his explanation of his views as to the respective functions and duties of himself and the Officer commanding Her Majesty's Forces in New Zealand.

Ministers had read the Circular Memorandum, dated Horse Guards, 12th September, 1857, differently from the meaning His Excellency attaches to it, particularly the following passage of it:—

"In the event of active Military Operations taking place in a Colony, it exclusively belongs to the Governor to state, and explain, to the officer commanding the Troops the Policy of Her Majesty's Government, and the Military Measures by which that policy is to be obtained; but it rests with the Officer commanding the Troops alone to direct the execution of those measures." From the general tenor of the Memorandum, and particularly from the passage quoted, Ministers were under the impression—as it rested with the "*Officer commanding the Troops alone to direct the execution of Military Measures*"—the policy of which had been explained by the Governor that the choosing of sites for stockades, for the defence of the Waikato District, must be left to the Military Authorities.

Ministers have no desire whatever to interfere in questions as to the relative functions of His Excellency and the General, nor indeed to express any opinion on the subject; and they would respectfully remind His Excellency that in the Memorandum of the 22nd April, requesting the concentration of the 2nd Regiment, Ministers did not raise the question of the choice of sites for the Stockades; His Excellency invited Ministers to specify the "precise points," on the proposed line, at which the posts were to be fixed, but Ministers felt that it was not their duty, but the duty of the Military Authorities, to choose the sites for Forts and other defensible positions, and informed His Excellency accordingly. Ministers regret that they should have made, what His Excellency appears to consider, a mistake.

Ministers are particularly anxious that their recommendations, made on the 22nd of April last, as to a line of posts, and the concentration of the 2nd Waikato Regiment upon that line, should be considered by the proper authorities, and determined as speedily as possible, as delay causes great expense and inconveniences, and the rapidly approaching winter will render the work required much more troublesome and difficult to be performed.

T. RUSSELL.

Colonial Defence Office, Auckland, 10th May, 1864.

No. 5.
MEMORANDUM by the GOVERNOR.

The Governor has received the Memorandum from his Responsible Advisers, of this day's date, regarding a line of posts which they propose should be taken up between the Pirongia and Maungatautari mountains by the 2nd Waikato Regiment in detachments of 100 men, each of whom is to receive fifty acres of land, and to become a permanent military settler.

His Advisers have not yet informed the Governor where, or in detachments of what strength, they propose to locate the other three Waikato Regiments, or what is the whole line of frontier they propose should be occupied. He has, in fact, as yet been made acquainted with but a small part of their plan.

In his belief, that part of their plan which they have disclosed will probably, under any circumstances, fail as a plan for the military protection of the country, and for the future welfare of the Waikato military settlers, and will certainly so fail unless the proposed posts are supported by strong detachments of the regular troops. If a similar plan is adopted with the other Waikato Regiments, still larger detachments of troops may be required to co-operate with them, and to keep open the long line of communication which will separate them from the settled districts.

At the same time the Governor believes that the interests and safety of the Province of Taranaki have already been too long neglected; that the Province of Hawke's Bay is in a position of danger, that Wairarapa, and the country between Wellington and Whanganui, are in an unsatisfactory state, and that considerable detachments of troops may at any moment be required to be sent to some, or even to all of these places; and that reinforcements may be required at Tauranga.

It is evident that as military settlers are located on their lands, so many effective men are withdrawn from any operations which may be necessary in the field, and that any detachments of troops which may be requisite to support these settlers will be so many men taken from, or that might otherwise be afforded to, other parts of New Zealand.

The Governor would therefore suggest that, before he is required to give the orders asked for, for the location of the 2nd Waikato Regiment, in detachments of 100 men each, between the Pirongia and Maungatautari mountains, his Responsible Advisers should inform him what is to be the manner, and in what districts they propose that all the Waikato Regiments should be located, and what is the total extent of country over which they will be spread.

G. GREY.

Government House, 10th May, 1864.

No. 6.
MEMORANDUM by the Hon. T. RUSSELL.

In reply to His Excellency's Memorandum of yesterday's date, Ministers beg most respectfully to state that it does not appear to them that the time has yet arrived when it is possible definitively to

determine in what positions the whole of the Waikato Regiments shall be located. To occupy the line from Pirongia to Maungatautari will require the whole of the 2nd Regiment and a considerable portion of another Regiment; but it must, in the opinion of Ministers, depend entirely on the course of events whether it will be possible to extend that line either towards the East or the West. Ministers hope to be able to do so in both directions, but it may be that the line now proposed will require to be strengthened rather than extended, and thus render it necessary to locate the remaining men of the Waikato Regiments accordingly.

Ministers cannot concur with His Excellency that the safety of Taranaki is in any danger, but they freely admit that it would have been very conducive to its interests that Military operations on a more extended scale should be carried on there before the winter. Ministers also feel, with His Excellency, that there are other portions of the colony which may require assistance, and they have some time since more than once advised that reinforcements should be sent. What assistance will, however, be required very much depends on the position we can maintain in Waikato, for there is every reason to hope that a satisfactory peace being established there would probably bring about a general pacification of the country, and would certainly tend to secure the safety of the southern settlements more effectively than any reinforcement with Waikato still in arms.

Ministers certainly never contemplated a step so pernicious and likely to be dangerous to the whole Northern Island as a retreat from the line in the Waikato country beyond which General Cameron has driven the enemy, and now occupies with the troops; and it appeared to Ministers, and with all deference they submit, that fewer men advantageously posted in fortified stockades can more effectively defend a line of country than a greater number without the aid of such defences. In proposing, therefore, to occupy the line from Pirongia to Maungatautari with posts of Military Settlers, Ministers fully believed that they were proposing a course which would have the effect of rendering a greater instead of a lesser number of men available for operations in the field, and this was one of the objects they had in view. Certainly they never advised or contemplated, in the present state of the country, the withdrawal of the men from Military Service, but as their terms of settlement require, that they should be provided with fortified positions, Ministers believed that some of these might be at once constructed not only without detriment to, but substantially in furtherance of, the general defence of the country, and at a great saving of expense to the colony.

Although the views of Ministers as to the line to be occupied have not been submitted to His Excellency in writing, they very respectfully beg to call to His Excellency's recollection that the subject has been frequently discussed with him, and Ministers had certainly received the impression that His Excellency coincided in those views.

Auckland, 11th May, 1864.

T. RUSSELL.

No. 7.

MEMORANDUM by the GOVERNOR.

The Governor having considered the draft Order in Council submitted to him on the 17th of May, finds that the New Zealand Settlements Act says that: "Whenever the Governor in Council shall be satisfied that any Native tribe, or section of a tribe, or any considerable number thereof, has, since the first day of January, 1863, been engaged in rebellion against her Majesty's authority, it shall be lawful for the Governor in Council to declare that the district within which any land, being the property, or in the possession of such Tribe, or section or considerable number thereof shall be situate, shall be a district within the provisions of this Act, &c."

In times like the present the Governor thinks it right in as far as possible to confine himself within the limits of his legal powers, especially when they are sufficient. He feels sure that his conduct will be strictly scrutinized, and justly so, in this respect.

The Order in Council submitted to him by his Responsible Advisers defines, as a District for the purposes of the New Zealand Settlements Act, the territory, not of one tribe or a section of a tribe, but of many tribes, regarding some of whom no evidence has been placed before the Governor to shew him that a considerable number of the members of such tribes have been engaged in rebellion.

He ought not, therefore, to say that he is satisfied that they have been engaged in rebellion, and perhaps to do them an irreparable injury with his successors, who would, from his knowledge of the Natives, assume that he knew well what he was doing.

If the intention of the Act, in requiring a formal Order in Council, was to provide that some care should be taken in dealing with the lands of the Natives, and that some preliminary enquiry should be made, it is evident that such an intention would not be fulfilled by issuing such an order as that now under consideration.

The intention of the recent legislation of the General Assembly in regard to the lands of the Natives, has been to render them more valuable to the natives than they have hitherto been, by rendering their title as similar as possible to the ownership of land according to the British law, and the Governor does not feel certain how far it may be found difficult to give these advantages to the many loyal and well disposed Natives within the district included in the draft Order of Council which has been sent to him. If such Order is issued he fears that this Order may in practice conflict with the Native Lands' Act of 1862, which secures to the natives important rights.

Upon the whole, the Governor would prefer a district being in the first instance defined, which would only embrace a considerable part of the territory of the Waikato and Ngatimaniapoto tribes, who have been engaged in the rebellion. This would suffice for all practical purposes, would not alarm the Natives, and they would then see by experience that such Order in Council would not interfere with the rights of those Natives who had committed no offence.

G. GREY.

Government House, 25th May, 1864.

No. 8.

MEMORANDUM by MINISTERS.

Ministers have given their careful consideration to His Excellency the Governor's Memorandum of the 25th of May, in reference to the declaration of Districts under the "New Zealand Settlements Act, 1863."

His Excellency states that "upon the whole the Governor would prefer a district being in the first instance defined, which would only embrace a considerable part of the territory of the Waikato and Ngatimaniapoto tribes, who have been engaged in the rebellion." Ministers defer to His Excellency's preference, and they have, in the Order in Council signed by His Excellency on Saturday, inserted the exact boundaries which His Excellency had personally and verbally approved of.

Ministers have taken this course for the purpose of avoiding any delay which might arise from discussing the other matters referred to in His Excellency's Memorandum, and which may without inconvenience be postponed until after the question of the location of the Military Settlers is disposed of. Ministers consider that in a political point of view it is very desirable that this object should be accomplished as soon as possible, and financially it is of the first importance, as a lengthened continuation of the present expenditure must inevitably lead to embarrassment; in fact, the Colonial Government would not have the means of meeting it.

Under the New Zealand Settlements Act, the first object to which land taken under its provisions must be appropriated is to fulfil the contracts with military settlers. Until sufficient has been set apart for this purpose, no land so taken can be lawfully disposed of in any other way. The quantity of land taken for settlement by the Proclamations, signed by His Excellency, will not be sufficient to satisfy this demand even if it were all suitable, and desirable so to use it; and Ministers have, therefore, separated this question from all others, because, as they beg most earnestly to press on His Excellency, it is of vital importance that steps should be taken without delay.

Ministers therefore advise that the Proclamations signed by the Governor in Council, on Saturday, should be now issued.

Auckland, May 30th, 1864.

FREDK. WHITAKER.

No. 9.

MEMORANDUM by the GOVERNOR.

In reply to the Ministerial Memorandum of the 30th of May, the Governor would observe that he has been always most anxious that no unnecessary delay should take place in locating the Military Settlers; and in pursuance of these views he formerly urged that some of them might be settled at some important points on the nearer portions of the Waikato River. They might at once have been settled on such points, the occupation of which seemed to be likely to be advantageous alike to the Military Settlers and to the Colony. The Governor also, at the request of Ministers, issued to the General orders for the location of the Military Settlers,* at the points selected by his Responsible Advisers, immediately he could ascertain definitely from them which were to be those points, and what was to be the strength of the respective detachments.

*Correspondence on this subject see page 62.

With regard to the non-issue of the Proclamations, declaring districts under the terms of the New Zealand Company's Settlements Act, the Governor would wish to state that these Proclamations, as laid before him, were accompanied by certain regulations, which purported to be regulations for the location of Natives who have been in arms against the Queen's troops, on land to be allotted to them by the Government.

Regulation No. 4 was as follows:—"Every man will have allotted to him a certain quantity of land, which will vary in size according to circumstances, from 5 acres to 1000 acres."

These regulations appeared to the Governor to make no mention of the extent to which the forfeiture of the land of those who had been in rebellion was to be carried.

He wished to be informed whether the intention of these regulations was, that a Native who came in under these terms forfeited all his lands, whether in the proclaimed district or in other parts of the island, receiving the portion of land to be assigned to him as the only land he was to be allowed to retain.

He felt that a distinct offer ought to be made to the Natives, in plain terms, regarding which there could be no misunderstanding; and that it could not be expected that any large body of Natives would accept of the offer proposed to be made, unless they knew the consequences that were to follow from their acceptance of it.

The Governor, however, found that the views of his Responsible Advisers on these points did not accord with his own. He understood their intentions to be simply at present to advise the Governor to approve the regulations they then laid before him, which had only relation to a small district; and that they would afterwards, from time to time, tender to him advice regarding other districts; that when the time came they would tell him what that advice would be; but that they declined now to say whether they would hereafter give, or not give, more land to the Natives, who might take it under the regulations they then advised the Governor to approve, and that they would not then say whether or not they intended to consider the residue of the lands of the Natives of the proclaimed districts to be forfeited—whether in the districts themselves or in other parts of the Islands.

The Governor also understood his Responsible Advisers to decline to state what was the general policy they proposed to pursue regarding the confiscation of Native lands, and the extent to which they intend to carry such confiscation.

These are the points on which the Governor then wished, and still wishes to be informed. He thinks it due to Her Majesty's Government that he should give them the fullest and clearest informa-

tion on these subjects, in order that they may know the duty on which they sanction the employment of the Queen's Forces. He also feels that he ought not to be expected to take the responsibility of ordering, from time to time, the employment of these forces, until he knows the end which is being aimed at, and the extent to which it is proposed to carry on operations; and he thinks that it will be generally felt that a distinct notification on this subject should be made to the Native population, with the view of bringing, as soon as possible, the present unhappy contest to a close.

The Governor hopes that his Responsible Advisers will admit the reasonableness of his requests in these respects, and give him the information for which he asks.

G. GREY.

Government House, Auckland, 17th June, 1864.

No. 10.

MEMORANDUM by MINISTERS.

His Excellency's present Responsible Advisers have no recollection that His Excellency formerly urged that some of the Military Settlers should be located on some of the important points on the nearer portions of the Waikato River, and they would certainly have felt that such a proposal could not have been adopted without seriously interfering with the object for which those Settlers were enlisted.

It was first proposed in Mr. Domett's Memorandum of the 30th of January, 1863, that a Frontier line should be established; and the intention to carry out that proposal has ever since been adhered to. The Military Settlers were specially enlisted for that purpose; they are better suited for it than any other Settlers, and their number is barely sufficient effectually to do that work. Ministers would, therefore, have felt it to be a great mistake to locate them on the nearer portion of the Waikato River—far within the position they were intended to protect.

Ministers regret that some delay has taken place in proceeding with the location of the Military Settlers in the Waikato; but they are unwilling to enter into a discussion as to the cause, and they are content to leave the matter as it stands upon the papers which have passed between His Excellency and themselves on the subject.

Ministers trust that His Excellency will pardon them for reminding him that the Proclamations submitted to him on the 29th of May, and to which he refers in his Memorandum of the 17th of June, were not accompanied by any regulations whatever. Having regard, indeed, to the position and size of the district comprised in the Proclamations, such regulations would not have been applicable. The regulations to which His Excellency refers were submitted to him on the 17th of May, in connection with another Proclamation to which His Excellency made objections, and which, in deference to his views—as stated in his Memorandum of the 25th of May—was abandoned. The object for which Ministers met His Excellency on the 29th of May had no reference to those regulations, or the Proclamation to which they referred, and they had no intention of tendering him any advice on that subject.

When His Excellency objected to the Proclamation of the 17th of May as comprising too large an area, he suggested another district, and the exact boundaries approved of by His Excellency were inserted in the amended Proclamation; Ministers understood that all discussion was then at an end, and that the sole object of the Executive Council, held on the 29th May, was to give legal effect to what had been previously agreed to; and Ministers were quite taken by surprise when the other subjects entered upon by His Excellency were introduced into the Executive Council.

Having regard to the importance, in their opinion, of proceeding forthwith with the location of the Military Settlers, Ministers had foregone pressing their own views in order to avoid delay; and after His Excellency's views had, as they thought, been met in every respect, they most unexpectedly found questions pressed upon them which they had had no intimation would be raised,—which they conceive could not be appropriately discussed in the Executive Council, and upon which—not having been considered amongst themselves—they were not prepared to tender Ministerial advice. His Excellency is quite correct in saying that they then declined to do so; but Ministers have ever been ready to consider any subject, and advise thereon, when the occasion has arisen.

As Ministers have already stated, the proposed Proclamation of the 17th of May, with the regulations annexed, was abandoned in deference to His Excellency; and it would therefore be useless to discuss questions arising out of those documents. The "general policy" which the Governor's Responsible Advisers propose to pursue "regarding confiscation of Native land, and the extent to which they intend to carry such confiscation," is a matter of great importance, and one upon which, after careful consideration, they are fully prepared to state their present views. They will do so in a separate Memorandum.

Ministers have twice proposed to His Excellency to issue a Proclamation stating the terms upon which the submission of the Waikato rebels would be accepted. In reference to one of those proposals, His Excellency stated as follows:—"We issue offers of peace to them for which they have not yet asked, in a form which the Governor believes must alarm and irritate many who have not yet been hostile to us; whilst others may be encouraged to become so from deeming this act on our part a sign of weakness."

Both proposals were abandoned in consequence of His Excellency expressing opinions against them. Ministers have no objection, and indeed still think that it is desirable "that a distinct notification should be made to the Native population, with a view of bringing, as soon as possible, the present unhappy contest to a close;" and they refer His Excellency to a Memorandum of this date as expressing their views on the subject.

FREDK. WHITAKER.

Auckland, 24th June, 1864.

No. 11.

MEMORANDUM by the GOVERNOR.

The Governor having received the Ministerial Memorandum of this day's date, feels sorry that a misunderstanding should have taken place as to what passed at the Executive Council on the 28th of May, which was attended by the Governor, Mr. Whitaker, and Mr. Russell.

His Advisers will, however, excuse him for saying that he cannot admit that he is responsible for this misunderstanding.

The Prime Minister on that day presented to him for approval the same regulations as on a previous occasion. After the Council was over, these regulations were taken away by the Clerk of the Council with the other papers that day laid before the Council, and the Governor never saw them until just now, when he asked the Clerk of the Council for them.

The Clerk of the Council made on the 28th of May the Minute in the Book of Proceedings of the Council, a copy of which is enclosed, which the Governor never saw or had any knowledge of, until the Executive Council met on the 16th instant, and through which, at the request of the Council, he then drew his pen, and which he never read until this moment, as it was not read to the Council.

Immediately his Responsible Advisers left him on the 28th of May, the Governor, feeling that a serious difference of opinion had taken place between himself and them, made a note of what had passed, of which he encloses a copy. All this he is sure will satisfy his Advisers that he is not responsible for the misunderstanding which has taken place, as to whether, or not, certain regulations were laid before him for his approval on the 28th of May. He regrets it should have taken place, and is only anxious to justify himself in the matter.

G. GREY.

Government House, Auckland, 24th June, 1864.

Enclosure 1 to No. 11.

EXTRACT from the Minute Book of the Executive Council.

MAY 28TH, 1864.

The Council met. Present:—The Governor; the Honorable Frederick Whitaker, Prime Minister and Attorney-General; the Honorable Thomas Russell, Minister of Colonial Defence.

The Prime Minister submitted for approval three Orders in Council defining and declaring three Districts under the "New Zealand Settlements Act, 1863," two of them being at Tauranga, and one in the Waikato country.

He also submitted for approval Regulations establishing the Districts, but at present to be applied only to the smallest District at Tauranga.

On which a long discussion ensued. The Regulations were not approved of, and the Orders in Council were ordered not to be issued.

Which Regulations I have had in my possession, with the Orders in Council, since that day.

FORSTER GORING, Clerk of the Executive Council.

Enclosure 2 to No. 11.

A difference of opinion having taken place between myself and my Responsible Advisers, I at once wrote what it was.

A few days since they advised me to sign a Proclamation, declaring all the land of all the Natives who had been in arms to be forfeited, but that lands ranging in extent from five acres to 1000 acres each would be returned to them, if they came in and gave up their arms before a day named (1st July.)

This morning they advised me to sign certain Orders in Council proclaiming Districts under the "New Zealand Settlements Act." Two of these Districts, one at the head of the Waipa and high up the Waikato, and the other at Tauranga. I signed these orders.

They then laid before me the Regulations to be established in these Districts—upon which Regulations the whole question depended.

These purported to be Regulations for the location of Natives, who have been in arms against the Queen's Troops, on land to be allotted to them by the Government.

Regulation No. 4 was, "Every man will have allotted to him a certain quantity of land, which will vary in size, according to circumstances, from five to 1000 acres."

I observed that these were vague—that nothing was said about the forfeiture of land; that I naturally read the Regulations by the Proclamation they had recently advised me to sign, and understood that it was intended that the Natives within the Districts proclaimed, who had been involved in the rebellion, forfeited all their land, and that the quantity to be allotted to them, varying in extent from 5 to 1000 acres, was all that was to be restored to them; and that, before I signed the Regulations, I begged they would tell me if this was their meaning, that I might make up my mind what to do: that I considered it essential for the termination of the rebellion, that the Natives should have a distinct offer made to them in plain terms, regarding which there could be no misunderstanding.

Mr. Whitaker repeatedly replied that they refused to make any statement upon the subject; that they advised me to approve the Regulations they then laid before me, which had only relation to a small district; that they would, from time to time, afterwards, tender me advice regarding other districts; that when the time came they would tell me what that advice would be, but they declined now to say whether they would hereafter give, or not, more land to the Natives who might take it under these regulations, and that they would not say whether or not they intended to consider the

residue of the lands of the Natives of the proclaimed districts, to be forfeited, whether in the districts themselves, or in other parts of the Islands.

I repeatedly pressed the necessity of their at once telling me their intentions regarding the confiscation of Native lands, and the necessity also of letting the Natives know their true position in this respect, and what was to be taken from them. They as repeatedly declined. I declined to approve the Regulations until this was done, or to sanction the issue of the Orders in Council proclaiming the Districts, unless it was accompanied by a plain declaration to the Natives of the proclaimed districts of what was expected from them, and what course was to be pursued in regard to their lands, as I saw no other hope of bringing the existing contest to a close. Finding they could not move me upon this point, they bowed and withdrew, without my precisely catching what was said.

G. GREY.

Auckland, May 28th, 1864.

No. 12.

MEMORANDUM by MINISTERS.

Ministers beg most respectfully to submit to His Excellency an explanation in order to point out the mistake which it now appears has been fallen into in reference to the Order in Council and Regulations referred to in His Excellency's Memorandum of yesterday's date, and the documents accompanying it.

Mr. Whitaker did not submit the Orders in Council of the 28th of May for the approval of the Executive Council, and did not submit to the Council or advise His Excellency to sign the Regulations to which His Excellency refers.

Mr. Russell had charge of the business to be brought before the Council, which consisted of two Proclamations under the New Zealand Settlements Act, 1863. Mr. Whitaker was led to believe that the terms of them had been arranged with the Governor—that the Council was only formal—that no discussion would take place, as the Orders were so framed as not to involve any question of controversy—and that Mr. Whitaker's presence was only required as a matter of form to make a Quorum.

Mr. Russell submitted the Orders to the Council, and the Governor signed them. His Excellency then produced the Regulations to which he refers, which had been sent to him on the 17th of May, and which Mr. Whitaker had not seen since that day when he signed and transmitted them to the Governor. The Regulations had reference to another proposed Order in Council, submitted to the Governor not in Council on that day, and not to the Order in Council submitted to the Council by Mr. Russell on the 28th of May. A reference to the date of the Regulation, May 17th, will shew to what documents they referred.

FREDK. WHITAKER.

Auckland, 25th June, 1864.

No. 13.

MEMORANDUM by MINISTERS.

His Excellency the Governor has requested his Responsible Advisers to state what is the "general policy they propose to pursue regarding the confiscation of Native Lands, and the extent to which they intend to carry such confiscation." Ministers proceed to state their views on this point accordingly.

The establishment of a frontier line from Raglan or Kawhia to Tauranga was stated by Ministers to the General Assembly to be part of their policy. At an Executive Council convened on the 14th day of December last, at the request of General Cameron, the question was put to Ministers how far did they propose the troops should go into the interior and what was the precise object they desired to attain by Military operations in the Waikato? to which they replied that the establishment of a frontier line from Raglan or Kawhia to Tauranga was what they desired, and that that line was the extent to which they proposed to permanently occupy the country. Experience has in the opinion of Ministers clearly shewn, that as far as Waikato is concerned, a frontier line is really the only practicable scheme for protecting the settled districts, and that that line can be advantageously placed no where else than where they proposed.

Ministers consider that all the land belonging to Rebel Natives within that line, and to the extent of the southern boundary fixed by the Orders in Council signed by His Excellency on the 28th of May should be confiscated, but they propose to give in convenient localities, estates varying in size from 10 to 2,000 acres to each of those of the former inhabitants who wish to return and reside in the District. This is the extent to which Ministers propose to carry confiscation in the Waikato country. It may be necessary to deal separately with the Ngatimaniapoto tribe, that perhaps most deserving punishment whose land may not be sufficiently touched if confiscation were confined to the present proposal.

At Taranaki, Ministers propose to confiscate rebel land on both sides of the Town of New Plymouth, including land of the Ngatiawa, Taranaki, and Ngatiruanui tribes, with the object of establishing Military settlements at such points as will provide for the security of the Town and the settled districts around it sufficient land of these tribes to be taken for this purpose and to afford a substantial contribution to the expenses of suppressing the rebellion.

At Wanganui, Ministers propose to confiscate rebel land to the North, from the Waitotara River to a convenient distance, 10 or 20 miles to the North of the Patea River, including Waimate.

Ministers do not consider that it will be necessary to interfere with the properties of the Loyal Natives, except in some special cases where they hold lands in common with Rebels, in which cases Ministers propose to make an equitable division according to the rights of the respective parties, and to confirm the Titles of the Loyal Natives to their share by Crown Grants. Already some of the Loyal Natives have expressed a wish to make such an arrangement, and others have agreed to receive money in satisfaction of their claims to land, which they own conjointly with Rebels. Ministers do not anticipate any difficulty in making arrangements with the Loyal Natives satisfactory to them as well as to the Government.

With regard to the other tribes in rebellion residing on the East Coast, Ministers feel great difficulty at present in determining what course it may be best to pursue with them when they desire to make their submission. It would be impracticable to take forcible possession of the land of some of these tribes, and not desirable to attempt to place settlements on the land of any of them. At the same time it is of great importance that some punishment should be inflicted on men who have so wantonly engaged in rebellion. It may be practicable to compel them, as a condition of peace to cede some territory, and this should if possible be done; although the land would at least for a long time to come be of no use to the Government.

In stating their views, Ministers have felt the difficulty they are placed in, when called upon to state what they propose to do at the end of a rebellion, which is certainly at present far from being suppressed. Circumstances may modify their present views, or render it impossible to give full effect to them, or on the other hand the conduct of the Natives may render it just and expedient to go further than is now contemplated. Ministers must therefore reserve to themselves the right to alter or modify their present proposals if circumstances occur which in their opinion justify and require such a course.

FREDK. WHITAKER.

25th June, 1864.

No. 14.

MEMORANDUM by the GOVERNOR.

In considering the Ministerial Memorandum of the 25th June, relative to the confiscation of Native Lands, the Governor has not felt sure that he has rightly understood the terms "Rebel Natives" and "Rebel Land" which are several times used in it.

He would feel obliged to Ministers if they would inform him whether those are to be regarded as falling within the designation of Rebel Natives, who may be tried for and convicted of rebellion, or whether it is intended to include under this term, other and what classes of persons.

G. GREY.

June 30th, 1864.

No. 15.

MEMORANDUM by MINISTERS.

In reply to His Excellency's Memorandum of yesterday's date, stating that "he would feel obliged to Ministers if they would inform him whether those are to be regarded as falling within the designation of Rebel Natives, who may be tried for and convicted of rebellion, or whether it is intended to include under this term other and what classes of persons," Ministers have to state that in their Memorandum of the 25th of June, relative to the confiscation of Native Lands, the term "Rebel Natives" is intended to include all those persons whose lands taken under the New Zealand Settlements Act, 1863, shall be found not to be entitled to compensation.

Ministers may add that practically what they mean by confiscation of lands is the taking of land under that Act without compensation being granted, and in the event of land being included in Proclamations under the Act the owners of which may be afterwards found to be entitled to compensation, Ministers would be prepared to restore the land, except when required for a special public purpose or pay compensation as such owners might elect.

FREDK. WHITAKER.

1st July, 1864.

No. 16.

MEMORANDUM by MINISTERS.

Ministers beg most respectfully to add a few words to what they have already written in reference to what took place at the Executive Council on the 14th of December on the subject of a Frontier Line of Military Settlers.

Previously to attending the Council all the Ministers being then in Auckland, viz.: Mr. Whitaker, Mr. Fox, Mr. Russell, and Mr. Gillies, met for the purpose of deliberating on what advice they should tender on the subject to be submitted to them in Council. At that meeting Ministers came to a conclusion in reference to a Frontier Line, that no reason had arisen for modifying that which had been proposed and discussed in the Assembly, viz.: from Raglan or Kawhia to Tauranga. It was arranged that Mr. Whitaker should state the views of Ministers. Notes were made for his guidance, and in

these notes the Line referred to was expressly stated. All the Ministers above mentioned attended the Council: their views, as they believed, were stated; and they came away under the impression that they had made themselves understood.

Mr. Whitaker was the only Member who took part in the conversation with General Cameron referred to by His Excellency, and Mr. Whitaker states that that conversation had no reference to a Frontier Line or the location of Military Settlers, but to the fact that Tauranga was the port through which reinforcements and supplies were taken from the East Coast to Waikato.

Ministers did not consider that the expedition to Tauranga in January last was intended to have any reference to the scheme of Military Settlements, but they understood that it was undertaken at the urgent desire of General Cameron, with the object of assisting his Military operations in Waikato. Ministers, therefore readily acquiesced in the Governor's condition, "that it might be at any moment withdrawn, if any urgent cause rendered such a course desirable." If Ministers had for a moment considered that the withdrawal of the force from Tauranga was to be an abandonment of that part of the scheme which provided for Military Settlers being permanently located there when a convenient time should arrive, they certainly would not have taken the course they did.

Auckland, 25th June, 1864.

FREDK. WHITAKER.

No. 14.

MEMORANDUM by the GOVERNOR.

The Governor wishes to remark, upon that portion of his Responsible Advisers' Memorandum of the 24th inst., in which they state that they think it would have been a great mistake to settle the Waikato Settlers on the nearer portion of the Waikato River, far within the frontier which they were intended to protect, and that the first proposal for the establishment of a frontier was made in Mr. Domett's Memorandum of the 31st of July.

The Governor is in a great degree responsible for the enrolment of the Waikato Settlers. He requested the approval of the Home Government to the plan. He must, therefore, feel sorry if he has made so palpable a mistake as his Advisers appear to suppose, and he trusts they will pardon him for offering the following explanation.

It will be found that the first proposal to establish a Frontier Line in this part of New Zealand was made by the Governor to the Executive Council about the middle of June, 1863, which proposal was accepted in Mr. Domett's Memorandum of the 24th of June, 1863, the Government assuring the Governor that they cordially concurred in the plans he had proposed, (which they detail), and they took upon themselves the responsibility for their adoption, on the understanding that they would be carried out as a whole, Ministers having a strong conviction that the plans proposed grappled with the real evil they had to encounter.

It will also be found that a main part of the plans the Governor proposed was to occupy the Waikato country proper, that is, as far as Ngaruawahia, and the country near it, with land to be given to persons who should hold them upon Military Tenure.

Then followed Mr. Domett's Memorandum of the 31st July, and the Governor subsequently, in a Memorandum dated the 5th August, gave his assent to that Memorandum, in the belief that the conditions upon which persons were to hold land on Military Tenure, in the Waikato country, in the Province of Auckland, which words he believes were inserted by himself, applied to the country on the Waikato River proper.

His impression was that from the Waikato Heads up to and including Ngaruawahia, and the adjacent country, admirable sites would have been found for settlements, such as Tuakau, Patumahoe, Pokeno, the neighbourhood of Rangiriri, Ngaruawahia, &c.

The European population would then have spread naturally from a centre, the one part supporting the other. The Waikato Militia would have been placed upon valuable lands, in the vicinity of which they could have obtained labour, or they would have been employed on the main road leading from Auckland through the interior, the completion of which is so urgently required. Their settlement would also have taken place long since. They would have aided in the transport whilst locating themselves. From their vicinity to Auckland it would have cost less than at a distant point, the communication with them could easily have been maintained, and at a comparatively trifling cost. The value of the land given them would have made it more probable that they would have remained in the country. The plan the Governor proposed presented to his mind many other advantages of a like nature to those he has already stated.

Although his Responsible Advisers have no recollection that the Governor formerly urged that some of the Military Settlers should be located on some of the most important points on the nearer portions of the Waikato River, he has himself a distinct recollection of having on more than one occasion earnestly requested that this should be done, and having been met by the objection of the great value of the land which would be given to these Settlers, if this arrangement was carried out, which was never to his mind a valid objection.

The first time the Governor was made aware that no part of his plan would be acted on, and of the points on which it was proposed to locate the Waikato Militia, was by the Minister for Colonial Defence, at Pukerimu, on the 15th of April last.

G. GREY.

Government House, 28th June, 1864.

No. 18.

MEMORANDUM by MINISTERS.

As His Excellency's Responsible Advisers do not take the same view as His Excellency of what has taken place in reference to the subjects discussed in his Excellency's Memorandum of the 28th of June, they beg most respectfully, in order to avoid misunderstanding hereafter, to place their views on record.

His Excellency states that "it will be found that the first proposal to establish a Frontier line in this part of New Zealand was made by the Governor to the Executive Council about the middle of June, 1863, which proposal was accepted in Mr. Domett's memorandum of the 24th of June, 1863." It appears from Mr. Domett's Memorandum that an Executive Council was held a short time before that day, at which His Excellency explained in detail the plan "he would recommend for the defence of the Southern Frontier of the settled districts of the Province of Auckland, and the establishment of a base for further operations in the interior of the enemy's country." His Excellency's plan, briefly stated, was—"To make the Waikato River," &c.

From this it appears that the Frontier proposed to be established by His Excellency was a "Southern Frontier of the settled districts of the Province of Auckland,"—a "temporary line of defence" across the Island from Waikato Heads to the Hauraki Gulf; to be defended partly by fortified posts and the intervals by cavalry. A permanent frontier, such as now proposed to be held by Military Settlers, was no part of the plan detailed. Indeed the only places named by His Excellency to be taken permanent possession of for settlement was situate outside the Frontier line he proposed to establish temporarily. It certainly appears from the papers on the subject "that the first proposal to establish a frontier line in this part of New Zealand was made by His Excellency,—but that line was of a totally different description, and altogether for a different purpose from that which it is now the object of the Government to establish across the Waikato.

So far, then, as Ministers can find any record, it appears to them clear that Mr. Domett's Memorandum of the 31st of July, 1863, assented to by the Governor on the 5th of August following, first proposed "that a Frontier line to the South of Auckland might be taken, and permanently guarded by men capable, with little assistance, of resisting the attacks of troublesome Natives beyond it."

His Excellency's Memorandum now under consideration for the first time defines "Waikato," as used in the conditions of enrolment of the Military Settlers, to mean what he is pleased to call "Waikato proper, that is, as far as Ngaruawahia." The name "Waikato" has hitherto been always considered to include a large tract of country beyond Ngaruawahia, and in proof that it was intended to do so in the "conditions" referred to, Ministers appeal to His Excellency's proposal, as stated in the Memorandum of the 24th of June, 1864, "to confiscate the lands of the hostile Natives." This proposal was generally, if not universally understood to include the land of the Ngatihaia (William Thompson's), and the Ngatimanipoto (Rewi's) tribes, for these two tribes were the principals in the rebellion, and are clearly those referred to in the Memorandum of the 31st of July, upon which the "conditions" are founded, as "the most powerful in New Zealand." It would have been impolitic and unjust to have exempted them, and neither of these tribes possess any land at any of the places named by His Excellency in the Memorandum of the 28th of June, 1864, or indeed anywhere on the Waikato River this side of Ngaruawahia. To have confined "Waikato" by such a definition as His Excellency now proposes would have left undone that which above all was essential; and Ministers cannot but think was clearly intended by the Government to be done. Moreover, it must not be overlooked that His Excellency's plan, as declared in the Memorandum of the 24th of June, 1863, was clearly not intended to stop at Ngaruawahia, and be complete and final, but to be only a "basis for further military operations in the interior of the enemy's country."

All the advantages claimed by His Excellency for the lands he specially referred to, are to be found in an eminent degree in the localities which have been selected for the Military Settlers. The positions are excellent; the lands are of the best situated, and choicest in quality in the Province of Auckland; labour in abundance will be near at hand, and water communication ready to the very doors of the settlers. Nor was there any reason that Ministers are aware of why the settlements should not have been commenced as soon in the one case as the other. There is, moreover, in the opinion of Ministers, an advantage of especial importance to the Colony belonging to the localities selected over those suggested by His Excellency; the former will really give a Frontier line across the Island, not only the most defensible, but indeed perhaps the only practicable one; the latter would have been a chain of posts up the middle of the Lower Waikato district, exposed on both flanks, and of little use for the protection of the settled districts.

So far from no part of the Governor's plan being acted on, Ministers were under the impression that hitherto every part of it had been adhered to in a remarkable manner. "The River Waikato from the sea on the West Coast to the Southern bend in the middle of the Island was made a temporary line of defence," armed steamers were placed on the river, and posts were established on its Northern bank. There was established, "from the bend of the river, a line of fortified posts, extending to the Hauraki Gulf;" the intervals were defended by cavalry. The Gulf and its shores were looked after by steamers, military posts were thrown forward from the central bend of the River up to Paetae and Ngaruawahia, and permanent possession taken of these places. All hostile Natives residing between the Auckland Isthmus and the line of the River, and fortified posts above mentioned were cleared out. And these operations, as recommended by His Excellency, have been a defence to "the Southern frontier of the settled districts of the Province of Auckland, and "a basis for further military operations in the interior of the enemy's country." The only part of the plan remaining unfulfilled is to confiscate the lands, (or, as Ministers propose, some of them only,) of the hostile Natives, give away part on military tenure, and sell the remainder "to defray the expenses of the war." Ministers have ever been ready to co-operate with His Excellency in completing his programme, and they trust that no obstacle will be found in doing so without delay.

In conclusion, with reference to His Excellency's statement, that His Excellency for the first time was made aware, by the Minister for the Colonial Defence, at Pukerimu, on the 15th of April last, of the points on which it was proposed to locate the Waikato Militia, Ministers beg most respectfully to state: (1) That the frontier proposed to be established with the military settlers was stated in the General Assembly to be a line from Raglan or Kawhia to Tauranga; and (2) Most respectfully to recall to His Excellency's recollection that an Executive Council, at which His Excellency presided, was, at the request of General Cameron, held on the 14th of December, 1863, when Ministers advised that the frontier line referred to should be established and held, and Ministers were under the impression that the military operations in the Waikato district since that time have been carried on with that object in view; (3) To the same end, Ministers, in their Memorandum of the 27th of February, expressed their approval of General Cameron's proposal, conveyed to them by the Governor, to hold possession of Awamutu, Rangiwahia, and Kihikihi, and although Ministers did not think it necessary that the line between Rangiwahia and Kihikihi should be then occupied, they stated that they deemed it of the first importance that a position as far up the Waikato as was conveniently navigable by steam boats should be taken and held. Indeed, from the time His Excellency's present advisers took office till the present time they have never proposed or contemplated any other line of frontier than the one from Raglan or Kawhia to Tauranga.

1st July, 1864.

FREDK. WHITAKER.

No. 19.

MEMORANDUM by the GOVERNOR.

The Governor begs to be allowed to make a few remarks on the Ministerial Memorandum of the 1st instant, regarding the location of the Waikato Regiments.

1. On the subject of the Executive Council, held on the 14th of December. The Governor has seen the General on this point; neither of them have any recollection of any mention being made at the Council of a frontier line between Kawhia and Tauranga being established and held. On the contrary, the General's impression is that the subject of Tauranga was only mentioned in a conversation which passed between the General and Mr. Whitaker in the Council room, after the Council was over.

2. With regard to the Ministerial Memorandum of the 27th of February, the Governor still cannot find anything in it which could have created in his mind the impression that it was proposed to locate permanently the Waikato Regiments on a line extending from Kawhia to Tauranga.

3. The Governor, in his Memorandum of the 19th of January, 1864, in which he reluctantly assented to the expedition to Tauranga, was then so far unaware that it was intended by Ministers to permanently occupy Tauranga with one of the Waikato Regiments that he only assented to the expedition there on the condition that it should be of a temporary character, and might be at any moment withdrawn if any urgent cause rendered such a course desirable.

4. The Governor would again state that he never, until the 15th of April, at Pukerimu, heard that the Waikato Regiments were to be stationed on a line extending from Kawhia to Tauranga. The Minister for Colonial Defence then told him that this arrangement was to be made, and that it was shewn on a plan which he had. A note of the points at which it was proposed to locate the Waikato Regiments was then shewn to the Governor that he might communicate with the General on the subject.

G. GREY.

Government House, July 5th, 1864.

No. 20.

CORRESPONDENCE REFERRED TO IN MEMORANDUM No. 8 OF THIS PAPER.

COPY of a Letter from Lieut.-General CAMERON, K.C.B., to Governor SIR GEORGE GREY, K.C.B.

Head Quarters, Auckland, 25th May, 1864.

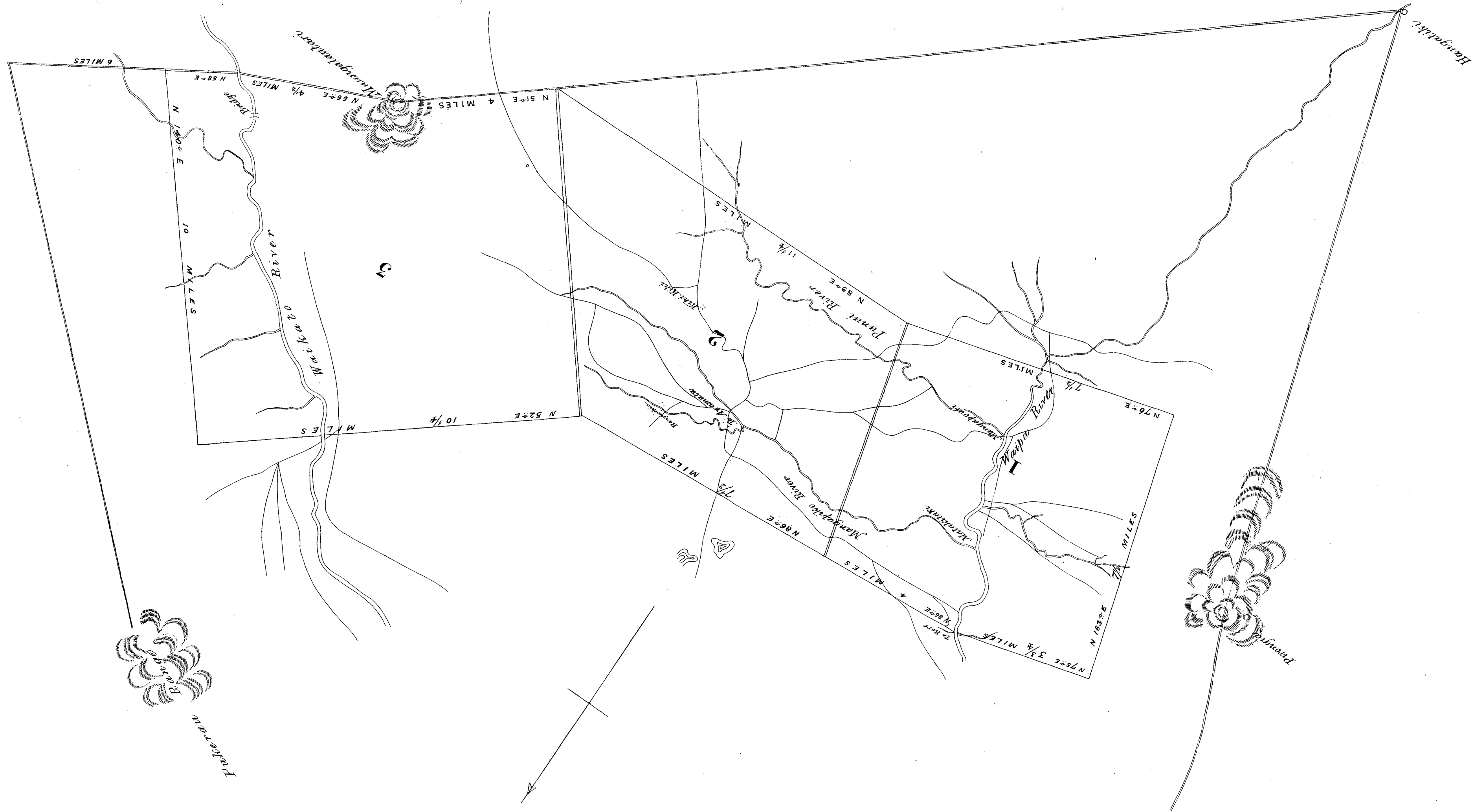
SIR,

I have the honour to inform your Excellency that arrangements are being made by the Commissariat Department, and will shortly be completed, for the transport of supplies during the winter the whole distance from the Waikato Heads to Te Rori and Pukerimu, and that, as far as regards the supply of the troops in the positions they at present occupy in the Province of Auckland, the Land Transport establishment may be considerably reduced.

Your Excellency, however, in your letter of the 10th instant, having expressed a wish that military operations may be carried on in the country between Taranaki and Whanganui, and having also implied the possibility of future operations at Tauranga, it appears to me that a very trifling, if any, reduction ought to be made in the Land Transports.

I have been instructed to keep down the expenditure on account of transport to the lowest point consistent with the requirements of the public service; but so much delay and embarrassment was experienced in the operations on the Waikato from want of transport, and from the difficulty of collecting and organizing its quality, that great care is necessary not to reduce it prematurely.

The amount of transport required for operations south of New Plymouth will of course depend on the strength of the force employed, and the distance at which it will have to be supplied; but it is difficult for me to form any judgment upon these points, as I am ignorant of the object and extent of the operations contemplated by the Government. I would observe that it will hardly be



Scale — 2 Miles to an Inch

possible to carry on operations for the next three or four months in such a country as that between Taranaki and Whanganui.

I shall be obliged for any information your Excellency can give me regarding these or any other operations in which the troops are likely to be employed, as well as regarding the locations of the military settlements on the Waikato frontier, which must materially effect any arrangements for the distribution of the troops and the amount of transport likely to be required.

I would take the liberty of submitting for your Excellency's consideration whether it would not be advantageous to the public service if the Executive Council met occasionally, to take these and similar subjects into consideration.

I have, &c.,

D. A. CAMERON,
Lieut.-General.

His Excellency Sir G. Grey, K.C.B.,
&c., &c., &c.

COPY of a Letter from Governor SIR GEORGE GREY, K.C.B., to Lieut.-General CAMERON, K.C.B.

Government House, Auckland,
29th May, 1864.

SIR,—

In answer to that portion of your letter of the 25th instant, in which you express a wish to be informed regarding the locations upon which it is proposed to establish Military settlements on the Waikato Frontier, I have now the honor to enclose to you tracings which shew roughly the points on which it is proposed by the Government in the first instance to establish such settlements. The precise points at which they should be placed on the locations shewn in the accompanying sketch, can be so arranged, as to fall in with that distribution of Troops which you may deem most advisable.

I have, &c.,

G. GREY.

The Hon.

Lieut.-General Sir D. Cameron, K.C.B.,
&c., &c., &c.,
Head Quarters.

COPY of a Letter from Lieut.-General SIR D. CAMERON, K.C.B., to Governor Sir GEORGE GREY, K.C.B.

Head Quarters, Auckland, 2nd June, 1864.

SIR,—

I have the honour to acknowledge the receipt of your Excellency's letter of the 29th ultimo, relative to the establishment of military settlements on the Waikato frontier.

I mentioned the subject in my letter of the 25th ultimo, as I was desirous of ascertaining whether your Excellency had decided upon any plan for the formation of military settlements, in order that I might be enabled to judge whether any alteration in the distribution of the troops on the frontier, or increase to the land transport would be necessary.

It does not appear from your Excellency's letter that anything has yet been settled beyond the mere division of a certain area of country into three districts, as shown in the tracing which you have forwarded to me, but in which I would observe that there are no points marked showing even roughly where it is proposed in the first instance to establish the settlements. I have received no information regarding the number of men it is proposed to settle in each district; from what regiment of the Waikato Militia they are to be taken; how they are to be distributed, whether into large or small bodies; whether any protection is to be given to them in the shape of stockades, &c., &c.

In the absence of such information I propose not to disturb the present distribution of the troops on the frontier until I receive more exact information from your Excellency.

I have, &c.,

D. A. CAMERON,
Lieut.-General.

His Excellency Sir G. Grey, K.C.B.,
&c., &c., &c.

MEMORANDUM by MINISTERS.

In reply to the questions raised by Lieutenant-General Cameron's letter, of the 2nd instant, Ministers beg to state to His Excellency their view of the answer which should be given to the Lieutenant-General at the present time.

That upon the plan sent herewith it is roughly shewn where the Government propose, in the first instance, to establish the military villages, and that in order to settle the precise spots to be occupied as the village sites, the Government are prepared to name an officer who will confer with the military authorities upon the subject.

That the men may occupy their village acres at once, but the Government do not propose to locate any of the men on their country land at present.

That the number of men it is proposed to settle at each of the points indicated will be from three hundred to five hundred men.

That the settlements numbered 1 and 2 be formed from the 2nd Regiment, settlements 3 to 4 from the 3rd Regiment, settlement 5 from the 1st Regiment, leaving a part of that Regiment after-

wards to occupy the country westward of the Tauranga Range. The 4th Regiment to be located on the Waikato River, between Pukerimu and Kikiriroa.

Each Settlement to have a stockade capable of holding from two to three hundred men.

If the Lieutenant-General thinks it advisable, in the event of continued hostilities with the Natives, to have stockades between the large village sites, to be held by small bodies of men who may be detached from the large villages, stockades can be erected; but upon this point and on others connected with this question, (including any necessary modification of their proposal,) Ministers desire to have the opinion of the Lieutenant-General.

T. RUSSELL.

Colonial Defence Office, Auckland, 6th June, 1864.

COPY of a Letter from Governor Sir GEORGE GREY, K.C.B., to Lieut.-General Sir D. CAMERON, K.C.B.

Government House, Auckland, 9th June, 1864.

SIR,—

I have the honour to acknowledge the receipt of your letter of the 2nd instant, in which you raise certain questions regarding the establishment of military settlements in the Waikato country. In reply thereto I beg to submit the following remarks:—

The plan herewith enclosed will show you the points at which the Government are anxious that the proposed military villages should be established.

It is proposed that at each village from 300 to 500 men should be located, and that at each settlement a stockade or stockades should be constructed capable of containing the whole number of men.

It is proposed that in as far as possible the several settlements should be established on points which are likely hereafter to become the sites of important country towns, and that each man should at once have assigned to him his village acre; but no country land will be for the present allotted to the men.

It is proposed that the settlements Nos. 1 and 2 on the enclosed plan should be occupied by the 2nd Waikato Regiment.

That settlements Nos. 3 and 4 should be occupied by the 3rd Waikato Regiment.

That settlement No. 5 should be occupied by a portion of the 1st Waikato Regiment; and that the 4th Waikato Regiment should be located on the Waikato river, between Pukerimu and Kiri-kiriroa.

If in the event of continued hostilities you should think it necessary to have stockades placed between the large village sites, to be held by small bodies of men from the Waikato Regiments, the Government will erect such stockades; and upon this and all similar points the Government will be glad at all times, in as far as practicable, to carry out your wishes.

I have, &c.,
G. GREY.

The Hon. Lieut.-General Sir D. A. Cameron, K.C.B.
&c., &c., &c.

COPY of a Letter from COLONIAL DEFENCE MINISTER to Col. HAULTAIN, 2nd Waikato Regiment.

Colonial Defence Office, Auckland, 10th June, 1864.

SIR,—

I am directed by the Minister for Colonial Defence to inform you that the Government intend immediately to locate a large number, and as soon as convenient, the whole of the military settlers upon the village sites intended for them; that they will be located in villages of from three hundred to five hundred men; that the sites are to be selected in the localities shewn in the sketch enclosed, and that Mr. Russell requests that you will, on behalf of the Government, confer with the Lieut.-General, and fix the precise spots for the several village sites, having regard to the objects in view, viz.—A military settlement, on good land, and in a good natural position. The village sites on the Waipa, and those on the Horotiu, rivers, are to be selected on the most eligible and convenient places, at the head of the navigable part of those rivers, so that the residents may have their supplies taken up by steamers. The object of the Government in selecting the sites at the head of the river navigation being to encourage the speedy growth of settlements at points where, from their natural positions, it is certain towns must eventually spring up, where travellers to the interior of the country would leave the steamers and where the produce of the Upper Waikato districts would be shipped. In selecting the sites on the Waipa river regard should be had to the point where the Kiwi-roa Road is likely to reach the river. Captain Cadell, the Superintendent of the River Transport, has been instructed, in connection with this subject, to give his assistance and advice as to the points where the rivers cease to be navigable for steamers.

I have the honor to be, Sir,

&c., &c.

WILLIAM SEED.

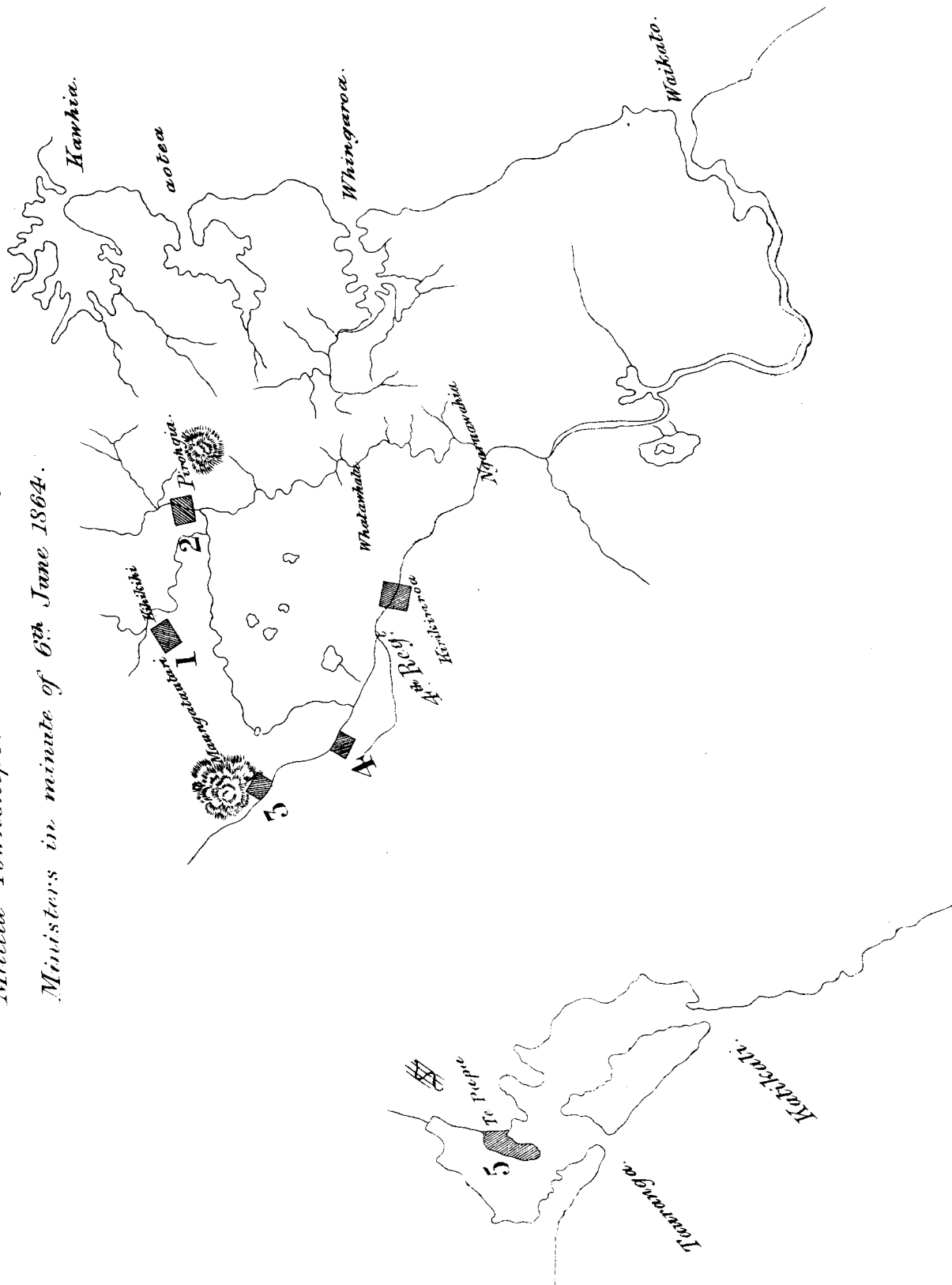
COPY of a Letter from Lieut.-General Sir D. CAMERON, K.C.B., to Governor Sir GEORGE GREY, K.C.B.

Head Quarters, Auckland, 25th June, 1864.

SIR,—

With reference to former correspondence on the subject of the military settlements about to be established on the frontier between the Waipa and Horotiu, I have the honor to report for your

Sketch shewing proposed portions of Militia Townships, as indicated by Ministers in minute of 6th June 1864.



Excellency's information that I examined the banks and course of the first named river above Te Rore, in company with Colonel Haultain and Mr. Cadell, on the 14th and 15th instant, and that Colonel Haultain selected the point just below the falls, about four miles above Te Rore, for the site of one of the two settlements to be formed by the 2nd Regiment Waikato Militia, under his command. I have therefore sanctioned a detachment of 400 Waikato Militia being stationed there, and they will be employed in throwing up a work on each bank of the river for their protection, until a stockade can be constructed.

I would observe that the Waipa was not navigable during the summer above Te Rore for the "Avon," or for steamers of even lighter draught, and that only a few days ago the "Avon" went aground two miles above Te Rore. Unless the navigation of the river can be very much improved, supplies will, therefore, have to be conveyed to the settlement by land from Te Rore during a great part of the year.

I have made arrangements for moving the remainder of Colonel Haultain's Regiment to the front, to enable him to form the other military settlement at Kihikihi.

In regard to the settlement on the Horotiu, to be formed by the 3rd Regiment Waikato Militia, Colonel Haultain has been assured by Mr. Cadell that that river is navigable as far as Maungatautari, about six miles above Pukerimu. He has, therefore, fixed upon that point as the site of the settlement, and I propose moving a detachment of the 3rd Waikato Militia there as soon as practicable.

I beg to observe that I was informed by Commodore Sir William Wiseman that the Horotiu could not be navigated with safety higher than Pukerimu.

I have the honor to be, Sir,

D. A. CAMERON,
Lt.-General.

MEMORANDUM by MINISTERS.

With reference to the Lieutenant-General's letter to His Excellency, of the 25th June, 1864, upon the subject of the sites of the military villages on the Waipa and Horotiu (Waikato) Rivers, Ministers beg respectfully to inform His Excellency that, upon a subsequent and more successful examination of the Waikato River, between Pukerimu and Pukekura, it has been found that though the river is easily navigable to a point about four miles above Pukerimu (the place to which Sir W. Wiseman first took the "Avon"), from that point to Pukekura the navigation is difficult and dangerous, and would greatly retard the progress of a settlement at Pukekura. Under these circumstances, Ministers deem it advisable to establish the village sites of the 3rd regiment on both the banks of the river, at the point mentioned below Pukekura, and they have accordingly given the necessary directions for the survey of the sites.

His Excellency is requested to inform the Lieutenant-General accordingly.

T. RUSSELL.

COPY of a Letter from Colonel HAULTAIN to COLONIAL DEFENCE MINISTER.

Auckland, 11th July, 1864.

SIR,—

In reply to your letter No. 1868, of the 10th June, directing me, on behalf of the Government, to confer with the Lieutenant-General, and fix the precise spots for the location of the military settlers on the Waipa and Waikato Rivers, I have the honor to report that I returned without delay to Te Awamutu, and visited with the Lieutenant-General and Captain Cadell the country near the junction of the Punui and Waipa, and also the neighbourhood of the rapids on the latter river, when it was decided that the most eligible place for settlement would be on both banks of the Waipa, a little below the rapids, near the old native pah at Matakitaiki, and about three miles above Te Rore, beyond which point Captain Cadell considered that steamers could not pass.

The land on the eastern bank is a flat about a mile deep, 80 or 100 feet above the bed of the river, and extending from the Punui to Te Rore, intersected by the Mangapiko, which runs at the bottom of a steep gully, and falls into the Waipa just below Matakitaiki; it is generally of very good quality, dry, and well suited for settlement, and with a good supply of wood on the eastern bank, and an abundance, though less accessible, on Pirongia Mountain, the base of which reaches the left bank of the river.

The distance from Te Awamutu is between eight and nine miles, with an excellent line of road, presenting no difficulties in the shape of swamps or gullies, and the greater part of the road is suitable for settlement. On the western bank there is also some flat land for the township, on which the rich slopes and spurs from Pirongia abut, and it is at this point that the Kiwiroa road from Raglan will terminate; and I am informed that some of the best land in the district will be found along the portion of this line that traverses the base of Pirongia.

Captain Cadell having then proceeded to the Waikato River, and reported that steamers could get up that river as far as our advanced posts at Pukeokura, the Lieutenant-General requested me to go over and ascertain whether there was a suitable site for a settlement in that neighbourhood: I accordingly did so, accompanied by Mr. Todd, and we were quite satisfied that, presuming Captain Cadell to be correct in his views, this spot would be a preferable centre for location to any point lower down the river, the rising ground and slopes from Maungatautari being very superior to the sandy flats towards Pukerimu. The river runs at the bottom of a deep cleft 150 feet or more below the level of the surrounding country, but there would be no difficulty in cutting a road down to the landing place. The distance from Rangiawhia is about 12 miles, and the land in that direction is reputed to be of very good quality. There is a considerable extent of flat country on the eastern side, which appears to be good, but I was not able to examine it myself.

I recommend that each of the settlements should occupy both sides of the rivers, as there will be more water frontage, and a greater scope of land within a reasonable distance of the township, and it is also desirable for defensive purposes.

I have also, in compliance with your telegraphic message of the 24th June, visited the Native village of Kirikiroa, which I consider a favourable position for another military settlement. The landing places are good on both banks, and there would be a sufficiency of good land for 500 or 600 men, but two or three miles further down the river. The soil on both sides is more sandy, and continues generally inferior as far as Ngaruawahia. There is plenty of wood on the left bank at Kirikiroa.

I have directed the surveyors to proceed with their work at each of the three places.

I have the honor to be, Sir, &c., &c.,

T. M. HAULTAIN,

Colonel Commanding 2nd Regiment Waikato Militia.

FURTHER MEMORANDA AND CORRESPONDENCE RELATIVE TO MILITARY OPERATIONS, INCLUDING THE MOVEMENTS AND LOCATION OF THE WAIKATO MILITIA REGIMENTS.

No. 1.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

In transmitting the letter of the Superintendent of Hawke's Bay for His Excellency's consideration, Ministers beg to express their opinion that it would be desirable to reinforce the garrison there. Ministers think that this is desirable as a precaution only, as from all they can learn they do not consider an outbreak so imminent as Mr. McLean apprehends.

In reference to further Military operations at Tauranga, Ministers state their view as follows:—

They do not desire to press the General to carry on offensive operations there, but wish to leave it to his discretion as to whether, in the present state of affairs, it is desirable or not, to do so. Ministers desire that a strong post should, at all events, be maintained there for the present.

FREDK. WHITAKER.

Auckland, 11th May, 1864.

Enclosure to No. 1.

COPY of a Letter from the SUPERINTENDENT of Hawke's Bay to the COLONIAL SECRETARY.

Auckland, 11th May, 1864.

The present very critical state of affairs in the Province of Hawke's Bay impels me again to renew my representations of yesterday on the necessity of taking early steps for the safety of the lives and properties of the inhabitants.

I have already had the honor of stating that the more immediate danger to be apprehended is from the Uriwera tribe, of the Upper Wairoa, who have been actively engaged in hostilities against Her Majesty's forces.

This tribe is resident within the Province of Hawke's Bay, and only two days' march from Napier.

They occupy a wild and inaccessible part of the country, from which they can with impunity make inroads upon the settled districts.

The Uriweras have openly avowed their determination to attack Napier, and from their wild, savage state, and revengeful feelings, consequent upon losses sustained at Orakau, there is every reason to expect they will soon carry their threat into execution.

The friendly or neutral chiefs do not disguise that such is the intention.

Emissaries are now engaged in enlisting the co-operation of other disaffected tribes to join the Uriwera.

Te Rangihiroa, of the Ngatihineuru, of Tarawera, and Te Poihipi, of Taupo, are most active in their exertions to excite other tribes, both against Europeans and Natives at Ahuriri.

The time allowed by the Natives for an attack does not exceed twelve or fourteen days.

Supplies of ammunition have been lately stored at the Pohui, on the Taupo road, for this purpose, and again removed from there to the Tuterā range, with large quantities of provisions.

It has also been proposed that the Native women and children at Tangoio, Petane, and other villages north of Napier, should be removed for safety to the Tuterā and Maungaharuru ranges.

The scarcity of food in the districts where hostilities prevail—the love of war, plunder, and excitement that still exists among the large majority of the different tribes, and the facilities with which supplies can be obtained in the Ahuriri district, fully indicate the very dangerous and precarious position of that Province.

To protect the Province from impending danger, and prevent its becoming an easy prey to the Natives, I would earnestly solicit the early aid of the Government to afford that protection which it will be admitted the urgency of the case so justly demands.

I believe that a reinforcement of five or six hundred troops is absolutely required, and such a force might even now be the means of averting hostilities.

I need scarcely remark to His Excellency's Government that the mere fact of an attack upon Hawke's Bay would endanger the whole of the settlements in the Wellington Province, and the destruction of life, and value of property, even in any of the smaller out-settlements in these Provinces, would have a most prejudicial effect upon the Native mind, and tend more than anything else to renew and indefinitely prolong hostilities in the country.

I should feel myself wanting in duty to the inhabitants of Hawke's Bay, who are in danger of losing their lives, their homes, and property, and indifferent to the general interests of the country, if I failed to represent the present critical state of that Province.

I have the honor to remain,

Sir,

Your very obedient servant,

DONALD McLEAN,
Superintendent.

The Hon. the Colonial Secretary.

No. 2.

MEMORANDUM by the GOVERNOR.

The Governor having consulted the General, finds that if Ministers consider three hundred men a sufficient reinforcement to be sent to Hawke's Bay that number of men can shortly be sent to that place. The Governor only waits to hear if the other arrangement he is about to mention will receive the recommendation of his Responsible Advisers, in order that it may be determined from what point or points the reinforcements for Hawke's Bay should be drawn. In order to make a decision to be come to as rapidly as possible, the "Sandfly" has been sent express to Auckland.

In reference to the desire expressed by Ministers that a strong post should be maintained at Tauranga for the present, the General states that he does not think that the force now there can be with safety reduced for the present.

Ministers some time since informed the Governor that they thought of occupying Tauranga as a military settlement; the Governor has consulted the General upon this subject, and encloses a letter he has received from him regarding it, from which it will be seen that about one thousand military settlers could hold a considerable piece of country here on which they might ultimately be in part located. It is a position which, in many respects, holds out great advantages for military settlers. If Ministers determine to carry out this plan, then General Galloway is authorized to draw from any of his posts three hundred of the Waikato Militia, and to send them here, so as to put an equal number of regular troops free to go from this place to Hawke's Bay.

The moment Ministers signify their intention to occupy Tauranga as a military settlement, the troops here could be employed in constructing the redoubts, in which the military settlers are to be placed.

G. GREY.

Tauranga,
May 13th, 1864.

Enclosure to No. 2.

COPY of a Letter from Lieut.-General Sir D. CAMERON, K.C.B., to Sir GEORGE GREY, K.C.B.

Tauranga,
13th May, 1864.

SIR,—

Your Excellency having requested my opinion as to the number of men necessary for the defence of a settlement located along the coast between Te Papa and the Wairoa River, I have the honor to state that I consider that 500 men would be sufficient. I would propose to establish a post on the site of the native pah near the Wairoa, another at the ford opposite Te Papa, and two intermediate posts. To support these posts it would be necessary to keep a force of at least 400 men at Te Papa.

I would recommend that the post recently established at the Gate Pah should be maintained at a strength of 150 men.

I remain,

Your obedient servant,

D. A. CAMERON,
Lieutenant General.

His Excellency Sir George Grey, K.C.B.

No. 3.

MEMORANDUM by MINISTERS.

Ministers send, for the information of His Excellency the Governor, a number of Despatches which have been received from Wanganui.

It appears to Ministers that danger exists there, and that some reinforcement should be sent, if, in the opinion of the General commanding, it be possible to spare them either from this place or Taranaki.

As no active operations are at present contemplated at Taranaki, Ministers suggest that, if in the opinion of the Lieutenant General no better arrangement can be made, some of the Taranaki Militia (from Victoria) may be made available. They were enlisted with the understanding that they should eventually be located between New Plymouth and Wanganui.

FREDK. WHITAKER.

Auckland,
14th May, 1864.

No. 4.

MEMORANDUM by MINISTERS.

Ministers have received His Excellency the Governor's Memorandum of the 13th instant, relative to the disposition of troops, with a view to the establishment of military settlements at Tauranga, with the letter from General Cameron enclosed on the same subject.

Ministers have carefully considered the arrangements proposed by His Excellency and the General, and they beg to recommend that they should be carried out.

Ministers have communicated with General Galloway, and he informs them that the 300 Waikato Militiamen will be ready for embarkation to Tauranga on Friday morning.

As, upon enquiry, it is found that no steam transport is available here at present, Ministers request that the 'Sandfly' may be sent back, and if she should be required at Tauranga, that the "Miranda" may be made available for the purpose. A small steamer, the "Ballarat," has been chartered by the Government to proceed to Hawke's Bay, and as she is on the way from Manukau, and is intended to leave here on Wednesday, she will be available to call at Tauranga, if required, and transport a portion of the militia to that post.

FREDK. WHITAKER.

Auckland,
14th May, 1864.

No. 5.

MEMORANDUM by MINISTERS.

Ministers beg to inform His Excellency that the three hundred (300) military settlers for Tauranga, referred to in their Memorandum of the 14th instant, are now ready for embarkation, and they wish to know before engaging transports whether it is intended that the men should be sent to Tauranga as proposed by Ministers, or whether other arrangements have been made.

T. RUSSELL.

Colonial Defence Office,
Auckland, 17th May, 1864.

No. 6.

MEMORANDUM by the GOVERNOR.

The Governor having received the Memorandum of Ministers relative to the proposed embarkation of three hundred men for Tauranga, thinks that as Lieutenant General Cameron may be expected hourly to arrive in Auckland, it is better to let the matter stand over until he reaches this place.

G. GREY.

Government House,
May 17th, 1864.

No. 7.

MEMORANDUM by MINISTERS.

On the several points submitted by His Excellency the Governor for their consideration, Ministers beg to state that they have come to the following conclusions:—

1. They desire respectfully to say that they entirely approve of the course taken by the General in not carrying on further offensive operations at Tauranga, and also in maintaining the posts he proposes to hold.

2. The first active step Ministers recommend to be taken is to reinforce Wanganui, to meet the threatened emergency there.

3. The next to reinforce Hawke's Bay, as already proposed.

4. To carry on such operations at Taranaki and Wanganui as may be found practicable, having regard to the number of troops which will be available by the substitution of the river transport for the land transport.

5. The Officer in command of the Upper Waikato District, if the General be absent, to have power to harass the enemy in such manner as the force at his disposal will enable him to do, and to locate military settlers in the district.

6. To locate three hundred (300) military settlers at Tauranga. To enable this to be done Ministers propose to withdraw altogether some of the posts between Auckland and Waikato, and on the Thames, which the present state of the country appears to them to render necessary.

7. In order to avoid misapprehension as to what they mean by the location of military settlers, they beg to explain that they do not propose to withdraw them from being available for military service, but to place them in such numbers and positions as will form part of the general line of defence of the country, and at the same time enable the Officer in Command to employ them, when not required military duties, in preparing land for occupation, in order to facilitate settling on it hereafter, and thus advance this portion of the general plan. The land thus prepared may be divided after, instead of before, being cleared and improved.

FREDK. WHITAKER.

Auckland,
19th May, 1864.

No. 8.

MEMORANDUM by the GOVERNOR as to Reinforcements to Wanganui.

My opinion is—

That the question of assembling 300 men at Auckland is only an affair of a few days.

That Whanganui—a flourishing and undestroyed settlement—may be in imminent danger—that Taranaki is not.

That 300 men, either military or military settlers, should forthwith be sent from Taranaki to Whanganui.

That they should, with as little delay as possible, be replaced by the men now collecting near Auckland.

G. GREY.

May 20th, 1864.

No. 9.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

Ministers have felt it their duty to take into their careful consideration the present position of affairs, with a view to advise His Excellency as to the future military operations which it is necessary should be undertaken, and they beg most respectfully to lay before His Excellency the conclusions at which they have arrived.

Ministers have to state generally that they deem it of the first importance towards the attainment of a speedy and satisfactory submission to the Queen's authority, that our recent successes should be followed up, as far as practicable, and with as little delay as possible. The state of the Native population generally, and in particular that portion of it which is resident in the more southern Provinces of the Northern Island is now such that sanguine expectations may be reasonably entertained that they will abandon any further antagonism to the British Government, if the rebels in arms have not time and opportunity afforded them of recovering from the moral effect of their defeats operating upon the minds of those who have hitherto sided or sympathised with them in the southern districts. The Maoris soon regain confidence after defeat, and the best opportunity of obtaining satisfactory terms of submission is when they are disheartened and harassed.

At Tauranga, Ministers think it of importance that our late success there should be followed up if possible, and they have great hopes that it may lead to a submission of the rebels of that district.

2. Ministers are of opinion that it would be very desirable that an expedition should, as soon as practicable, be sent from Waikato to William Thompson's settlements of Matamata and Peria. Ministers are informed that the rebels are collecting there—have stores of supplies, and are preparing to plant crops in the neighbourhood. It is not proposed to permanently occupy any posts there at present as however desirable it might be to do so, the difficulty of conveying supplies by land transport, is too great to be undertaken. It may also be reasonably expected that such an expedition would have a most beneficial effect on the rebels and the disaffected Natives in the Thames and Tauranga districts, and render them more ready to accept terms of submission.

3. It is of the first importance that an effective blow should be struck at Taranaki and Wanganui as soon as possible. Ministers are of course aware that the difficulty of land transport will prevent any operations there, on a considerable scale during the winter, and indeed experience has proved that even in the summer this difficulty is a serious drag on the effective operations of the troops.

In order to obviate this difficulty, Ministers propose that there should be erected at convenient distances on the coast between New Plymouth and Wanganui, small forts or blockhouses of wood of such a description as to be impregnable with a small garrison against Maoris, and capable of holding supplies of Commissariat Stores and Ammunition for troops. These forts might be placed at such distances from each other as to save the necessity of troops marching through the country, carrying supplies with them, and thus enable them to do so without difficulty at any season of the year.

Ministers are led to believe that there are landing places, some of them hardly inferior to the roadstead of New Plymouth, at which troops, materials for the forts or blockhouses, and supplies could be landed without serious difficulty. The Patea river, Waimate, and Te Ngamu are said to be places of this description. Waitotara may be dealt with at once as the Friendly Natives have already erected a fortified pah there, and are anxious to assist. All the land between Waitotara and Wanganui is Crown land.

Ministers propose to have the coast examined, for the purpose of ascertaining this question of landing places, and to prepare wooden forts or blockhouses at Manakau, so that they could be erected in a short space of time after being landed.

The difficulty and expense of land transport, have led Ministers to propose this plan, and they request that His Excellency the Governor will be pleased to have its feasibility considered. Ministers on their part are prepared to have the forts or blockhouses got ready, and the coast carefully examined without delay.

FREDK. WHITAKER.

27th June, 1864.

No. 10.

MEMORANDUM by the Hon. T. RUSSELL.

In order to place sufficient men at the disposal of the officers entrusted with the charge of forming the Military Settlements in Waikato and at Tauranga, Ministers respectfully advise His Excellency to make the following arrangements with the Lieutenant-General commanding:—The 3rd Regiment to be relieved from the charge of the Military Post at Pukekura, and allowed to proceed to Cambridge, the location chosen for its settlement; the detachments of this Regiment, at various posts in Waikato and Tauranga, to be ordered to join their Head Quarters. The remainder of the 2nd Regiment in the Auckland District, to be ordered to join their Head Quarters at Alexandra, relieving those men of the 3rd Regiment now at that place.

The men of the 1st Regiment at all the posts (except one) between Queen's Redoubt and Drury, to be ordered to join their Head Quarters at Tauranga.

The men of the 4th Regiment, at various posts about Auckland, (except those that it may be considered necessary to maintain) to proceed to join their settlement at Kiri-kiri-roa.

T. RUSSELL.

Colonial Defence Office, Auckland, 28th July, 1864.

The propositions made in the annexed Minute may be carried out in the following manner:—

The troops at Pukerimu to occupy the Pukekura Redoubts, where there are good huts constructed by the 50th Regiment; this would allow of the removal of Colonel Lyons' men to the new settlement, and the station at Pukerimu should be abandoned. The removal of the men of the 2nd Regiment to Alexandra would also allow of the removal to Cambridge of the men of the 3rd Regiment, now at Alexandra and Te Awamutu.

The remaining propositions involve the abolition of the posts at Whangamarino, Koheroa, Pukekohe, Keri Keri, Upper and Lower Wairoa, and the posts (except one) between Queen's Redoubt and Drury.

T. RUSSELL.

Colonial Defence Office, Auckland, 28th July, 1864.

No. 11.

MEMORANDUM.

The Governor has received this morning the Ministerial Memorandum regarding the proposed movement of Troops for completing certain military settlements in Waikato.

The Governor will request the General in as far as possible to give effect to the wishes of Ministers, on the following understanding:—

It must be understood that all the Waikato Militia sent to the front as proposed, shall count as a component part of the force required for the defence of that portion of the country, and that they do not rely upon the support of the regular forces for the protection of their settlements.

That the force stationed in the front, both of militia and regulars, shall not be greater than is required for the defence of the line between the rivers Waipa and Horotiu, a due regard being had to the necessity of maintaining a sufficient force for operations in other parts of New Zealand if required.

That it is distinctly understood if men are sent to Tauranga, that they are neither directly or indirectly led to believe that land will be provided for their location there, as the Governor is not at present satisfied that it will be practicable to obtain land for a settlement there of such an extent, and on such conditions as appear to be contemplated.

G. GREY.

July 30th, 1864.

NOTE.—Further Correspondence on the above subject is printed in a later portion of the paper.

NOTES BY THE HON. THE COLONIAL SECRETARY, RELATING VISIT TO WANGANUI, AND THE SUBMISSION OF WI TAKO.

The Colonial Secretary begs to forward a copy of notes of his late journey to the South, relating more particularly to Wanganui and the submission of Wi Tako, the leader of the King party in Cook's Straits. He also encloses a report made by Mr. Buller, R.M., of what passed at the interview between the Colonial Secretary and "Wi Tako," which appears substantially correct.

The Colonial Secretary very much regrets that the Report to which he alluded in his notes as promised by Dr. Featherston the Superintendent of Wellington of his visit to the scene of hostilities on the Wanganui River and the Waitotara has not yet reached him, apparently owing to some irregularity connected with the current mail from Wellington. The Colonial Secretary would have sent the accompanying documents earlier, but waited the arrival of the mail, in the hope that he should be able to complete the series.

WILLIAM FOX.

Auckland,
5th July, 1864.

NOTES OF EVENTS AT TARANAKI, WANGANUI, WEST COAST, AND WELLINGTON.

22nd May, 1864.

Alarming news having arrived from Whanganui, to the effect that an attack on that settlement was expected to be made immediately by the Prophet Matiae and his followers, who had brought Captain Lloyd's head from Taranaki, and were exhibiting it to excite the passions of the Natives on this river, it was determined to send a detachment of troops to strengthen the garrison at Whanganui. As they could not be immediately collected at Auckland, I proceeded to Taranaki from Manukau, with orders from Lieutenant General Sir D. Cameron to Colonel Warre, C.B., commanding the troops there, to send on 300 men of his command.

Arrived at Taranaki at 9 p.m., on the 23rd May. Here I heard the welcome news of the successful resistance made by the friendly Natives at Whanganui to the attempted attack by the fanatics on the settlement. Colonel Warre lost no time in getting his men ready for embarkation, but their departure was delayed by time lost in discharging the steamer of a cargo of timber, and we did not leave till 5 p.m. on the 25th May, when 160 men were put on board, the rest to follow on the return of the vessel.

May 26th.—Arrived at Whanganui; I there found Dr. Featherston, the Superintendent of Wellington, who, on hearing the news, had gone to that place, and had proceeded up the river to Ranana, where the engagement had taken place, and had brought down some 20 prisoners, a large rebel flag, 9 yards long by 3½ wide. He had also visited Waitotara, on the coast north of Whanganui, where a gathering of rebel Natives had been reported, but he had seen nothing of them, and returned to town.

These events will no doubt be reported by Dr. Featherston himself, so I shall not go into their details.

I found several of the leading chiefs who had been in the fight, returned to town. They had broken their guns in the hand to hand engagement, and asked urgently for a supply. I therefore directed Mr. White, R.M., to procure as many double and single barrels as he could get, and present them to the leading chiefs. As they reported that fully 150 of the friendly Natives were without arms, I wrote to Auckland for a supply, which have, as I learn, been sent; and when in Wellington I directed 100 stand of percussion muskets to be sent, in order to arm those of the friendly Natives who were unprovided.

The double and single guns above mentioned I gave to the chiefs as presents for their bravery. The others I directed to be issued on an undertaking to return them when required. I also authorized an issue of trousers and serge shirts, which Dr. Featherston had promised.

I told the chiefs that pensions would be granted to the widows of those who had fallen; 10s. a week to those of great chiefs, 5s. to those of persons of less note, and that provision would be made for such as were maimed. I also directed Mr. White to make immediate presents to such widows as required it. Arrangements had already been made for provisioning the friendly Natives up the river, and I directed Mr. White to do the same for such families of those engaged in defence of the settlement as might require it.

I visited the hospital, where all the wounded were being very carefully treated by Dr. Gibson, the Colonial Surgeon, assisted by Dr. Davis, of the 57th Regiment. No distinction was made in the treatment of rebel and friendly Natives, but the latter requested that the former might be removed to some other place. This was desirable on account of the crowded state of the hospital, and a large room in the town was taken, to which the rebelwounded were removed.

I also visited the unwounded prisoners, 12 of whom were confined in a spare guard room at the barracks. Their countenances were scowling, and they were inclined to grumble at the restrictions put upon them; such as not being allowed to smoke in the house, on account of danger to the neighbouring magazine.

These prisoners were not surrendered altogether unconditionally. A memorandum made by Mr. Booth, who acted as Dr. Featherston's interpreter, which I append, states the circumstances, and Dr. Featherston told me that he considered it doubtful whether, if he had not held out the prospect of the prisoners being released on parole, as the friendly Natives requested, or at least not sent away from Whanganui, he would have got possession of them. Unfortunately there is very little accommodation for their detention there, and I doubt the propriety of releasing them altogether.

On the Saturday, 28th May, the bodies of Hemi and two leading chiefs on our side, who had been killed, were brought through the town on their way to Putiki, where they were to be buried. Colonel Logan ordered the garrison flag to be hoisted half-mast high, and gave permission to his men to volunteer to attend the funeral, which about 50 did, in uniform, but without arms. Colonel Logan, myself, and several officers of the General and Provincial Governments joined in the procession, and as it passed through the town a large proportion of the shops were closed, and the inhabitants, who thronged the principal street, stood uncovered. These marks of respect and sympathy were much appreciated by the Maoris.

In the afternoon I rode to Aramaho with Colonel Logan, Mr. White, and others. Here an extempore meeting was held, at which strong assurances of fidelity were given by the Natives, and request was made for arms. I have since directed these to be supplied. A very handsome mat, and a roll of bank notes was presented to me, as an apology, they said, for there being no feast ready. The money, of course, I returned, accepting the mat as the usual token of amity.

On Sunday, 29th May, I again visited the hospitals, and found the wounded, with one exception, doing well. The manner in which the Natives recover from wounds of the most severe character, is very remarkable. Some amputations had been successfully performed. Having heard in Whanganui that a large party of king Natives from Otaki, led by Wi Hapi (who had just returned from fighting against the Queen's troops in Waikato) were about to take up their abode in the Rangitikei district. I determined to go there, in the hope of inducing the resident Natives, by my personal influence with them as old friends and neighbours, to prevent the others coming. I started from Whanganui on Monday morning, 30th May, and reached Rangitikei the same evening. Next morning I crossed the Rangitikei river, to the Reu Reu pa, where I found some of the principal chiefs. The report appeared to be true. I spoke strongly and plainly to them, pointing out the probable consequences of their allowing men with blood on their hands to come among them. The result was, that on the following day they despatched a chief, Wi Pukapuka to turn back Wi Hapi, who was at a pa about 20 miles off, two others accompanied me to Otaki, where they gave the Natives to understand that they must not come to Rangitikei, and I have no doubt they will be prevented from doing so.

Next morning, 1st June, I proceeded down the coast, visiting Ihakara, near the mouth of the Rangitikei. Ihakara is a cousin of Rewi Maniapoto, and expressed great anxiety to save him. I explained to him that if he submitted he would not be punished, except by the loss of his lands. Ihakara, who seemed very much in earnest, begged me to let him go to Waikato to see Rewi. I agreed to give him a passage to Auckland, and let him go through to Rewi from thence. He will come up shortly.

I was joined before leaving Rangitikei by Mr. Buller, R.M. He accompanied me down the coast as far as Waikanae. He informed me that, acting under instructions from Dr. Featherston, he had just succeeded in purchasing 250,000 acres of the Manawatu block for £12,000. A purchase of great importance, both in a political and colonizing point of view. Slept at Manawatu.

2nd June. Started from Manawatu for Porotawhao and Horowhenua. Found the Natives gone on to Otaki to wait for me there; followed them down; held a large meeting at the Court House, at Otaki village in the evening; at which place I gave an account of the progress of the suppression of rebellion in Waikato, and Noa Te Rauhihi, whom I had lately sent to Waikato to see what had been done there, made an extremely eloquent and judicious speech on the same subject, which appeared to excite very great interest.

3rd June. Left Otaki; after crossing the Ruru held another meeting, at which Epiha and the Porotawhao Natives were present, when the speeches of last evening were repeated. Thence we rode on to Waikanae, where we arrived late in the afternoon.

I had heard at Otaki that Wi Tako, the principal leader of the king movement in Cook's Straits, had made up his mind to abandon kingism. His Excellency will remember the uncompromising demeanour of this chief at an interview which he had with His Excellency at Wellington, two years ago, and his determination to support "his king."

I had been led to expect that he might attend the Otaki meeting, for the purpose of declaring his allegiance to the Queen. I was disappointed at his not appearing there, but on reaching Waikanae, where he lives, I sent Mr. Buller to his pa, to tell him I had arrived at the village. He was not long in coming down, and at once proceeded to business, by informing me that he had been waiting for me three days, and asking what were the thoughts of the Governor and myself towards the Natives? Did our love embrace them all? &c., &c. As there were others present, I proposed an adjournment to another room, accompanied by Mr. Buller only. I there repeated to him the conditions on which submission would be accepted;—the surrender of arms, declaration of allegiance to the Queen, and forfeiture of land, where the Government might choose to enforce it. He replied by stating that the terms were very fair. He then gave his reasons for having joined the king movement. "He had expected good from it; and if they had taken his advice he believed it would have had a very different result; but on every single occasion when he had offered advice it had been rejected. He considered kingism was beaten, and he was beaten also. Why should a beaten man stand out longer? When Sir George Grey had talked to him on the subject two years ago, he, Wi Tako, had said that that dispute must be settled in Waikato. It had now been fought out there, and he was satisfied. The contest now was no longer for kingism, but for Rewi and Thompson. Why should he lose his to save theirs?" His demeanour was frank; equally without any appearance of false shame and of bluster; but he was evidently very anxious to be received. Mr. Buller left the room, and returned with a written copy of the declaration of allegiance. He began to read it aloud, and Wi Tako of his own accord repeated it after him. As soon as he had finished, I handed him a pen, and he signed it without the least hesitation. He then said, "You may take this as the surrender of kingism between Whanganui and Hawkes Bay. I have written to Ngairo (Wairarapa), to Ahuriri, to Poverty Bay, to tell them so, and to invite the leading men to a meeting here immediately, when all will consent to the abandonment of kingism." I told him that he being a great chief, and his name known all through New Zealand as a leader of the king party, I should not ask for his gun. But as regarded his followers, I did not know who these were; many were Taurekarekas (slaves) and not to be trusted with guns. "They must give them up." He

said that was right, and afterwards expressed to Mr. Buller how much he was pleased at my not requiring him to give up his, taking it as a great compliment to him. We then dined together, and I rode on to Wellington, which I reached the following day.

I take no credit to myself for obtaining Wi Tako's declaration of allegiance. His conversion is attributable partly to the very judicious manner in which he has been treated by Dr. Featherston, the Superintendent of Wellington, during the last two years, and partly to the conviction that the cause of kingism was lost, forced upon him by the reports of Wi Hapi, Noa Te Rauhihi, and others, some of whom had been fighting in Waikato, and some sent there by the Government in order that they might carry back truthful accounts, which they have done. Their reports of the defeat of the king party have convinced Wi Tako, and I trust all the Cook's Straits Natives, that the cause is hopeless. It should not be omitted that Wi Tako is undoubtedly entitled to the credit of having restrained the more impetuous spirits of his party, and but for his influence I have not the least doubt that the Wellington province would long ago have been involved in hostilities.

5th. Left Wellington per steamer "Rangatira," for Hawkes Bay, which we reached on Monday night. Tuesday morning went ashore, and called on Mr. McLean, the superintendent. Found that Renata, the well known chief, was up the country, and Karaitiana also; the latter very ill: but Tareha, the most influential of the three, was near town, and he came to Mr. McLean's, where we spent the greater part of the day. It is very much owing to Tareha's influence with the Uriweras (of which tribe was his mother) and other north east Natives, that Hawkes Bay has escaped incursions from that quarter. I had a long and very interesting conversation with him, in which he gave the history of kingism in that district. In substance his account was this: when the fighting began at Waitara they all said Governor Browne was wrong, and were prepared to back up William King. Then peace was made, and the Waitara question was to be decided by law. He referred to the offer of arbitration made by myself to the Waikatos in 1862, and said that they were agreed that that was right. When Waikato refused it, they sent a deputation to argue the matter with them. (This was at the Peria meeting.) Old Porokoro insulted them, asking what they meant by offering their advice. Then we determined to leave the king to himself. You go to death your own way, we said to Waikato; fight with the Governor. We will die in our own place, and our fighting shall be with our superintendent with the tongue only, about small things, such as cattle trespass, grass money, and the like. From that time Ahuriri has had nothing to do with kingism, and we have endeavoured to keep back the tide of war from flowing there. The attempts made by the Government in 1862 to induce the Hawkes Bay Natives to use their influence with Waikato on this subject have been characterized by a member of a subsequent Ministry as pusillanimous, and increasing the contempt of the king party towards the Queen's Government. (See Appendix to Journals of House of Representatives, 1863, E No. 13, p. 18.) It is very satisfactory to learn from Tareha that the action of the Government resulted in practically detaching the powerful tribes of Hawkes Bay from the king movement, and had convinced them at least of the sincerity of its desire to secure a peaceful adjustment of the Waitara difficulty, which they regarded as the key of the whole position. Tareha afterwards spoke about those who had been to Waikato fighting and returned. What was to be done with them? He advised to leave them to themselves for a time. Patience, he said, was a great thing, and he gave an instance from his own early adventures in illustration. I told him not to be rash; if these returned people kept out of sight he need not see them. But if they began to do mischief let him tell Mr. McLean and Major Whitmore, and they would know what to do.

I was glad to find that confidence was restored here, and that the arrival of the first detachment of the reinforcement, 300 men, had removed the alarm which had existed. The remainder have since gone, and a steamer, the "Ballarat" has also been sent, to enable the settlers on the sea coast to the north to come in to Napier in case of attack. The apprehension of such an event, however, seems to have ceased for the present, and Mr. McLean and Major Whitmore appeared to think that there was now no ground for alarm.

Left the same evening and returned to Auckland.

WILLIAM FOX.

14th June, 1864.

NOTE of what passed between HIS HONOR THE SUPERINTENDENT OF WELLINGTON, (Dr. Featherston) and the FRIENDLY NATIVES on the subject of the SURRENDER OF THE PRISONERS, by Mr. BOOTH, acting Interpreter.

May 23rd. 1864.

We left Ranana for Kauaeroa and Peterehema. Hori Kingi went in the same canoe with the Superintendent; he seemed to be in very low spirits, especially when we passed Tawhitinui. He said, "My heart is very dark indeed about my children, especially about Te Reimana; this is the first time I have passed his place without calling. When he had said this he turned away his head, and seemed to be weeping; in a few minutes he turned to me and said, "Tell Dr. Featherston that our hearts are very dark because of the prisoners; they are our nearest relatives; this is why we feel so dark about this matter; not that we intend not to take these men prisoners; but listen to my thought. Won't Dr. Featherston agree that we should write a letter to Governor Grey, praying that these prisoners be given up to us; we will take them to-day; we intend to do so, and send them to town. But if Dr. Featherston will agree to this word of mine our hearts will be light." Dr. Featherston said that he approved of Hori's wish, and that he also would write a letter to Governor Grey, asking him to consent to Hori's wish. Hori then stood up, and called to the men in the other canoes; he gave them a hint about what had just passed between Dr. Featherston and himself, and in a moment every countenance was beaming with pleasure.

JAMES BOOTH.

Whanganui, 27th May.

REPORT of an Interview, at Waikanae, on the 3rd June, 1864, between the Honorable WILLIAM FOX, Colonial Secretary, and WI TAKO NGATATA, a leading Kingite Chief of the Ngatiawa Tribe: WALTER BULLER, Esq., Resident Magistrate, interpreting.

Wi Tako (after mutual greetings). For three days I have waited for you, Mr. Fox, in order that I might see you and talk with you.

Colonial Secretary: I should have been down sooner, but I have had much to do at Wanganui and along the coast.

Wi Tako: What are your thoughts?

Colonial Secretary: What they always were.

Wi Tako: Are they full of love to the Maoris?

Colonial Secretary: Of course they are.

Wi Tako: Before we go any further let me explain to you what Kingism is down here. Wairarapa is one side of the house, this coast is the other side. One roof covers all. I hold the key. Those whom I lock in, remain inside the house—those whom I lock out, remain out. I come to you now bearing this key. You have said that your thoughts are full of love towards the Maoris. Does this include all Maoris—the bad as well as the good?

Colonial Secretary: Yes, in one sense; but I have no love for evil itself.

Wi Tako: Our Lord Jesus Christ loves all men—the wicked as well as the good.

Colonial Secretary: But He will punish the wicked unless they repent and turn to Him.

Wi Tako: True, but he desires to save them.

Colonial Secretary: Exactly so. But if they refuse to be saved, they must perish.

Wi Tako: Is your love extended to me only, or to all on the wrong side?

Colonial Secretary: To all.

Wi Tako: Is that the Governor's feelings towards us as well as yours?

Colonial Secretary: Yes, the Governor's heart is full of love and compassion for the Maoris.

Wi Tako: Are you willing to save all without distinction?

Colonial Secretary: All except the murderers, if you will comply with the conditions.

Wi Tako: I have heard the conditions and know them, but let me hear them again from your lips?

Colonial Secretary: Then listen, and I will explain them. The murderers—those who have killed women and children and unarmed men—will be handed over to the civil authorities to be tried. If convicted they will be hung as murderers.

Wi Tako: That is clear. It is right to hang the murderers.

Colonial Secretary: Those who have killed pakehas in fair fight will not be treated as murderers. But their lands have all been taken in payment for their rebellion. When they give up their arms and return to their allegiance they will be received into friendship again, the past will be forgiven, and the Government will give each of them a piece of land secured by Crown Grant. Those who have been hoisting king's flags, drilling soldiers, and committing other acts of that sort, are all rebels, and are liable to have their lands confiscated. But the Government is not obliged to take the lands of such, and if they voluntarily come forward, declare their allegiance, and endeavour by future good behaviour to atone for the past, their case will receive every consideration at the hands of the Government. With regard to you in particular, Wi Tako, I will say this: the Government have heard with satisfaction from Dr. Featherston and others that the continued peace of this district has been owing, in great measure, to your individual exertions. You have restrained the violent ones, and you have always declared against the cowardly murder of unarmed pakehas. The Government are therefore disposed to consider your case very favourably. You are liable, as well as the rest, to have all your lands taken from you. But if you are prepared to-day to make your submission—to give up kingism for ever and sign the declaration of allegiance—the Government will not touch any of your land nor punish you in any way. You will be received again into favour and all the past will be forgotten.

Wi Tako: I am quite prepared to make my submission. I told Dr. Featherston that I should, and it was for this purpose that I came here to-day. But I want to know about the others. You say that your love extends to the bad as well as to the good, and that you desire to save them all.

Colonial Secretary: And I say it again. We did not want to fight, but they compelled us. We did not want to continue fighting, but they compel us by refusing to submit. As soon as they want peace they shall have it. But they must give up their guns and declare their allegiance. As soon as they do this all the past will be forgiven; and, as I said before, a piece of land will be given to each of them out of the lands we have conquered. Rewi, Tamihana Tarapipi, Wi Hapi—all will be fully pardoned, unless it be proved that they have taken part in the murders. The prisoners on board the hulk—they too will be pardoned and set free as soon as peace is made. At present they are fed, clothed, and well cared for, and when they are liberated the Government will give them each a piece of land, clothed with a Crown Grant. Mr. Whitaker and I went on board the hulk and told them this, and we sent two of their number through Waikato to tell it to their friends. About two hundred Natives—many of them chiefs—have lately given up their arms, and are now waiting till land shall be marked out for them. It was found that one of the prisoners, Tangataware Iwataia, had murdered a pakeha in cold blood. He was at once handed over to be tried in the Supreme Court, and is now undergoing his sentence of imprisonment for life. As for Waikato it is clean swept—as completely as you would sweep this floor with a broom! There is not a single kingite between Maungatawiri and Maungatautari, and only a few of them about Hangatiki. As for the king he has vanished like a dream; and disappeared like a cloud, and is nowhere to be heard of! The fighting is no longer for the king, but for the proud heart of Rewi, and for the double heart of Thompson.

Wi Tako: I have heard all that from Wi Hapi, every word of it. He told me that Waikato was completely swept. He told me that there was no longer any fighting for the king, but only for the name of Rewi and for the name of Tamihana. I then decided to give up this king work, and I wrote letters to Wairarapa and to Ahuriri, inviting all the chiefs to a great meeting, so that all the people

may hear and understand my reasons for giving up kingism. The meeting will take place in July or August. When the people hear my reasons they will all approve. It was I who commenced kingism here. I meant no evil to the pakeha, and if Waikato had followed my advice there would have been no trouble now. I made no secret of my kingism. When the Governor was here I told him what was in my heart, and I refused to yield. From the first time my kingism was clear and good, but Waikato put it wrong, and now it is crushed and dead. My advice was always set aside, and their plan took a different shape from mine. I declared against the fighting at Tataraimaka, but they would not listen. I declared against the Ngatiruanui Toll-gate, but they would not listen. I invited Rewi and Thompson to meet me here, but they declined, and sent Porokoru instead. My plan of kingism, if carried out, would never have led to mischief; it was intended solely to secure good for the Maori people, but Waikato made it a cause of fighting. When I saw these things—when I found that they would not listen to my words and that their plan was a different one to mine—I at once foresaw the end. But I had consistently supported kingism from the first, and I would not desert it then. I contented myself with restraining my people from evil, and keeping them back from the war. I said I will not desert the cause now, but I shall wait till the Governor has crushed and killed the work of kingism. When I heard Wi Hapi's account, I found the fulfilment of my words to the Governor (Otaki, September, 1862), "Tear up the root and the branches will wither; dry up the fountain and the streams will vanish!" Mr. Fox, my work is now crushed, and I am virtually dead. This is my position now! (reclining his head on the sofa).

Colonial Secretary—That is true Waikato, and I come to give you life.

Wi Tako—Yes, I am crushed, and the king work is ended—but through no fault of mine. My kind of kingism would never have ended thus. It was calculated to bring forth good fruits only. But Waikato would not listen to my counsels, and departed from the plan. Behold now the end of it.

Colonial Secretary—I too was a kingite once; that is to say, I looked favourably on the movement and hoped that it might be turned into a proper channel, and made productive of good to the Maori people. But when I found that it took the shape of antagonism to the pakeha and defiance of law, I condemned it. And when it developed itself into something worse, and the Waikato people began to murder women and unarmed men, then my anger was roused, and I determined to crush it.

Wi Tako—All you say, Mr. Fox, is true—perfectly true. The fighting is no longer for the king. The fighting at Waikato is for Rewi and Thompson—the fighting at Wanganui is for the mad prophet—and if there should be fighting with Ngatiruanui and Taranaki after this, it will not be for the king, but because they are stiff-necked and proud.

Colonial Secretary—I am glad you see it in that light. That there will be fighting at Taranaki, and much of it, I fully expect; not that we are anxious to fight, but because those tribes are proud, and rebellious, and refuse to submit. Therefore, if you hear by and by that all that land is *red with soldiers*, don't be alarmed. Don't suppose that the fighting will be brought into districts where the Natives are peaceful. If the Ngatiruanui and Taranaki tribes humble themselves, even to-morrow, and come in and make their submission, giving up their arms, all the past will be forgiven, and none but the murderers will be taken. But all the lands of these tribes are forfeited to the Government as payment for their rebellion and fighting.

Wi Tako—That is all clear. If Taranaki and Ngatiruanui refuse to submit after they hear that kingism is given up, then they deserve to be pursued by your troops; but I shall do all in my power include them among the saved.

Colonial Secretary—We can do no more than offer them the same terms. If they refuse them their destruction is of their own seeking.

Wi Tako—I have talked with Heremia, and with all the leaders. They have all consented to give up kingism. When the tribe assembles there will be one general "whakamutunga" (finishing up). My profession of kingism was heard all over New Zealand; I am anxious that my renouncement of it shall be as widely known. When I explain to the assembled tribes what my views were when I helped to establish kingism years ago—how earnestly I desired the good of my people, and how I laboured to accomplish it—when I tell them how Waikato scoffed at my counsels and turned kingism into a different thing—when I tell them how consistently I stuck to kingism, through good report and evil report—when I tell them how Waikato is crushed and conquered—when I tell them all this, they will understand why it is that I now submit to your rule, and they will all agree that kingism is over. I have nothing to be ashamed of when I meet the tribes. I was faithful to kingism till it died, and I had no hand in its death.

Colonial Secretary—I am satisfied Wi Tako with your words and I believe them. The conditions as you are aware, require that you should give up your gun. But I shall treat you as I would an English gentleman. You are a great chief, and the principal man in your tribe. I am satisfied with the tender of your arms. I accept your word, as the word of a chief, that you will never use your gun against the pakeha, nor turn it into any unlawful purpose. I shall therefore not degrade you by depriving you of it. But the Ohau and Otaki kingites I don't know, and I shall therefore expect them all to surrender their guns.

Wi Tako—Mr. Fox, your words are full of kindness. You need have no misgiving about my sincerity. While I was a kingite I was true to the cause. The Governor urged me to give it up—Mr. Buller urged me—many urged me, and for many years—but I was staunch to the last. The word has been spoken: and I shall now be as faithful to you as I was to the King. There is one thing, however, I must ask. I want nothing for myself, but I want employment for my people. I want you to find some employment for all of them.

Colonial Secretary—Very well. We shall probably soon be making great roads all over the country. There will then be work for all your people, and the Government will pay them wages. The Chiefs we will appoint assessors and give them salaries.

Wi Tako—I am satisfied.

Colonial Secretary—I shall now request you to make the usual declaration of allegiance, and to sign your name to it, in order that I may lay it before the Governor when I get to Auckland.

A Maori version of the following declaration was then read by the Resident Magistrate, Wi Tako repeating it after him in a clear and distinct voice.

“DECLARATION.

“I hereby declare that I am a true and loyal subject of the Queen, and that I will for ever hereafter bear true allegiance to Her Majesty: that I will obey her laws, submit to her magistrates, and yield obedience to the lawful command of all in authority under Her Majesty.”

Wi Tako having subscribed his name thereto, the honourable the Colonial Secretary shook him warmly by the hand and congratulated him in kind and friendly terms.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

*Printed with E.
No. 3.

The Colonial Secretary begs to forward a Memorandum received from his honor the Superintendent of Wellington, enclosing an account* of his visit up the Wanganui River, and recent events connected with the repulse by the friendly Natives of the rebels. This is the document referred to in the Colonial Secretary's notes of his own visit to Wanganui, forwarded to His Excellency on the 5th July instant.

The Colonial Secretary begs respectfully to suggest the transmission of this document, his own notes above referred to, and Mr. Buller's notes of the Colonial Secretary's interview with Wi Tako, to Her Majesty's Principal Secretary of State for the Colonies, as they complete the history of events on the Wanganui River and West Coast, of which partial reports were forwarded by His Excellency in his despatch No. 35, 30th May, 1864.

W. Fox.

Auckland,
20th July, 1864.

FURTHER PAPERS ON THE SUBJECT OF CONFISCATION.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

The Colonial Secretary begs to forward copies of a correspondence between the Bishop of Waiapu and himself relative to the question of Confiscation of Lands belonging to rebel Natives. His Lordship's opinion is entitled to so much weight that perhaps His Excellency will excuse the suggestion that this Correspondence should be forwarded to Her Majesty's Principal Secretary of State for the Colonies.

WILLIAM FOX.

5th July, 1864.

Enclosure 1 to No. 1.

Tauranga, April 15th, 1864.

SIR,—

I learn from the late English papers that a Memorial has been sent to the Governor urging His Excellency “to avail himself of the first favourable opportunity of endeavouring to terminate the war by negotiation; and also deprecating a proposal which has been made to confiscate the lands of all contumacious and rebellious natives.”

I take the liberty of expressing an opinion on this subject, which I form upon long observation and personal intercourse with this people. That I am a friend of the natives no one will for a moment doubt, who is aware of the fact that I have spent nearly forty years of my life for their benefit; and it is because I am a friend of the natives, that I would not endeavour to screen them from punishment, which I believe to be necessary, and likely to have a salutary effect upon them. In the circumstances which led to the present war, the natives were blind to their interests, and have rejected the often repeated advice of their best friends. They had organized the king movement, which seemed at first to be of a harmless character, but when it was clearly tending to evil, the leading men in New Zealand, of that party whom some are fond of styling Maori sympathisers, one and all urged upon the natives to give up this movement, and to send the flag to the Governor.

The present war, it is well known, was brought on chiefly by Rewi, who acted in direct opposition to Tamihana and Matutaera; but this king organisation led those two chiefs to make common cause with the rest. The Governor levied necessary war against the instigators of murder, and invited all the peaceably disposed to remain quiet, with the assurance that their lands should be intact; while those who took arms against the Government were warned that they would forfeit their land. They made a deliberate choice, and as Tamihana wrote to Archdeacon Brown—“E pa kia rongo koe kuo whakaoe ahau kia whawhaitia te Taone katoa; mana e kaha e pai ana, ma te maori e kaha koia tenei.”

Upon the subject of confiscation, I see no other way in which the natives can be made to feel the evil of the course they have chosen. They had seen that in the former wars with Heke and Rangihaeata, no confiscation had been made, but they were afraid now that a different course would be adopted. They knew what would follow if they could not keep up a successful opposition. The natives of Tauranga told the Rev. C. S. Volkner, before the soldiers were sent there, that they would

not object to give up the western side of Tauranga, if they might keep quiet possession of the land on the east side of Te Papa. The Opotiki natives, too, when about to embark in this war, said, "we know that we shall lose our land, we shall not return here again;" but still they were bent on going.

The natives who are remaining quiet have been encouraged to do so by the assurance of the advantages they would secure to themselves; but if stringent measures are not taken against those who are making a vigorous opposition to the Government, the natives will consider that they have after all gained the victory; and to bring them under reasonable control, and to make them amenable to one common law with ourselves, will become more difficult than it has been hitherto.

I remain, Sir, &c.,

WILLIAM, WAIAPU.

The Hon. the Colonial Secretary.

Enclosure 2 to No. 1.

Tauranga, June 4th, 1864.

SIR,—

In my letter to you of April 15th, I stated that, "upon the subject of confiscation, I see no other way in which the natives can be made to feel the evil of the course they have chosen;" and again—"The natives who are remaining quiet have been encouraged to do so by the assurance of the advantages they would secure to themselves; but if stringent measures are not taken against those who are making a vigorous opposition to the Government, the natives will consider that they have after all gained the victory."

As my letter has been made use of in support of the plan which is laid down by the Government, I think it right to state, that in holding this opinion I do so under the conviction that confiscation will be carried out upon such principles as will commend themselves to our Government at home, and to the Christian public.

It is evident that the opinion of the Governor, as expressed in his speech on the opening of the General Assembly was of a modified character. Speaking of military settlements as a means of securing the peace of the country, His Excellency observes, "This will necessarily involve the occupation of a portion of the waste lands of the rebellious natives; but while ample land will be left for their own requirements, it is only just that they should be made to feel some of the evil consequences of plunging the country, by wanton and unprovoked aggression, into the expenses and miseries incidental to civil war; and thus it is hoped to afford a warning to other tribes to abstain from conduct which will be attended with the kind of punishment they are most apprehensive of." The opinion of the Duke of Newcastle, as expressed in his letter of November 26, 1863, is also in favour of modified confiscation; for while His Grace expresses his opinion that the natives may properly be punished by a confiscation of a large part of their common property, he adds that the application of these principles is a matter of great danger and delicacy, and he speaks of the difficulty of controlling within wise and just limits the eagerness for the acquisition of land.

I am not aware that anything definite has been put forth by the Government upon this subject, such as would be likely to have the effect of bringing the natives speedily to terms. In my letter of April 15th I noticed a report I had heard, that the natives of Tauranga, before the troops went there, were feeling that they had committed themselves, and stated that they would willingly give up one side of Tauranga if they could have a secure dwelling-place on the other side. But, so far as I have been able to hear, the case stands thus:—Your lands are confiscated—the Government takes the whole. There is therefore no encouragement to those who are roaming at large to come in and submit.

In the declaration put forth on February 2nd, in the native language, it is said that if any natives who have been in rebellion wish to give up their present course, they must surrender their arms and ammunition, and take the Oath of allegiance, but that their lands are in the hands of the Governor. There is nothing to assure and encourage them that their case is not desperate.

The consequence seems to be that when fairly beaten they do not submit, but retire to their fastnesses with a determination to fight to the death; while the irritation is kept up among the distant tribes along the Bay of Plenty, at Whanganui, and elsewhere.

The object of the Government is, I presume, the speedy pacification of the country. I beg, therefore, respectfully to submit that some definite terms should be laid down to the natives, particularly in reference to the land which may be left to them. This, I believe, would have the effect of leading them to give up a contest in which they have been taught that success on their part is altogether hopeless.

I have the honour &c.,

WILLIAM, WAIAPU.

The Hon. the Colonial Secretary.

Enclosure 3 to No. 1.

Auckland, 4th July, 1864.

MY LORD,—

I have the honour to acknowledge your letter of the 15th April, on the subject of confiscation of the lands of rebel natives, and also that of the 4th June, in which you explain the former. I beg, on the part of the Government, to thank you for the clear and explicit statement of your views on the subject.

The intentions of the Government are precisely those indicated in the Governor's speech to which you refer. They have four objects in view in confiscating rebel lands:—1st, Permanently to impress the natives with the folly and wretchedness of rebellion; 2nd, to establish a defensive frontier; 3rd, to find a location for a European population which may balance the preponderance of the natives who

occupy the rebel districts; 4th, in part to pay off the cost of a war forced by the natives upon the Colony. While achieving these ends, they would reserve for the future use of the natives so large a portion of the confiscated land as would enable them to live in independence and comfort, and they would secure it to them by such individual titles under the Crown as might tend to elevate them above that communal system (or no system) of life which lies at the root of their present uncivilized state.

In attaining those ends they sincerely hope that the means adopted will be such as to satisfy both Her Majesty's Government at home and the Christian public; understanding by the latter expression, however, the well-informed intelligence of the whole Christian public, and not merely a portion of it, whose sectional habits of thought might induce these to take a prejudiced or narrow view of the subject. The Government feel, however, that it is their duty not so much to regulate their acts by what may be thought of them even by the Christian public at a distance, as by what their own local knowledge and long experience in the Colony may enable them to judge to be the right thing to be done. If in order to conciliate public opinion at home, or to earn a character for justice and humanity in the estimation of persons in England who have but an imperfect appreciation of the real merits of the case, the Government here were to sacrifice the permanent welfare of the Colony, by patching up a hollow peace without those material guarantees which alone are likely to make it durable, they would not be doing their duty. They are satisfied, however, that this is not what your Lordship would encourage them to do, and they do not believe that there is any material difference between your opinion and theirs on the subject.

I have the honour, &c.,
WILLIAM FOX.

The Lord Bishop of Waiapu.

No. 2.

MEMORANDUM by the GOVERNOR.

In reference to the Colonial Secretary's Memorandum of the 5th instant, transmitting a correspondence with the Bishop of Waiapu, relative to the confiscation of Native lands, for the purpose of being forwarded to the Secretary of State, in which the Government state that they believe that there is very little difference between their opinion on that subject and the opinion of the Bishop of Waiapu, it would be a great satisfaction to the Governor if Ministers would inform the Bishop of the nature and extent of the confiscation of Native lands, which they have advised the Governor to carry out, in their Memoranda of the 25th of June and of the 1st of July, in order that His Lordship, who is now in town, may state whether, in expressing the opinion he has done, he intended to advocate a confiscation of that nature and extent.

G. GREY.

Government House, 29th July, 1864.

No. 3.

MEMORANDUM by the GOVERNOR.

The Governor would feel much obliged to his Responsible Advisers, if they would reply to his Memorandum of the 29th of July last, in reference to a correspondence regarding the confiscation of Native lands with the Bishop of Waiapu.

G. GREY.

August 25th, 1864.

MEMORANDUM by MINISTERS.

In reply to His Excellency's Memoranda of the 29th July and 25th August, requesting Ministers to inform the Bishop of Waiapu of the nature and extent of the confiscation of Native lands which they have advised the Governor to carry out in their Memoranda of the 25th June and 1st July, in order that His Lordship may state whether, in expressing the opinion he has done, he intended to advocate a confiscation of that measure and extent,—Ministers beg respectfully to state their opinion that to communicate to persons not members of the Government the details of plans on which Ministers have advised His Excellency, and with reference to which action is still incomplete, would create a precedent which might be attended with the most serious inconvenience to the public service; and in this particular instance there seems the less necessity for such a course, because the Bishop of Waiapu, in volunteering an opinion on the subject, has confined himself to the general principle of confiscation, and not touched in any way upon matters of detail. And while Ministers attach considerable weight to the concurrence of the Bishop in the principle of the propriety of enforcing which his knowledge of Native customs and character enable him to judge, Ministers would not attach much importance to his opinion (probably formed entirely from a Native point of view) upon the details of the Government plans, which have other bearings besides those which they have upon the Native population, and in reference to which the Bishop can have no special knowledge or experience.

W. FOX.

26th August, 1864.

FURTHER PAPERS RELATIVE TO TERMS OF PEACE AND CONFISCATION.

No. 1.

MEMORANDUM by MINISTERS.

Ministers propose to reply to the three questions on which Mr. Rice requests information.

1. That he is to continue to feed the Natives referred to, till further instructions.
 2. That if any of the Natives who wish to come in, declaring they have not got arms, and Mr. Rice has reason to believe their statement is true, they shall be received, on making the declaration of allegiance, and putting in writing also their declaration that they have no arms.

3. As to general terms of peace, the above requires no addition except a guarantee that they will not be imprisoned or personally punished for what they have done, and that land will be assigned to them to live on, under Crown Grants, as soon as the restoration of peace enables the Government to deal practically with the question; but that in the meantime they will be allowed to cultivate in such places as the Government may point out. It is not the intention of the Government to take away land on the East side of the harbour of Tauranga, which will be open to the Natives to reside on if they prefer it to the locations assigned to them by the Government on the Western Coast.

W. Fox.

19th July, 1864.

No. 2.

MEMORANDUM for HIS EXCELLENCY.

The 'Sandfly' goes to Tauranga to-day. His Excellency has a letter of Mr. Rice's sent yesterday, which will require an immediate reply. The Colonial Secretary would be obliged if His Excellency would return it. The overtures from Taupo, it is respectfully suggested, should be considered as easy as possible.

W. Fox.

19th July, 1864.

No. 3.

MEMORANDUM for HIS EXCELLENCY the GOVERNOR.

The recent events at Tauranga render it necessary that some steps should be immediately taken by the Government. It appears that almost the whole of the Tauranga Natives have given in their submission, and are now temporarily occupying Otumoi, by directions of Colonel Greer, and receiving food from the Government.

It is very desirable that the permanent place of residence of these people should be at once fixed on, and it is recommended by Ministers that the wishes of the Natives should be consulted, so far as they are not inconsistent with the location of the Military settlers at such points, as having regard to all the circumstances, may be most suitable for the objects for which they were selected.

Ministers are very anxious, and advise that the land allotted to them should be held under Grants from the Crown, and not in common, but in severalty, and Ministers are prepared to render assistance towards the erection of dwellings, the supply of agricultural implements, and the providing of seed for this year's crop. In the opinion of Ministers, no time should be lost, as the season of the year is suitable for the sowing of crops.

Ministers hope that the example of the liberal treatment of these people may be of effectual success in bringing about the submission of others now remaining in arms, and on that ground also Ministers are of opinion that no avoidable delay should take place in the location.

FREDERICK WHITAKER.

28th July, 1864.

No. 4.

MEMORANDUM by the GOVERNOR.

The Governor has received the Ministerial Memorandum upon the subject of the location of the Tauranga Natives who have given in their submission. He has seen and conversed with the General on this subject, and the Governor intended to proceed immediately to Tauranga, in compliance with the wishes of the Natives, with a view of bringing affairs at that place to a complete and satisfactory settlement.

G. GREY.

28th July, 1864.

No. 5.

MEMORANDUM by the GOVERNOR.

Adverting to the Ministerial Memorandum of yesterday's date, on the subject of the natives who have given in their submission at Tauranga, the Governor would observe that his Responsible Advisers have not stated either the extent or limits of the block of land they would advise should be confiscated at that place. To prevent future misunderstandings, the Governor would feel much obliged to Ministers if they would state their views on this subject, that he may take them into consideration.

G. GREY.

July 29th, 1864.

No. 6.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

Ministers have not sufficient information at present to enable them to advise His Excellency as to either the extent or limits of the block of land which they would advise him to confiscate at Tauranga, but they will be prepared to tender advice on that subject when they meet His Excellency at Tauranga, as has been arranged.

FREDK. WHITAKER.

29th July, 1864.

MEMORANDA ON THE SUBJECT OF MR. BAKER'S EMPLOYMENT AS INTERPRETER TO THE TROOPS.

No. 1.

MEMORANDUM by the GOVERNOR.

The Governor, in returning Mr. Baker's Journal to his Responsible Advisers would submit that after the reflections he has made upon Colonel Greer and the Military, he ought not any longer to be employed as Interpreter to the Troops, or in any capacity which brings him into contact with Colonel Greer or the Officers under his command.

G. GREY.

July 29th, 1864.

No. 2.

MEMORANDUM by the COLONIAL SECRETARY.

The Colonial Secretary begs to acknowledge His Excellency's Memorandum of the 29th instant, suggesting the discontinuance of Mr. Baker's employment as Interpreter to the Troops, on the ground of certain reflections contained in Mr. Baker's Journal of events at Tauranga of the week ending 26th July.

The Colonial Secretary thinks that Mr. Baker's remarks on the troops were out of place in an official document. He had already recalled Mr. Baker when he received His Excellency's Memorandum, not however on the ground suggested by his Excellency, but partly because he is very unwilling to subject officers of the Colonial Government to such discourteous and even illegal treatment as Colonel Greer appears to have resorted to in the case of Mr. Mackay. It is only his earnest desire to prevent any obstruction of the public service which induces him, after that event, to allow any officer of his department to remain in a position where he is liable to be subjected to the indignity and inconvenience of being put under arrest without having committed any offence cognizable by law; and as, under the circumstances, Mr. Baker was not likely to be of any further use to Colonel Greer, the Colonial Secretary at once directed him to return to Auckland.

WM. FOX.

30th July, 1864.

MEMORANDUM ON THE SUBJECT OF MINISTERIAL RESPONSIBILITY.

Ministers have read His Excellency's Despatch of the 8th June, 1864, marked "separate," in which he refers to the use made by the Colonial Secretary of the word "Governor," in a document issued by him addressed to certain rebel natives, and suggests that certain inferences may be drawn therefrom in reference to the question of confiscation of native lands.

Ministers regret that they have not had an earlier opportunity of seeing this despatch. When they inspected His Excellency's despatch book about a week after the departure of the June mail, this

despatch had not been entered, and they had no knowledge of its having been written till the 19th of the present month (July), after the departure of a second mail. This alone has prevented them noting it sooner.

His Excellency appears to raise two points. First, that he understood his Responsible Advisers to be of opinion that under Responsible Government they have a right to make use of His Excellency's name personally, and then to require him to act on their advice on the very point which by using his name they had implicitly left to his personal decision; and, secondly, in this particular case of confiscation, His Excellency relies upon the use of his name by Ministers as having conferred upon him a power independent of his Responsible Ministers, which, without such use of his name, would not have existed.

Ministers beg respectfully to state that they have never claimed a *right* to use His Excellency's name in the manner referred to; but they see nothing unusual in its being used as it was in this document, as representing the Chief executive authority in the Colony, through whom, technically, all acts of Government are done. In the legislation of the Colony it is constantly so used, but no one has ever before contended that its being so used abolished *pro tanto* the functions of Responsible Government, or would justify the Governor in acting without the advice of his Responsible Ministers. While, therefore, respectfully protesting against the inference drawn by His Excellency from the use of his name on this occasion, Ministers beg to state that they will for the future, in order to meet His Excellency's objection, be careful when speaking of the Executive administration of the Colony to use the expression "Government," and not "Governor."

Ministers also beg to express their dissent from His Excellency's opinion that the natives will not understand the notice referred to, in the sense which Ministers attach to it on this point. Ministers are confident that the natives do understand that His Excellency acts by and with the advice of His Responsible Ministers, and they may refer to the general tenor of Wi Tako's remarks on the occasion of his late interview with the Colonial Secretary, when he made his formal submission and signed the declaration of allegiance before that Minister, after discussing with him the very terms under notice. In order, however, to prevent misunderstanding for the future, the Colonial Secretary has addressed a circular to all officers of the Native Department directing them to put the matter beyond the reach of ambiguity by using the word "Government" and not "Governor."

In reference to paragraph 8 of His Excellency's Despatch, Ministers consider it their duty to express their opinion that the suggestion made by His Excellency that in the confiscation of rebel lands he should be "assisted by an officer specially appointed," strikes at the root of Responsible Government, and would be simply a return to that form of double government which His Excellency so emphatically condemned in his Despatch to the Duke of Newcastle of the 30th November, 1861. As it is the intention of Ministers to remark on this subject in a separate Memorandum, they only allude to it here lest it should be supposed that they acquiesce for a moment in His Excellency's suggestion.

Ministers beg that His Excellency will be so good as forward a copy of this Memorandum to Her Majesty's Principal Secretary of State for the Colonies.

WILLIAM FOX.

August 3rd, 1864.

MEMORANDUM ON THE SUBJECT OF CLAIMS AGAINST THE IMPERIAL GOVERNMENT FOR COMPENSATION.

The Assistant Military Secretary, in his letter of the 17th inst., to the Private Secretary, forwards a letter from Mr. Edwards to the Lieutenant-General commanding, submitting a claim by Mr. Edwards against the Imperial Government for compensation for the occupation by the Imperial troops of certain lands and premises at Te Awamutu. The Assistant Military Secretary states that several applications of this kind have been made recently to the Lieutenant-General in consequence of the Colonial Government having, as in the case of Mr. Edwards, refused to acknowledge their liability, on the ground that Imperial troops were in occupation, and that the Lieutenant-General hopes His Excellency will now cause it to be clearly laid down, whether, when land is necessarily occupied by Imperial troops, in the defence of the Colony, the Colonial Government expects the Lieutenant-General to meet the demands of claimants for rent from Imperial funds.

Several other similar claims are outstanding—for example, that of Mr. Runciman, for the occupation of land at Drury, and of the assignees of McLean, for land at the Queen's Redoubt.

His Excellency having referred the Assistant Military Secretary's letter, under notice, to His Responsible Advisers, Ministers beg to state that, in their opinion, there is no ground whatever for regarding the claims preferred as claims against the Colony; that the present arrangement between the Imperial Government and the Colony, under which the contribution of the Colony to the Imperial chest is made, towards military expenditure, is clear and distinct: viz.—that the Colony shall pay to the Imperial Government a contribution at the "rate of five pounds (£5) per man, for the "troops employed in New Zealand"; this sum was to cover all charges, and in accepting the proposal made by the Colony, the Secretary of State for the Colonies stated that Her Majesty's Government did "not confine their view to barracks, but were willing to treat the intended subsidy as the general "contribution of the Colony towards the expenses of the Queen's forces supplied for its defence."

This arrangement was further pressed on the attention of the Colonial Government by the Lieutenant-General, in the Assistant Military Secretary's letter of 2nd May, 1861, in which the agreement to pay the five pounds (£5) per head is distinctly described "as the whole contribution of the Colony towards

"the expenses of all kinds of Her Majesty's troops supplied for its defence." The Colony accepted this arrangement, and ever since, it has been acted on, and is now treated by the Imperial Government as an existing arrangement.

Upon the understanding that this sum of £5 per head covered all charges of every kind, the late Government entered into the arrangement since carried out for raising a large Colonial army, at a very great outlay, paid entirely out of Colonial funds. Ministers cannot, therefore, authorise the payment of Mr. Edwards' claim, nor that of McLean's assignees, from Colonial funds. The Colonial Government, however, have always admitted the liability of the Colony to pay a part of the claim preferred by Mr. Runciman for the camp site at Drury, which has been used by the Colonial Forces as well as Her Majesty's Imperial Forces, and Ministers are prepared to pay the Colony's share of such fair sum as may be found due to Mr. Runciman upon examination of his account.

T. RUSSELL.

Colonial Defence Office,
22nd August, 1864.

FURTHER PAPERS RELATIVE TO MILITARY OPERATIONS AND THE ESTABLISHMENT OF MILITARY POSTS.

No. 1.

MEMORANDUM by MINISTERS.

Ministers find, on reference to the copies of the Governor's Despatches to the Secretary of State, that in a Despatch dated the 29th of July, His Excellency alludes to a letter from Sir D. Cameron, of the 2nd of July, which it would appear was written on a reference by the Governor to the General of his plans for future military operations suggested by Ministers.

Ministers are very anxious to be informed of the General's opinion on this subject, and respectfully request that His Excellency will be pleased to permit them to peruse his letter of the 25th of June, to Sir D. Cameron, and Sir D. Cameron's letter to the Governor of the 2nd of July, part of the enclosures to the Despatch of the 29th of July, already referred to.

Yours &c.,

F. WHITAKER.

19th August, 1864.

No. 2.

MEMORANDUM by MINISTERS.

Not published.

Ministers beg to submit a few observations on the letter of His Excellency the Governor to General Cameron, dated the 28th June last, and the reply of the General, dated the 2nd July, both transmitted with the Memoranda of Ministers of the 25th and 27th June, to Her Majesty's Secretary of State for the Colonies by the last mail.

Ministers had no intention whatever, in the Memoranda referred to, of proposing any plan of operations, or confiscation, which could possibly require reinforcements of troops. Their plans, on the contrary, were based upon the calculation of a reduction, rather than an increase, of the number of forces now serving in this Colony; and their object was to indicate what they believed to be necessary, and at the same time practicable, with the means at command, for reducing the rebels to submission, and securing the pacification of the country.

1. Matamata and Peria.—Ministers were led to believe that these places are distant only about 20 miles from our posts on the Waikato, and not in advance but on their flank; that the road to them is open and level, and with little exception, very good the whole way, and that the troops in the vicinity were fully equal to undertaking the services required. Ministers much regret that serious obstacles, in a Military point of view, existed against the expedition they proposed, as, in their opinion, the best results politically would have followed. Indeed, after the example of Tauranga, it is not too much to say that the submission of the rebels of the Matamata district might have been reasonably expected.

2. Tauranga.—It has now happily become unnecessary to enter on any explanation as to this district, as the hopes Ministers expressed in their Memorandum of the 27th of June, that Colonel Greer's success would lead to a submission of the rebels, have been fully realized.

3. New Plymouth and Wanganui.—Ministers do not question that the Minute of the 13th of April, 1861, referred to by General Cameron, fairly represents the difficulties of an expedition into the country between these places; and the proposal made by Ministers was intended to obviate some of those difficulties. They did not propose a winter's campaign to carry out their plans in "a speedy and satisfactory manner," but suggested preparations which appeared to them calculated to economize both men and expense, for an expedition at a convenient season.

With regard to the occupation of country, Ministers contemplated "the formation of a chain of posts" from Raglan or Kawhia to Tauranga, to be defended by Her Majesty's Imperial troops. What they desired was, that military operations should be conducted with a view to the establishment of a frontier line from Raglan or Kawhia to Tauranga, at the conclusion of hostilities, when the rebels have been reduced to submission, to be maintained thereafter by military settlers located in suitable positions; and it appeared to Ministers that such a frontier line could be satisfactorily established by 6 or 7 posts

at most, placed either on harbours or navigable rivers, or within such convenient distances as to avoid any serious difficulties of transport.

General Cameron is mistaken when he states that it was proposed to confiscate and permanently occupy a portion of the country of the Ngatimaniapoto tribe, beyond the Raglan and Tauranga frontier line. Ministers stated that it *may* be necessary to *deal speedily* with that tribe, and the difficulty of permanently occupying a substantial portion of this territory was the ground that led Ministers to the conclusion that it might be necessary to deal specially with them, and their land outside the frontier line.

His Excellency's letter of the 28th of June, and the General's reply of the 2nd of July, was not communicated to Ministers till the 20th of August, and they had no opportunity, therefore, of forwarding an explanation by the mail by which these documents were sent to England. His Excellency is therefore respectfully requested to transmit a copy of this Memorandum to Her Majesty's Secretary of State for the Colonies by the next mail.

F. WHITAKER.

30th August, 1864.

No. 3.

MEMORANDUM by the GOVERNOR.

The Governor will transmit to the Secretary of State the Ministerial Memorandum of this day's date, which he has just received. At the same time it will be his duty to report that he cannot in several particulars concur in the explanations offered by his Responsible Advisers of their Memoranda of the 25th and 27th June, and of the results which would have followed from giving effect to their recommendations. For instance, he believes that if operations had been pushed on during the winter at Matamata and Peria, we should have become involved in new, long, tedious, and fruitless contests in the north of New Zealand, which would have extended and unnecessarily prolonged the war, and have indefinitely prevented him from aiding the southern settlements; and the Governor observes that Mr. Mackay, the Civil Commissioner of the Thames district, under date the 16th of August, reports, "It does not appear to me that the Natives intend to be otherwise than friendly towards the Government, unless some military operations take place in the neighbourhood of Matamata or Peria, in which case, if the hostile Natives were driven down into their country, they would assist them, and retreat to the wooded spurs of Araha ranges, a position which, from its inaccessible and rugged nature, they could occupy and maintain, with a very small force, against highly superior numbers."

The Governor also believes that, if he had not determined not to act upon the advice Ministers tendered him, that operations should be followed up at Tauranga in the manner they proposed, the present aspect of affairs in New Zealand would have borne at this time a very disastrous character.

G. GREY.

Government House,
30th August, 1864.

No. 4.

MEMORANDUM by MINISTERS.

Ministers thank His Excellency for promising to forward their Memorandum of the 30th August, but they beg to be permitted to add a few words.

On reference to Mr. Mackay's report from which the extract quoted by His Excellency in his Memorandum of yesterday's date is taken, it will be found that the vicinity of Matamata is at present occupied by the rebels of William Thompson's tribe in conjunction with those of the several Thames tribes, who have been engaged in active hostilities, and Ministers were of opinion when they tendered their advice in reference to an expedition to that place, and they still believe, that if this party of rebels had been broken up, it would have rendered further hostilities in that part of New Zealand unnecessary; and thus have enabled the Governor to give his undivided attention, and concentrate his levies in aid of the Southern settlements.

Ministers are anxious that neither Her Majesty's Secretary of State nor His Excellency the Governor should be misled by the report of Mr. Mackay of the 16th of August, to the effect that it does not appear to him that the Natives of the Thames intend to be otherwise than friendly towards the Government. Since the receipt of that report it has been communicated to the Government by a settler from the Thames that Mr. Mackay had a few days after the date of his report been stopped by the Natives about 20 miles from the mouth of the river, and compelled to abandon his intention of proceeding. It will also, Ministers believe, be found that the apparent friendliness of which Mr. Mackay speaks, may be altogether traced as one of the consequences of the success achieved by Colonel Greer at Tauranga, to which place it now appears Taraia and several of the other leading Chiefs of the Thames with a large party of followers, had previously gone to join in active hostilities, (of which fact Mr. Mackay was not aware), but were deterred by that success; and in the opinion of Ministers the effect of an expedition to Matamata at the time it was proposed, without any actual invasion of the Thames district, peculiarly situated as it is, would have been to produce a satisfactory submission instead of an apparent friendliness, so hollow as not even to admit a Government Officer into the district, which only waits a convenient opportunity to be thrown aside for open hostility.

As shewing the state of feeling which really exists amongst a large portion of the Thames Natives, Ministers beg to refer to a statement made by some of the principal Chiefs of Tauranga, a copy of which

was transmitted by His Excellency the Governor to the Secretary of State in a Despatch dated the 20th of August 1864, numbered 122.

F. WHITAKER.

2nd September, 1864.

FURTHER PAPERS RELATIVE TO CONFISCATION AND TERMS OF PEACE.

No. 1.

COPY of LETTER from WI TAKO to the COLONIAL SECRETARY.

Waikanae, Akuhata, 5th, 1864.

Kia Te POKIHA.

E hoa tona koe. Tenei to qorero kua tae mai ki a au, e pai ana. Kaore he kupu ke atu maku kia koe, ko te tatari tona ki te kupu o te Rangimarietanga, ara, ki te ara o te pai, ko taku tenei e mahara atu nei, ko a tana korero kei te paingia ranei e to hoa e Kawana kaore ranei.

Heeti: Tena koe.

Na to hoa,

NA WI TAKO NGATATA.

Kia Wiremu Te Pokiha,
Kei Akarana.

Translation.

Waikanae, August 5th, 1864.

To Mr. Fox,

Friend, salutations to you. Your talk (*i.e.* letter) has reached me. It is good. The only word I have to say to you is that we continue to wait for the word that will bring peaceable feeling, that is, the road to good (*i.e.* that will lead to the restoration of peace).

What I am thinking about is the *talk we had together*. Is it approved of by your friend the Governor or not? That is all. Salutation to you.

From your friend in love,

From WI TAKO NGATATA.

A true translation—J. A. KNOCKS.

MINUTE by COLONIAL SECRETARY.

The passage marked refers to the conversation at the time of Wi Tako's signing the declaration of allegiance. The Colonial Secretary would be obliged by His Excellency enabling him to reply.

WM. FOX.

16th August, 1864.

MINUTE by the GOVERNOR.

Before replying to the Colonial Secretary's question, I should wish to see the letter to Wi Tako, to which he refers.

G. GREY.

August 18th, 1864.

MINUTE by COLONIAL SECRETARY.

There is no letter. The conversation referred to is that reported by Mr. Buller, and forwarded to His Excellency at the end of July.

WM. FOX.

Letter 13th June, 1864, found and sent.

W. F.

No. 2.

MEMORANDUM by the GOVERNOR.

The Governor has given his consideration to the Minute of the Colonial Secretary of the 16th instant, with which is forwarded a letter from Wi Tako, in which he states that they "continue to wait for the word that will bring peaceable feeling, that is, the road to good (*i.e.* that will lead to the restoration of peace);" and, "What I am thinking about is the talk we had together on the 3rd of June, is it approved of by your friend the Governor or not? that is all."

The Governor is requested by his Responsible Advisers to enable them to reply to this letter.

He does not clearly understand what is meant by the first part of this letter.

With regard to the second part, he confirms the several promises of pardon made to Wi Tako by the Colonial Secretary upon the 3rd June last, but he cannot at present signify his concurrence in the entire language held by the Colonial Secretary to Wi Tako, which contained threats to other natives, and statements of the intentions of the Government, which, in the Governor's opinion, with the information at present before him, the Colonial Secretary had not due authority for making, and which

were, in several respects, repugnant to the views and wishes the Governor had expressed to his Responsible Advisers on different occasions.

The Governor has appended to this Memorandum extracts containing the threats and statements to which he alludes.

G. GRAY.

Government House, 19th August, 1864.

EXTRACTS from Proceedings of Meeting of 3rd June, 1864.

Mr. Fox to Wi Tako.

"Those who have killed Europeans in fair fight will not be treated as murderers. But their lands have all been taken in payment for their rebellion. When they give up their arms and return to their allegiance they will be received into friendship again."

"If the Ngatiruanui and Taranaki tribes assemble themselves even to-morrow, and come in and make their submission, giving up their arms, all the past will be forgiven, and none but murderers will be taken. But all the lands of these tribes are forfeited to the Government as payment for their rebellion and fighting."

"You are liable as well as the rest to have all your lands taken from you. But if you are prepared to make your submission, to give up kingism for ever, and sign the declaration of allegiance, the Government will not touch any of your land, nor punish you in any way: you will be received again into favour, and all the past will be forgotten."

"I am satisfied, Wi Tako, with your words, and I believe them. The conditions, as you are aware, require that you should give up your gun. But I shall treat you as I would an English gentleman. You are a great chief, and the principal man in your tribe. I am satisfied with the tender of your arms. I accept your word as the word of a chief, that you will never use your gun against the European, nor turn it to any unlawful purpose. I shall therefore not degrade you by depriving you of it. But the Ohau and Otaki natives I don't know, and I shall therefore expect them all to surrender their guns."

"As soon as they want peace they shall have it, but they must give up their guns and declare their allegiance. As soon as they do this, all the past will be forgiven, and, as I said before, a piece of land will be given to each of them out of the lands we have conquered."

Colonial Secretary—"I, too, was a kingite once; that is to say, I looked favourably on the movement, and hoped that it might be productive of good to the Maori people. But when I found that it took the shape of antagonism to the Pakeha, and defiance of law, I condemned it; and when it developed into something worse, and the Waikato people began to murder women and unarmed men, then my anger was roused, and I determined to crush it."

No. 3.

MEMORANDUM for His EXCELLENCY.

The Colonial Secretary begs to acknowledge His Excellency's Memorandum of the 19th instant, remarking on the conversation which passed between the Colonial Secretary and Wi Tako on the 3rd June last, portions of which His Excellency thinks the Colonial Secretary had not authority for making, and which His Excellency states was in several respects repugnant to the views and wishes which he had expressed to his Responsible Advisers on different occasions. His Excellency has also appended certain extracts containing the portions of the conversation to which he alludes.

The Colonial Secretary very much regrets if he has stated anything to Wi Tako which he was not authorized, or which was repugnant to His Excellency's views or wishes.

When Wi Tako sought an interview with the Colonial Secretary at Waikanae, for the purpose of tendering his submission to the authority of the law, he requested to be informed on what conditions such submission would be accepted. The Colonial Secretary, in replying, endeavoured to adhere, as closely as possible to the terms contained in those documents which have received His Excellency's assent; first, the proclamation issued by His Excellency immediately after the Oakura murders, dated the , and addressed to all the Natives in rebellion in Waikato, in which the forfeiture of their lands is broadly and plainly asserted, as the consequence of their rebellious acts; secondly, the notice intended to have been issued at Ngauawahia in December last; and thirdly, the Proclamation intended to have been issued after the evacuation of Maungatautari in April last, which two last-mentioned documents were assented to by His Excellency, and only not issued for reasons *ab externo*, which appeared to the Colonial Secretary to have no application to Wi Tako's case. The Colonial Secretary believed that his statements to Wi Tako were strictly in conformity with the substance of these three documents, and after a careful examination they still appear to him to be so.

W. FOX.

Auckland, 24th August, 1864.

No. 4.

MEMORANDUM.—Terms of Peace to REBELS.

The Governor begs to acknowledge the receipt of the Ministerial Memorandum of the 24th instant, upon the subject of the terms laid down by Ministers as those that would be given to the Natives, at the interview of the Colonial Secretary with Wi Tako on the 3rd of June last. The

Governor regrets that his Responsible Advisers should justify the promulgation of these terms by resting them:

1stly. Upon the declaration to the chiefs of Waikato which the Governor signed on the 11th of July, 1863.

2ndly. Upon a notice drawn by the Colonial Secretary, and submitted upon the 15th of December, 1863, as that which he wished to be issued, but which the Governor did not issue, substituting a letter written by himself in lieu thereof.

3rdly. Upon a draft Proclamation proposed in April last, which was not signed by the Governor. The Governor thinks that his Responsible Advisers should have been for the following reasons, precluded from taking the course that was followed on the 3rd of June.

Upon the 11th of May, the Governor explained to his Responsible Advisers that, when he signed the declaration to the chiefs of Waikato of the 11th of July, 1863, which was issued to meet a danger then thought to be threatening the settlement of Auckland, he did not intend it to be regarded as establishing the fact, that if the Natives, by their conduct, annulled rights which they might have under the treaty of Waitangi, thereupon all their land passed from themselves and their heirs for ever and became the property of the Crown.

Upon the 25th of May the Governor pointed out to his Responsible Advisers, the objections he entertained to the provisions of the Notice drawn by the Colonial Secretary upon the 15th of December, and after his having done this, the Governor thinks that his Responsible Advisers were not justified in making public declarations to the Natives of the nature of those to which the Governor had objected without further communication with him.

Upon the 11th of May, the Governor objected to the provisions of a proclamation proposed to have been issued on the 30th of April, and requested that it might be regarded as being revoked.

Upon the 17th of May, his Responsible Advisers acknowledged the receipt of this request, and informed the Governor that the Proclamation required no revocation, as it had never been signed.

The Governor regarded, and he believes justly, this language as constituting an engagement on the part of his Responsible Advisers, not to act on the provisions of the proposed proclamation.

Government House, 26th August, 1864.

G. GREY.

MEMORANDUM BY MINISTERS ON MR. CARDWELL'S DESPATCH OF THE 26TH MAY, 1864.

Ministers beg to return to His Excellency Mr. Cardwell's despatch of the 26th May, 1864, covering a paper drawn up by Mr. Gorst, entitled, "Observations on the Native Inhabitants of Rangiahia and Kikikiki."

Ministers would scarcely have noticed this document were it not for the remarks in Mr. Cardwell's despatch, from which it might be inferred that he thought it necessary to caution the Governor of New Zealand against acting in a spirit of injustice, and in disregard of equity and sound policy in dealing with that portion of the rebel tribes referred to in Mr. Gorst's paper. Of His Excellency's Responsible Advisers four out of six have resided in the colony for upwards of twenty years, and are intimately acquainted with the Native question in all its phases. They cannot admit that they are so deficient either in the necessary knowledge of facts or in the sense of justice and apprehension of "sound policy" as to make it desirable that the advice they may tender to His Excellency should be qualified by the guidance of a gentleman of so limited an experience in New Zealand affairs as is possessed by Mr. Gorst, who resided barely two years in the colony, and had only the opportunity of personally studying the Native question under one aspect and in one locality.

It might have been expected however that in the particular locality in which Mr. Gorst resided, and in which he filled an official position, being that to which the remarks in his paper relate, his information would have been accurate. It is however quite the reverse. The Natives of Rangiahia Awamutu, and Kikikiki, so far from being less implicated in the rebellion or having gone into it with less zeal than others, are perhaps those who have been the longest engaged in the promotion of this King movement, and have taken the most active part in maintaining it. It may be safely stated that whenever the leading chiefs have gone warmly into that cause, they have faithfully represented the mass of their tribes. Now the principal chiefs of the district referred to by Mr. Gorst were Porokoru, an old and particularly energetic man, who at the age of full seventy years (according to Mr. Gorst's statement in his book on the Maori king) made a pilgrimage on foot over one hundred miles of rugged mountainous country to preach a crusade of Kingism in Cooks Straits; Hoani Papita, one of the earliest and most determined supporters of the movement, who was prominent in the cause in the time of Governor Browne, and who stuck to it till his death a month ago; Taati te Wharu and his father Hori te Wharu, the former particularly known as an eager Kingite, and lastly Rewi, who has been for years the representative of the "physical force" section, the great fighting general of the King party, and the leader of that Ngatimaniapoto tribe, which has been and is the backbone of rebellion. There are probably not four such determined Kingites in the country as those mentioned, all of whom lived within from half a mile to four miles of Mr. Gorst's residence; and Ministers after careful enquiry of those who have lived for years among them, and with the light of the events of the war to guide them, have every reason to believe that the tribes residing within the limits referred to by Mr. Gorst have gone as freely and willingly into rebellion, and taken as active a part in it as any of the inhabitants of Waikato, and that they were fully committed to the King cause long before a hint had been given that the confiscation of lands might follow rebellion.

The statement made by Mr. Gorst that "the message sent down to Taranaki to instigate an attack on our troops was the act of Rewi alone, that the Waikatos had no share in it, and that there is no

evidence of their having joined in any hostile schemes until the dread of invasion drew Waikato and Ngatihaua into an alliance with Maniapoto, is well known to his Excellency to be without foundation. Epiha, who led the war party from Waikato to Taranaki in 1860, was a resident at Kikikiki, and one of the Waikato tribe, as were many of the people who accompanied him: Porokoru and Taati te Wharu, in July, 1863, with the King's natives in Cook's Straits, urged an immediate rising there; and that there was a wide-spread conspiracy through Middle and Upper Waikato, including all the tribes with very small exceptions, and these almost in the lower portion of Middle Waikato there is ample evidence to prove. But as regards in particular Rewi's message to Taranaki, the complicity of Waikato is proved by the fact of the song in enigmatic language which conveyed the orders to commit the massacre of Oakura, and which became the tocsin of the rebellion, was composed for the occasion by a Middle Waikato man, Herewini, who lived near Kohekohe, and who afterwards was killed at the capture of Rangiriri, and who is expressly stated to have joined Rewi in sending the order to commit the murders. This fact is stated in a letter signed by the leading members of the family of King Matutaera and other principal chiefs of the party. (See Extract appended.)

Ministers do not think that the interference of imperfectly informed persons in England, such as Mr. Gorst, is likely to promote the settlement of Native difficulties in this country, and they think themselves justified by the opportunity now afforded them in entering their protest against recognition of that gentleman in particular as an authority on the Native question. His acquaintance with the subject was limited to a period of barely two years, to a single locality and one phase of the question. The district in which he resided was one in which he had no opportunity of studying the subject from any but a purely Native point of view, there being no colonists in the Waikato country, unless three missionaries and perhaps a couple of dozen pakaha Maories living with Maori women on native land could be so designated. Of the bearings of the question in all other parts of the country, particularly those in which the Colonists and Natives are closely intermixed by thousands, as in Cook's Straits, Hawkes Bay, &c., Mr. Gorst is absolutely and entirely without experience; and the sweeping assertions which he appears from his lately published book to be in the habit of making in reference to the feelings and conduct of the Colonists towards the Natives are little better than inventions of his own.

A Ministerial Memorandum is not the place to criticise the book on the Maori King published by Mr. Gorst in England. But as ministers have observed that it has been referred to in debates in the Imperial Parliament as a satisfactory authority, and as Mr. Gorst is interfering at the Colonial office, they think it right to place on record one fact with regard to that gentleman from which an estimate may be formed of his candour. In the month of August, 1863, Mr. Gorst went to Sydney with Mr. Dillon Bell, the then Native minister to assist in raising the Volunteer regiments which were about to be employed in suppressing the rebellion. Before their departure the Proclamation of the 15th July, 1863, enunciating the principle of confiscation had been issued, and the plan of the Government contained in Mr. Domett's memo. of 31st July, 1863, of which his Excellency expressed his approval to Her Majesty's Government, had been printed. There is no doubt that both were well known to Mr. Gorst, who at that time stood in confidential relation to Mr. Bell. While at Sydney overtures were made by Mr. Bell to his Ministerial colleagues at Auckland to place Mr. Gorst in the Legislative Council to represent the Government, and to support their policy during the ensuing session—Mr. Gorst was ready to accept the position. The other members of the ministry declined the proposal, and Mr. Gorst proceeded to England suffering under this *spretæ injuria formæ*,—to write his book condemning the past acts of the Government under whom he had served, and denouncing those plans of which, had he been placed in the Legislative Council, he would have been the advocate and exponent. He has written a rather clever book, but one which by the free use of the *suppressio veri* and the *suggestio falsi*, conveys a most untruthful impression of facts, and must lead its readers to most unsound conclusions. It is also very full of absolute mistatements, as could be easily shown were this the proper occasion for such criticism.

Ministers will be obliged by His Excellency forwarding a copy of this Memorandum to Her Majesty's Principal Secretary of State for the Colonies
30th August, 1864.

WILLIAM FOX.

EXTRACT above referred to.

"Your letter and also Te Herewini's reached Mataitawa here, und Patara also came. He came (to say that) a barrack (redoubt) had been built on this side Papuwaeruru, and that the Okurukuru boundary post had been taken up by the Governor: whereupon we said—'That will be the death for this Island.' This is the word of Rewi and Herewini—

'O! O! Who is that cutting up the fish of Ahioroa?

'O! O! The pillow of Kea has fallen

'O! O! Springing up and consuming my vitals

'Red plume, red plume, plume of the Kaka.

'Let it be rehearsed at Kawhia

'Rush on! rush on! Fire!"

'The war songs alone were Herewini's.'

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'HARE TE PAEA,

'IHAIA TE WHAREPA,

'HOANI KOINAKI,

'WIKITOA

'TE HAPIMANA TOHEROA,

'TAMIHANA TE AROHI.

'And from all the Runarga.'

FURTHER PAPERS RELATIVE TO TERMS OF PEACE AND CONFISCATION OF NATIVE LANDS.

No. 1.

MEMORANDUM by the GOVERNOR.

The Governor transmits to Ministers a letter from William Thompson to Bishop Pompallier, which the Bishop has placed in his hands. The Governor would thank Ministers to return this letter to him with the envelope, when they have finished with it. If they please, a copy may be kept of the letter.

G. GREY.

16th September, 1864.

Matamata, Akuhata 9, 1864.

Enclosure to No. 1.

Kia Pomaparia Te Epikopo.

Tena koe. E koro tenei ka tae mai tau reta o te 21 Mache, 1864. I mea mai koe kia nui taku whakaaro ki taua reta, ara kia whakamutua te whawhai. E hoa kua mutu te whawhai, mei mutu atu i Rangiriri, kua mutu, kua noho noaiho matou, ki ana nga herehere kia mau te rongo, ae ana matou, haere ana ki Ngaruawahia, kua tae mai nga hoia ki Taupiri, ka mea ahau ki nga rangatira o Waikato. Whakatika tatou ki Maungatautari, waiho tenei wahi mo te rongo a nga herehere : tae atu ki reira kua tae nga hoia ki reira : ka mea ahau ki aua rangatira, Whakatika ki Patetere. Heoi. E hoa, ka he taku whakaaro i koni.

Kei mea koe he tangata tohe ahau ki te riri, kao, kei te ata noho au, i te taenga mai o nga herehere ki ahau, waiho Waikato, rongo tonu ahau.

Heoi, E hoa taku atu ki a koe.

Na tau tamaiti,

NA TE WAHAROA TAMIHANA.

Matamata, August 9, 1864.

Translation.

To Bishop Pompallier.

Salutations to you. Friend, your letter of the 21st March, 1864, has reached me. You say that I am to give serious thought to that letter, that is, to put an end to the war. Friend, The fighting (or the war), would have ceased had it ended at Rangiriri. It would have been ended, and we should have sat (or, remained) quiet. The prisoners proposed that there should be peace, we agreed, and went to Ngaruawahia. When the soldiers came to Taupiri, I said to the Chiefs of Waikato, Arise, and let us go to Maungatautari and leave this part, for (in consideration of) the peace made by the prisoners. We went there (but) the soldiers went there (also). I therefore said to the Chiefs, let us go to Patetere. Enough, O friend. I was now at a loss to know how to act. Do not suppose that I am a man to persist in fighting (i.e., one who is doggedly determined to fight). No, I am sitting quiet. When the (two) prisoners came to me (and said) leave Waikato (i.e., give up Waikato), I obeyed (listened) at once. This, O friend, is all I have to say to you.

From your Son,

TE WAHAROA TAMIHANA.

No. 2.

MEMORANDUM by the GOVERNOR.

The Governor adverting to his Memorandum of the 16th September forwarding to Ministers a letter from William Thompson to Bishop Pompallier, dated the 9th of August, now forwards to his Responsible Advisers, the copy of a translation of that letter, which he yesterday received from Bishop Pompallier.

G. GREY.

October 8th, 1864.

Matamata, August 9th, 1864.

To Bishop Pompallier,

"Greeting to you O sir, I received your letter of the 21st of March, 1864, you desired me to reflect well on that letter, the bearing of which was to put an end to the war.

O friend, the war is over ; and if it had been stopped at Rangiriri we should have been since that time in perfect peace ; for, those of us, who became prisoners there and asked for peace, had our consent ; and we went in consequence to Ngaruawahia. But, when I observed that the soldiers still arrived at Taupiri, then I said to the Chiefs of Waikato : Let us get up and go to Maungatautari, leaving for peace sake, the land where we are at present. When we were at that place (at Maungatautari), some

of the Native prisoners sent to us, went there, and in the mean time the soldiers arrived there also. Hence I said again to the same Chiefs of Waikato, let us go to Patetere. Finally, here I remained quite disappointed (in my hopes for peace). Don't suppose then that I am a man wishing for war. No, I am not, and even now, I remain quiet. When the above prisoners came to me saying "give up Waikato," I have fully complied with their proposal. Here ends my answer to you.

Your child,

TE WAHAROA TAMIHANA.

No. 3.

MEMORANDUM by COLONIAL SECRETARY.

The Colonial Secretary begs to acknowledge the receipt from His Excellency of a copy of a letter addressed by Te Waharoa Tamihana (William Thompson) to Bishop Pompallier, expressing a desire for peace, and intimating that had the opportunity been offered after the engagement at Rangiriri in November, 1863, he was then desirous of and willing to make peace.

The Colonial Secretary sincerely hopes that the desire for peace expressed by Waharoa is sincere, and that it may lead to satisfactory results. He is obliged, however, to confess that he has not much confidence in Thompson's sincerity. He has for some years past watched that chief's career very closely, and has arrived at the conclusion that he is either a double minded man, or that he has not the moral courage to act up to his convictions, when they are opposed to those of the more warlike and determined portion of his people. A better illustration cannot be given of the little reliance to be placed in his professions than is to be found in the events subsequent to the truce made through his influence in the war at Taranaki. On that occasion he came forward as the peacemaker, and the disputed Waitara block was placed by W. King in his hands in order that the question might abide the adjudication of the law, if the Queen should (as was expected) send out some one to investigate the matter. After His Excellency Sir George Grey arrived in the Colony, the Maoris were told that the time had arrived for such enquiry, and the offer was made to them to refer the question to a tribunal consisting of 4 Maoris and 2 Europeans. How Thompson met this most liberal and just proposition is on record, and printed in the Appendix to the Assembly papers of 1863. Under the most disingenuous subterfuges he declined to do anything; and although some of the most influential tribes and most influential Europeans for many months urged upon him the acceptance of the proposition, he still stood out, till the inevitable result of the outstanding quarrel about the Waitara arrived in the shape of a renewal of the war. It is asserted by the Natives, and generally admitted on all sides, that during the period referred to, a word from Thompson would have settled the Waitara dispute. The whole transaction, which was not one of a moment, but which extended over nearly two years, affording ample time for reflection, has left on the mind of the Colonial Secretary a painful impression that, however remarkable a man Thompson may be, and he is undoubtedly a remarkable man, his sincerity and truthfulness are not to be relied upon.

It may be added that there is evidence to establish that subsequently to the date of the affair at Rangiriri, and down almost, if not quite, to the end of the last summer campaign, Thompson exerted himself in stirring up the tribes on the East Coast, misrepresenting the events of the war, and using all the means in his power to excite and sustain the hostility of other tribes. This is not consistent with his statements in the letter under notice.

If, however, it be true that there was an opening for peace after the battle of Rangiriri, the Colonial Secretary can only regret the more that the advice which Ministers, a few weeks later, so strongly pressed upon His Excellency, that he should open communications with the rebel hapus at Ngaruawahia, by visiting that place in company with his Ministers, was not carried into execution. The Colonial Secretary believes that whether Thompson's present statement be correct or not, an opportunity was lost on that occasion, and that the Natives have too much reason to complain that faith was not kept with them by His Excellency, who had promised to talk with them after General Cameron should have arrived at Ngaruawahia.

If His Excellency has used, or intends to use Waharoa's letter in his correspondence with the Secretary of State for the Colonies, the Colonial Secretary will be obliged by his forwarding a copy of this Memorandum also.

W. Fox.

October 10, 1864.

No. 4.

MEMORANDUM by the GOVERNOR

The Governor transmits to His Responsible Advisers the draft of a Proclamation drawn in compliance with the instructions of Her Majesty's Government, as contained in the Secretary of State's Despatch of the 25th of April last, which the Governor would wish to be immediately issued, to afford an opportunity to those Natives who are implicated in the rebellion, of making their submission before further operations are actively carried on.

The Governor would accompany this Proclamation with a notice that no person would hereafter be permitted to carry or possess arms within the lines now occupied by the troops, unless licensed to do so.

G. GREY.

Government House,
Auckland, 7th September, 1864.

PROCLAMATION.

The Governor, desiring to prevent the evils of continued war being inflicted on the inhabitants of New Zealand, and having been authorized to extend, upon certain conditions, Her Majesty's clemency to those misguided persons who have engaged in rebellion, thinks the present a fitting opportunity to

give effect to Her Majesty's most gracious wishes; he therefore notifies and proclaims, that he will, in Her Majesty's name, and on Her behalf, grant a free and absolute pardon to all (persons) implicated in the rebellion who may come in on or before the 22nd day of October next, take the Oath of allegiance, and make the cession of such territory as may in each instance be fixed by the Governor and Lieutenant General.

The pardon promised in the Proclamation will not be extended to those persons engaged in the murder of _____ at _____ and _____ at _____

No. 5.

MEMORANDUM by MINISTERS.

Ministers, in deference to His Excellency's wishes, will not withhold their concurrence in His Excellency's proposition to issue a Proclamation to the effect of the draft which he has transmitted to them, with His Excellency's Memorandum of yesterday's date, subject to the following observations.

1. The condition in reference to arms should, in the opinion of Ministers, be embodied in the Proclamation in the following form:—"And give up their arms and ammunition, except in such special cases and localities as the Governor may deem it necessary that they should retain them for their defence against rebels still in arms.

2. It appears to Ministers indispensable that the proposed cession of territory shall be to the extent contemplated by the Secretary of State, and include lands to be disposed of by sale, to aid in defraying the expenses of the war, as well as lands devoted to the purposes of military settlement.

Ministers therefore trust that His Excellency will be pleased to give them an assurance that the cessions taken shall be to the required extent, and also that if the terms of the Proclamation are not complied with by the date fixed, that the alternative of forfeiture authorized by the Secretary of State shall be acted on without further delay.

Ministers, however, beg to be permitted to point out that the proposed Proclamation is not, in their opinion, in compliance with the instructions of Her Majesty's Government, as contained in the Secretary of State's Despatch of the 26th of April last. The position of the Maoris, as defeated rebels, excepting those of the Tauranga district, has not been unequivocally exhibited, and certainly is not admitted by themselves, and the general amnesty suggested by the Secretary of State was contemplated only as a final measure, when all the power had been taken, and the cessions received, as stated in the despatch referred to.

Ministers also feel it due to themselves to add, that in their opinion the proclamation will cause delay, when time is of extreme value, and will not be productive of any commensurate beneficial results.

F. WHITAKER.

Auckland,
September 8th, 1864.

No. 6.

MEMORANDUM by the GOVERNOR.

The Governor thanks his Responsible Advisers for stating that in deference to his wishes they will not withhold their concurrence to his proposition, that a proclamation, the draft of which he forwarded to them on the 7th instant, should be issued, and he will feel obliged to them to cause it to be promulgated as soon as possible.

The Governor thinks with his Responsible Advisers (for reasons he need not here state), that it is possible that this Proclamation may not immediately produce very beneficial results; he hopes, however, that it may do so, and thinks after the previous notifications made by the Colonial Secretary, as to the only terms on which persons implicated in the rebellion would be pardoned, that it is essential they should know as soon as possible, that the Governor is prepared to pardon them on the conditions set forth in the Proclamation. He has consulted the Lieutenant-General, active preparations for future operations are being made, and looking to the season of the year, little or no delay in taking the field will be incurred by the issue of the proposed Proclamation.

The Governor is sorry that he should differ from the view his Responsible Advisers take of the proposed Proclamation, but he believes it to be in compliance with the instructions of Her Majesty's Government. It is not in his view a general amnesty, but a declaration of the conditions on which a pardon will be granted to those who now return to their allegiance. It seems essential that they should know this. A general amnesty can be hereafter issued, if it is thought necessary, to embrace in its provisions those persons who may not come in under the Proclamation. The Governor thinks that many Natives, including the Waikato tribes, admit that they have been conquered, but if the Natives come in under the Proclamation, and make a cession of territory, the Governor would deem this as sufficient submission upon their part, and as complete a recognition of defeat as could be expected.

The views of the Governor and his Responsible Advisers differ also on the subject of cession of territory. They in their Memorandum look only to the acquisition of territory, as a means, of aiding by its sale, in defraying the expenses of the war, or for the purpose of being devoted to military settlements, and they ask the Governor to give an assurance that the cessions taken shall be to the extent required for these purposes. The Governor views the cession of territory as a punishment inflicted to deter other Natives from engaging in rebellion, and as a punishment which in as far as possible is to be in each instance apportioned to the degree of guilt in which the several tribes have been involved. The whole of the territory thus taken will of course be available for the objects mentioned by Ministers, but he cannot take a man's land, to a greater extent than the limits of justice warrant, because it may

be wished to get it to plant settlements on. He cannot therefore give the vague assurance asked for.

The Governor also cannot promise beforehand that if the terms of the Proclamation are not complied with by the day fixed in it, he will follow any particular course of action. In a question involving the destiny of another nation, and the lives and property of a good many people, he feels he ought not to be asked to pledge himself beforehand to any particular line of action in the event of a specified contingency taking place, until the facts have shewn what were the causes which brought about that contingency, and what is the actual state of affairs existing at the time it occurs, he therefore feels it to be his duty to decline to give the pledge in this instance asked for.

The Governor has already stated to Ministers in his Memorandum of the 3rd of May last, his reasons for objecting to insert the condition of the surrender of arms and ammunition in the proposed Proclamation. He hopes that a consideration of these will satisfy Ministers, and lead them to acquiesce in the Proclamation in the form in which he transmitted it to them.

G. GREY.

Government House,
8th September, 1864.

No. 7.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

Ministers very much regret that they feel themselves under the necessity of respectfully declining to acquiesce in the Proclamation proposed by His Excellency in the form in which he transmitted it to them on the 7th instant. Ministers feel bound to adhere to the suggestions made in their Memorandum of the 8th instant, and unless His Excellency will be pleased to consent to the alteration proposed, they feel that with their decided convictions there is no proper course open, but respectfully to withhold their concurrence. Nor can Ministers be parties to the declaration in the proposed Proclamation, which has the effect of constituting the Governor and the General the sole arbiters of what shall be deemed a satisfactory cession of territory by the rebel Natives, especially when Ministers are refused any assurance that their views will be considered, but are given to understand that the sole guide in the determination of the question is to be His Excellency's notion of justice, to the exclusion of every other consideration, even the safety of lives and property.

Ministers cannot agree with His Excellency that "if the Natives come in under the Proclamation and make a cession of territory, that this would be deemed a sufficient submission on their part, and as complete a recognition of defeat as could be expected." On the contrary, Ministers believe that such a submission would in many cases be hollow and delusive,—made only with a view to take advantage of the first favourable opportunity to renew the war. The surrender of arms is the best and only conclusive proof of a satisfactory submission; giving them up clearly indicates the feeling that the further use of weapons is not contemplated, while their tenacious retention, as clearly proves the intention to resort to them on a future occasion.

His Excellency misrepresents the views of Ministers when he imputes to them "that they in their Memorandum only look to the acquisition of territory as a means of aiding by its sale, in defraying the expenses of the war, or for the purpose of being devoted to military settlements." Ministers in their Memorandum explicitly declared that the contemplated cession should *include* those objects, and not that they were the only ones sought to be attained.

Ministers cannot consent to regard confiscation only in the one point of view stated by His Excellency, namely, punishment. The plans proposed by His Excellency in June 1863, concurred in by his Ministers, legalized by the General Assembly, and sanctioned by the Imperial Government, embrace measures founded on confiscation, designed to ensure the permanent peace of the Colony and essential to the safety of the lives and property of the well disposed settlers of both races. Contracts and promises have been made with a view to carry out such measures, and those who have relied upon the honor of the Government have a right to expect the engagements made with them to be honestly fulfilled.

Ministers cannot acquiesce in any course which they feel will probably prove destructive of the important objects His Excellency's then Ministers had in view when they concurred in His Excellency's plans of June 1863, upon the distinct understanding that they would be carried out as a whole; nor can Ministers be party to any course which may render a breach of faith on the part of the Government inevitable.

Ministers neither advocate nor desire any course beyond what "the limits of justice warrant," but they cannot agree with His Excellency in the views he now gives expression to on the subject of confiscation. They believe, to use the words of His Excellency of July 1863, that "those who wage war against Her Majesty, must take the consequences of their acts, and they must understand that they will forfeit the right to the possession of their lands guaranteed to them by the Treaty of Waitangi." It appears to Ministers to be perfectly just that those who have involved the country in the losses of life and property that have been sustained, and the cost which has been incurred in suppressing rebellion, may justly be required to contribute the means of providing against such losses for the future as well as reimbursing at all events some of the cost of the past. If, however, it should be found hereafter that in carrying out this policy, individuals have suffered disproportionately, there can be neither objection nor difficulty in the way of making amends, either in money or land, to meet the circumstances of particular cases.

Ministers beg most respectfully to express their regret, that what appears to them, a serious change of policy is contemplated by His Excellency,—a change, in their opinion, uncalled for by any change of circumstances whatever. Her Majesty's Troops are in undisputed possession of sufficient land in Waikato to fulfil our engagements in this part of the Colony, and thus secure the future safety of its inhabitants, and yet not one-half of the land of the rebel Waikato and Ngatimanapoto tribes is so

occupied. Rebels in considerable numbers are, from time to time, surrendering, and in proof of their sincerity give up their arms; and there is every reason to believe that a firm and consistent course on the part of the Government would speedily produce a general and satisfactory submission by those still in arms. Ministers, therefore, earnestly deprecate the abandonment of a sound and hitherto successful policy and the substitution of an alternative which will in all probability produce but an armed truce between settlers and the Maoris, fraught with danger to both, instead of a genuine and lasting peace beneficial alike to Her Majesty's subjects of both races. A more unfortunate moment for the exhibition of any vacillation on the part of the Governor could not be selected than the present, while there is every reason to believe that reasonable firmness upon the basis of the policy adopted by the Assembly in 1863, would result in the permanent pacification of the country, without the risk of any future renewal of similar disturbances.

FREDK. WHITAKER.

13th September, 1864.

No. 8.

MEMORANDUM by the GOVERNOR.

The Governor begs to acknowledge the receipt of the Ministerial Memorandum of yesterday's date upon the subject of the Proclamation he proposes to issue, stating the conditions upon which the Queen's clemency will be extended to those Natives who return to their allegiance.

He thinks his Responsible Advisers are under some wrong impressions in relation to this subject, and will, upon re-consideration, feel that such is the case.

The Governor does not think that any vacillation of purpose is about to be exhibited at the present moment. On the 30th of June last his Responsible Advisers published in the *Gazette* a despatch which conveyed to him instructions which embodied the decisions of Her Majesty's Government, as to the conditions on which they desired that the Governor should extend the Queen's clemency to Natives who have been in arms. He now proposes to give effect to those instructions. He thinks his Responsible Advisers ought not to have made the despatch public, if they had intended to oppose his giving effect to the instructions which were issued in it to him. He concurs in the justice and propriety of those instructions, and as they have been made public, he, a subject, cannot take upon himself the responsibility of withholding from his fellow-subjects the Queen's clemency, which she has expressed her desire should be extended to them upon certain conditions. The Governor has not refused to give his Responsible Advisers an assurance that their views would not be considered by himself and the General. What he declined to do was, to give an assurance that the cessions of land taken should be to the extent his Responsible Advisers might think required for the purposes named. He has at all times given his careful consideration to any views they have brought before him, although he has unfortunately not been always able to concur in them.

The other arguments contained in the Ministerial Memorandum of yesterday's date, regarding the cession of lands and the surrender of arms, it is not necessary for the Governor again to answer. He has already pointed out that all the lands ceded will be available for the purposes of military settlements, or for defraying the expenses of the war. He believes the cessions taken would fulfil all reasonable expectations. He will only add that he does not think that his Responsible Advisers are right in saying that his sole guide in the determination of the questions to be submitted to him, is his notion of justice to the Maori, to the exclusion, as it would appear, of every other consideration, even the safety of lives and property, and of justice to the Europeans who have fought and suffered in the war, and to the exclusion of all reference to what is likely to conduce to the permanent welfare of the two races living in one country.

The Governor, under great difficulties, has done, and will do, his best to do justice to all the interests which it is his duty to consider. He does this under a full sense of the great responsibility which rests upon him, and with the knowledge that his country and posterity in New Zealand will sit in judgment on his acts. It is with this knowledge and under this responsibility that he has on several occasions, declined to act on the advice of his Responsible Advisers, under the belief that had he done so he would have been hereafter adjudged to have done that which was wrong, and which must tend to drive a nation to despair. In the present discussion he unhesitatingly appeals to his country and to posterity to judge between his views and those of his Responsible Advisers, and to pronounce whether when a man has to come to a decision amidst so many and great difficulties, his Responsible Advisers ought not to refrain from clouding his judgment, and trying to force him to a decision he does not approve, by using such language as their Memorandum contains.

If upon a re-consideration of the subject his Responsible Advisers still refuse to acquiesce in the Proclamation submitted to them, as the Governor, for the reasons he has stated, considers it to be his duty, sorry as he is to differ in opinion with them, to adhere to his intention of issuing it, he begs to be informed what course they intend to pursue.

The fact of the Natives who were taken by the troops, and who were confined on board the hulk, having left the Kawau, may now cause some delay in the issue of the proposed Proclamation until the Governor has ascertained what effect this proceeding may produce on the Native population; but he hopes that he may, as soon as is convenient, be favoured with replies to the questions he has asked, in order that he may have the means of determining what is the line of conduct he ought to adopt.

G. GREY.

Government House, Auckland, 14th September, 1864.

No. 9.

MEMORANDUM by MINISTERS.

Ministers have most carefully re-considered the subject of the Proclamation His Excellency proposes to issue, stating the conditions upon which the Queen's clemency will be extended to those Natives who return to their allegiance; but though this re-consideration has been with an anxious desire to satisfy themselves that their impressions in relation to the subject are wrong, as His Excellency states he thinks they are, Ministers cannot find any sufficient reason for arriving at such a conclusion.

Ministers have in no way opposed His Excellency giving effect to the instructions conveyed to him in the despatch which embodied the decision of Her Majesty's Government. On the contrary, Ministers complain that His Excellency will not act on those instructions and carry out the views of the Imperial Government and the General Assembly of New Zealand.

There are two points in difference between His Excellency and his Responsible Advisers upon which the despatch referred to is most explicit.

1st. That "the position of the Maoris as defeated rebels should be unequivocally exhibited."

2nd. That the Colonial Government have a right "to obtain from the punishment of the insurgent Natives some aid in defraying the expenses of the war, or, in other words, of including in the contemplated cession or forfeiture lands to be disposed of by sale as well as lands to be devoted to the purposes of military settlement."

In the opinion of Ministers the position of the Maoris as defeated rebels cannot be considered as unequivocally exhibited so long as they are permitted, unless in exceptional cases, to retain the arms with which they have been fighting the Queen's troops. Oaths of allegiance may be taken and land may be ceded with the intention, when the opportunity occurs, of disregarding the one and regaining the other by conquest; but the surrender of arms affords proof, and in the opinion of Ministers the only really satisfactory one, of unequivocal admission of defeat. The surrender of arms, therefore, they deem to be of the first importance; indispensable as a proof of a sincere submission to law and order, and the best and surest guarantee for the future peace of the Colony. They beg to remind His Excellency that in the Tauranga case, where a large body of Natives submitted at one time, as well as in many cases of smaller numbers, the Natives have made no difficulty about surrendering their arms, but did it voluntarily and without a murmur.

Ministers are as anxious as His Excellency can be that (to use the words of Mr. Cardwell) "the cession or confiscation of territory shall not be carried further than may be consistent with the permanent pacification of the island and the honour of the English name." Apart from higher motives; it is more the interest of the Colonists than of any others that these considerations should prevail, and Ministers have never desired that anything inconsistent with them should be done.

His Excellency states that he declines "to give an assurance that the cession of territory should be to the extent his Responsible Advisers might think required for the purposes they named." This conveys an altogether erroneous impression of what Ministers advised. They did not ask for an assurance that the cession should include all they might think required, but that it should "be to the extent contemplated by the Secretary of State," and include land to be disposed of by sale as well as for military and other settlements. Not a quantity to be measured by any man's opinions but by a given rule, easily applied, which would leave nothing to be determined by thoughts and opinions, and in strict accordance with the "instructions which embodied the decision of Her Majesty's Government," and with the views and legislation of the General Assembly.

Ministers regret that the careful consideration which His Excellency states he has given to any views that they have brought before him has resulted in so many differences of opinion. These, however, can be satisfactorily accounted for by the difference of the principles upon which His Excellency and his Responsible Advisers regulate their conduct. His Excellency appears to take for his guide his own opinion as to what "his country and posterity in New Zealand will think and say of him when they sit in judgment on his acts." Ministers believe that a far better guide may be found in a careful consideration of what is right, and at the same time of what is most conducive to the welfare of those of both races in this country whose interests are affected, regardless of applause, and fearless of blame, from either contemporaries in England or posterity in New Zealand. Ministers respectfully beg that they may be permitted to add, that the desire of obtaining applause is but at best not a high-minded but a self-interested motive for our actions, and that it is quite possible, while committing a great wrong and doing serious mischief, to acquire popular applause, which, however pleasing, is by no means satisfactory proof that the applauded action was just or even excusable. His Excellency may succeed in patching up a hollow peace, and thus obtain temporary credit from those who are impatient of the continuance of the war, but he can only obtain a solid reputation by a comprehensive and permanent settlement of the present unhappy difficulties.

Heretofore, when the differences of opinion to which His Excellency refers arose between himself and his Responsible Advisers, they gave way; and they trust they may be permitted to appeal to this fact as proof of their anxiety to meet His Excellency's wishes, and to smooth any difficulties he may have felt in his way. Ministers have been equally anxious to defer to His Excellency's judgment on this occasion, but their convictions are so clear and strong, that by doing so they will be led into a course which they feel assured will sooner or later lead to disappointment and disaster, that they are satisfied that duty leaves them no alternative but to act on the dictates of their judgment rather than in accordance with their feelings.

Ministers are fully impressed with the belief that no more unfortunate mistake can be made than that the Colonists should at the close of the present war smart under the belief that they have been sacrificed to His Excellency's dread of the judgment of his country and posterity, and that injustice has been done to them in order to secure to him a character for clemency at their expense. To leave

the two races, when Her Majesty's Imperial troops are withdrawn, standing opposite to each other with arms in their hands, one party embittered with a sense of wrongs, and the other congratulating itself on the easy escape from the expected and well-merited penalties of misconduct and defeat, would be wicked if intentional, and criminal neglect if unintentional—disastrous to the European and fatal to the Maori.

Ministers are at a loss to understand to what His Excellency refers when he states that if he followed the advice of his Ministers, "he would have been hereafter adjudged to have done that which was wrong, and which must tend to drive a nation to despair." No measure that has ever been proposed by His Excellency's Responsible Advisers has had a tendency to affect one-fourth part of the Maori "nation," or one-tenth part of their territorial possessions. Moreover the two essential points upon which His Excellency and his Ministers have differed, have been on the two principal subjects of the present discussion, and Ministers are quite unable to see that they have ever proposed anything which has been calculated to drive a "nation" to despair. On the contrary, the feeling of the Maori "nation" would certainly hold that it is strictly just to deprive men of the arms with which they have made an unprovoked and barbarous attack, and that it is certainly generous to give up to such men any of their territorial possessions which their opponents have the power to keep. Maori usage would fully justify much harsher measures, and those who have had the power have generally inflicted them.

Ministers protest against the charge His Excellency makes against them, of "clouding his judgment and trying to force him to a decision he does not approve of." On the other hand, indeed, they have felt that His Excellency has been endeavouring to force them to concur in measures against which their judgment revolts, and which, sooner or later, they believe will produce disastrous results.

Ministers feel that they ought no longer to remain in the ostensible position of Responsible Ministers when they have ceased to have their legitimate influence in the government of the Colony. They believe that they clearly foresee a long train of disastrous results to the Colony, and to Her Majesty's subjects of both races, as the inevitable issue of what His Excellency is doing and leaving undone; and they are most anxious to be relieved from any, even the appearance of, complicity.

Ministers feel that they would have been justified by the precedents His Excellency has afforded them in declining to "pledge" themselves "beforehand to any particular line of action," but they are anxious, as far as lies in their power, to remove all difficulties out of His Excellency's way, and therefore, in reply to his question as to what course Ministers intend to pursue if His Excellency adheres to his intention of issuing the objectionable Proclamation, they beg most respectfully to state that they request to be relieved of the offices they hold as His Excellency's Responsible Advisers.

FREDK. WHITAKER.

Auckland, 22nd September, 1864.

No. 10.

MEMORANDUM by the GOVERNOR

In their Memorandum of the 22nd instant Ministers state as follows:—"They did not ask for an assurance that the cession should include all they might think required, but that it should be to the extent contemplated by the Secretary of State, and include land to be disposed of by sale as well as for military and other settlements. Not a quantity to be measured by any man's opinions, but by a given rule, easily applied, which would leave nothing to be determined by thoughts and opinions, and in strict accordance with the instructions which embodied the decisions of Her Majesty's Government, and with the views and legislation of the General Assembly."

The Governor would feel very much obliged to his Responsible Advisers if they would state for his information what this given rule is which was so easily applied.

G. GREY.

September 28th, 1864.

No. 11.

MEMORANDUM by MINISTERS.

His Excellency requests to be informed what given rule is applicable to a calculation of the land required to be confiscated for the purposes mentioned by Ministers in their Memorandum of the 22nd instant.

Each man of the military settlers is entitled to a certain number of acres, so that a simple addition will give the number of acres required.

A similar rule will apply to the emigrants authorised to be brought from Great Britain.

This leaves only a moderate quantity required for sale to be determined, which would create no difficulty.

FREDK. WHITAKER.

Auckland, 30th September, 1864.

No. 12.

MEMORANDUM by the GOVERNOR.

The Governor thanks his Responsible Advisers for their Memorandum of this day's date, regarding the quantity of land required for the purposes mentioned by Ministers in their Memorandum of the 22nd instant.

It is of great importance that he should at once know what the approximate quantities are ; he is very unwell and much occupied, he would therefore be very much obliged to them if they would have a calculation made for him as speedily as possible, showing—

1st. The number of acres of land that will be required for military settlers.

2nd. The number of acres that will be required for the emigrants authorised to be brought from England.

3rd. The probable number of acres that would be required for sale.

G. GREY.

Government House, 30th Sept, 1864.

No. 13.

MEMORANDUM by MINISTERS.

In reply to His Excellency's Memorandum of the 30th of September, Ministers beg to state for His Excellency's information that according to their calculation the following quantities of land will be required :—

<i>For the Province of Auckland.</i>							
1.	For Military Settlers	...	...	...	...	...	360,000 acres.
2.	For Emigrants from England	...	...	...	...	...	240,000 "
3.	For Sale	...	...	...	...	...	400,000 "
							1,000,000 "
<i>For the Province of Taranaki and near Wanganui.</i>							
1.	For Military Settlers	...	...	...	...	...	180,000 "
2.	For Emigrants from England	...	...	...	...	...	120,000 "
3.	For Sale	...	...	...	...	...	300,000 "
							600,000 "

Total, 1,600,000 acres.

His Excellency will observe that this total falls very far short of the quantity proposed in the General Assembly, but Ministers have made the modification for the purpose of avoiding any imputation even of prolonging the war for the acquisition of territory.

30th September, 1864.

No. 14.

MEMORANDUM by the GOVERNOR.

The Governor thanks his Responsible Advisers for the information with which they have just supplied him regarding the quantities of land which they think would require to be confiscated from the natives to carry out their views.

In order that this matter may be placed in such a shape that he may have a clear idea of what is expected from him, the Governor will feel very much obliged to his Responsible Advisers if they would respectively show approximately the boundaries of the territory it will be necessary for him to confiscate in the Waikato country and in the Province of Taranaki and near Whanganui.

G. GREY.

Oct. 3rd, 1864.

No. 15.

MEMORANDUM by MINISTERS.

Ministers very much regret that they are unable to supply His Excellency with the tracings for which he asks in his Memorandum of yesterday's date, showing even approximately the boundaries of the territory that they would have proposed to confiscate.

It was not intended to take the land required in one block, but in several, of which some would have been small, and as to others there is not sufficient information to determine even the precise localities. The claims of Friendly Natives and others, the position and character of the land, and other circumstances would have had to be considered.

Ministers beg to refer His Excellency to their Memorandum of the 25th of June last on the subject of confiscation, to which they can only add that the extent of land to be taken within the limits therein mentioned would have been limited to 1,000,000 acres in the Province of Auckland, and 600,000 in the Province of Taranaki and near Wanganui.

FREDK. WHITAKER.

Auckland, 4th October, 1864.

No. 16.

MEMORANDUM by the GOVERNOR.

The Governor has received his Responsible Advisers' Memorandum of this day's date, in which they inform him that they are unable to supply him with the Memorandum for which he asked, showing approximately the boundaries of the territory which they wished him to confiscate.

The Governor still trusts they will supply him with the information for which he asked. With an earnest desire of doing what was practicable, he tried in what manner the land they wished to be confiscated could be taken, and especially in the case of Taranaki and Whanganui he could not see how this could be done.

He therefore earnestly presses his Responsible Advisers to furnish him with the tracings for which he has asked, and which he feels satisfied he is entitled to receive from them.

G. GREY.

October 4th, 1864.

No. 17.

MEMORANDUM by MINISTERS.

Ministers beg most respectfully to state that they cannot admit that His Excellency is entitled to receive from them, that for which he asks in his Memorandum of yesterday's date.

His Excellency has had the resignations of Ministers in his hands since the 30th of September, and it appears to them that it would be both irregular and improper that they should, under such circumstances deal with important questions of policy.

Ministers are, as they stated in their Memorandum of yesterday's date, unable, for reasons given, to supply His Excellency with tracings showing, even approximately, the boundaries of the land which they desired confiscated, but, Ministers, in order to comply as far as possible with His Excellency's wishes have, as matter of explanation and upon the distinct understanding that neither their successors nor the General Assembly are to be considered in any way prejudiced by their acts, marked on a plan of the Northern Island, transmitted herewith,* the localities in which they considered it would be both just and practicable to confiscate the land required.

Ministers beg to add that these views were to be considered subject to the qualifications which they have from time to time stated, and to any modifications which further information might have rendered necessary.

Ministers would further observe that as regards the occupation of the block proposed to be taken in Waikato, its frontier could, in the opinion of Ministers, when the Rebels are reduced to submission, be securely held by the location of military settlers. And as regards the land proposed to be taken at Taranaki and Wanganui, Ministers have indicated its position subject to this observation, that nearly the whole of that Country is in the hands of Natives who have been and are in rebellion. That from the whole of the portion between Tataraimaka and Waitara, Europeans have been absolutely excluded, and the only highway of the Country stopped for nearly five years. It is therefore impossible for Ministers to be more explicit than to say that land should be taken in such positions, and to such an extent as would enable the Colonial Government to keep this road open, and hold the Country by military settlement for the future. This, if the resident tribes were reduced to submission, would be undertaken by the Colony.

FREDK. WHITAKER.

Auckland,
5th October, 1864.

* NOTE.—The Plan referred to, appears with the Memorandum of November 5th.

No. 18.

MEMORANDUM by MINISTERS.

If His Excellency will be pleased to transmit the Proclamation which he intends issuing, it shall be inserted in the Government *Gazette* whenever he directs it to be done.

FREDK. WHITAKER.

10th October, 1864.

No. 19.

MEMORANDUM by the GOVERNOR.

The Governor now encloses to his Responsible Advisers the Proclamation he wishes to have immediately issued, making known the terms on which Her Majesty's pardon will be extended to those persons who have been engaged in the rebellion. He is unable to fill up the blank in the Proclamation which relates to those engaged in murders, who are excepted from the offered pardon.

His wish is that this blank should be filled up with the names of all those persons who by the guiding of the Juries at Inquests held, were found to have been murdered by some person or persons of the Native race.

Government House,
24th October, 1864.

G. GREY.

A PROCLAMATION.

By HIS EXCELLENCY SIR GEORGE GREY, Knight, Commander of the Most Honourable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

The Governor having been authorised to extend upon certain conditions Her Majesty's clemency to those tribes who have been engaged in the present unhappy rebellion. Now, therefore, I, Sir George Grey, the Governor of the Colony of New Zealand, do hereby notify and proclaim that I will in Her Majesty's name and on Her behalf grant a pardon to all such persons implicated in the rebellion as may come in on or before the Tenth day of December next, take the Oath of Allegiance, and make the cession of such Territory as may in each instance be fixed by the Governor and the Lieutenant-General Commanding Her Majesty's Forces in New Zealand.

All the persons who have been engaged in the rebellion who may desire to return within any part of the ceded territory, or within the limits of any European settlement, will be required to deliver up any arms or ammunition in their possession.

The Pardon promised in this Proclamation, will not be extended to any persons who may have been engaged in the murder of

Samuel Shaw
 Samuel Ford
 Robert Passmore
 Parker
 Pote
 Dr. Hope, Lieut. Tragett, and Soldiers, 4th May, 1863.
 Robert Patterson
 Michael Meredith
 Frederick Richard Meredith
 Sylvester Calvert
 Charles Cooper
 William Cory Scott
 Robert Watson
 Hugh McLean
 William John Jackson
 Margaret Fahey
 Job Hamlin
 Richard Trust
 Nicholas Trust
 James Dromgoold.
 Henry Crann
 Sarten
 Hugh Corbyn Harris
 John Hurford
 Gaffney, (an Artilleryman)
 Richard Brown
 Ephraim Coad
 William Cutfield King
 John Hawken

Given under my hand, at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this twenty-fifth day of October in the Year of our Lord One thousand eight hundred and sixty-four.

By His Excellency's command.

GOD SAVE THE QUEEN.

MEMORANDA RELATIVE TO RELATIONS EXISTING BETWEEN THE GOVERNOR AND HIS RESPONSIBLE ADVISERS.

No. 1.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

In their Memorandum of the 2nd of August last, which forms the subject matter of His Excellency's despatch to the Secretary of State of the 26th of August, No. 124, Ministers stated that a passage in Mr. Cardwell's despatch of the 26th May, No. 65, was capable of an interpretation subversive of the arrangements by which responsibility in Native affairs was transferred to the Colonial Government; but as it appeared to His Excellency's Responsible Advisers that the following sentences were intended to qualify that interpretation, and that such a reading would render Mr. Cardwell's despatch harmonious with and not antagonistic to that of the Duke of Newcastle of the 26th of February, 1863, which embodies the arrangements between the Imperial and Colonial Governments as to the conduct of Native affairs.

It thus appears that in the opinion of Ministers the despatch referred to was capable of two interpretations,—one by which the arrangements made would be subverted and the other consistent with it. It was against the former interpretation, which would in fact introduce a new form of Government, under which Native affairs would be administered partly by the Governor and partly by his Advisers, that Ministers thought it their duty to protest.

It is very remarkable that throughout His Excellency's very long Despatch he does not commit himself to an opinion as to which interpretation is the correct one,—his despatch will suit either. This is no doubt very safe, but Ministers most respectfully submit that it is neither candid nor fair. His Excellency, in the last paragraph of his despatch, states, "I am not at all satisfied that when the subject has been fully considered public opinion will be adverse to the instructions you have issued for the management of public affairs during the present crisis." If those instructions are intended to subvert the arrangement of February, 1863, and to authorise the Governor without qualification to act on his own judgment irrespectively of his Responsible Advisers, (and it was against this Ministers protested), they beg to express their dissent from His Excellency's opinion; but if, on the other hand, the instructions are not inconsistent with that arrangement, but only point out the manner in which it is to be carried into practice, the opinion of Ministers is not adverse to them, nor do they believe will be that of the public.

Ministers now beg to be permitted to make some corrections in matters of fact, and to point out what appears to them to be some false inferences.

1. His Excellency states it to be his opinion that several discussions which have taken place between his Responsible Advisers and himself constitute differences of opinion. It would have been folly for Ministers to have said that these discussions did not exhibit differences of opinion, but Ministers did not say anything which could be construed to bear such an interpretation. The words used by Ministers on the 2nd of August last were these:—"Practically no difference of opinion as yet exists between His Excellency and his Advisers." At that time the statement was true—no difference did then exist of a practical nature; for although differences had frequently arisen, they had been obviated by Ministers, with an earnest desire to yield to His Excellency as the representative of the Imperial Government, surrendering their own opinions; and therefore, although differences had arisen, no practical result was then in existence.

2. His Excellency next states that he is of opinion that the publication in the Colony of Mr. Cardwell's Despatch, No. 43, of the 26th of April, has produced a very happy effect on the Native population, and that to it His Excellency attributes, in no small degree, and in spite of adverse causes, the surrender of the rebels at Tauranga. Ministers feel bound to express their dissent from this opinion; and it is quite clear that the Tauranga natives had made up their minds to surrender before they ever heard of Mr. Cardwell's Despatch or its contents. The Despatch was published in the *New Zealand Gazette* on the 30th of June, and was re-published in the Auckland newspapers on the following day, which reached Tauranga on the 4th or 5th of July. The Natives who surrendered were at that time dispersed in the forests at the back of Tauranga, 150 miles distant from Auckland. On the 5th of July Mr. Rice received a communication from them that they desired to surrender, and it was several days after that before they became aware that Mr. Cardwell's Despatch was in existence. The true cause of their submission may be found in their defeat on the 21st of June at Te Ranga, by the forces under Colonel Greer, and the straits they were reduced to by the want of food. These, indeed, are the reasons they themselves assigned for their submission.

3. Paragraph No. 4 of His Excellency's Despatch is calculated to convey a very erroneous impression as regards the assumption of responsibility in Native affairs by the Colonial Government. The facts are these. In 1856, when ministerial responsibility in the management of public affairs was granted to the Colony of New Zealand, an exception was made of Native affairs—the entire control of which, by arrangement then made, was reserved to the representative of the Imperial Government. Soon after the arrival of Sir George Grey, in September, 1861, the then Ministers accepted the transfer from the Governor of that responsibility, subject to the confirmation of the General Assembly; but both Houses, in the following session, held in August 1862, passed resolutions declining the functions which had been relinquished to them; and in a despatch from His Excellency to the Secretary of State, dated the 26th of August, 1862, he stated that he had consented to act in the spirit of these Resolutions until, further instructions should reach him. His Grace the Duke of Newcastle, in a despatch dated the 26th of February, 1863, informed the Governor that the Imperial Government would not recall its decision with respect to the administration of Native affairs; but no alteration was made till November, 1863, when the General Assembly, having had under their consideration the despatch of the 26th of February 1863, "conveying the fixed determination of Her Majesty's Government to revoke the arrangement of 1856, and for the future require the Colonists to undertake the responsibility of the management of Native affairs," by resolutions passed in both Houses, accepted the responsibility thus placed on the Colonists. It is true that a great change has taken place, as stated by His Excellency, since the direction of Native affairs was originally, that is in 1861, assumed temporarily by the Colonial Minister; but it is equally true that that direction was accepted by them subject to the confirmation of the General Assembly, which was refused, and that no change has taken place in this country since November 1863, several months after the present war had broken out, when responsibility in the management of Native affairs was definitively transferred to the Colonial Ministry.

The same paragraph of His Excellency's despatch is at least inaccurate when it states that the parties engaged in the present conflict are the whole of the European population and a part of the Natives on one side, and the remaining portion of the Native population on the other; the fact being that in addition to the two hostile Native parties there is a third, exceeding in number the other two conjointly, namely, a party which has taken no active part on either side, but has remained neutral, watching the course of events.

4. In their Memorandum of the 2nd of August, Ministers stated that His Excellency is bound to judge for himself as to the justice and propriety of employing Her Majesty's troops; and that Ministers do not claim the right to enforce their policy with Her Majesty's Imperial forces. Minis-

ters are unable to reconcile these declarations with His Excellency's understanding that they "protest against not being allowed to exercise absolutely powers which would virtually give them a very large control over the naval and military forces and the naval and military expenditure of Great Britain."

5. Ministers feel assured that His Excellency's opinion that because the General Assembly is not responsible it would therefore exercise little or no control over the Colonial Ministers in reference to military and naval matters, is clearly erroneous. Experience has proved exactly the reverse. No questions have been more fully and energetically discussed in the General Assembly of New Zealand than those having reference to advice tendered to the Governor on questions as to the employment of forces; nor indeed could it well be otherwise, for such questions are of the utmost importance to the Colony, involving not only its welfare, but the safety of the lives and property of the inhabitants.

6. It is quite true that the members of the General Assembly are collected from great distances, from settlements having a totally different character from those of the population inhabiting districts where there are many Natives, and it must be admitted that generally the information the inhabitants of such settlements possess regarding public affairs is limited, though certainly a more general interest is taken in public affairs in New Zealand than in England, and a greater knowledge of them possessed by the public at large. His Excellency, however, does not state what inference he wishes to be drawn from his statement, but it is clear that it is not a favourable one. On the other hand, Ministers regard the facts admitted as beneficial rather than otherwise to a due appreciation and just management of Native affairs during the excitement necessarily incident to the suppression of a formidable rebellion; for the settlements distant from the seat of hostilities may be fairly expected to send to the Assembly men of calmer judgment, and the totally different character of the population will act as a counterpoise to each other.

The main object, however, of the 7th and following paragraphs of His Excellency's Despatch appears to be to depreciate Responsible Ministries in general in this Colony, and the present Ministers in particular,—to disparage the General Assembly and find fault with public opinion, with apparently the object of proving that there is no one in the Colony at the present juncture fit to be entrusted with the management of public affairs, and therefore that it should be handed over to Imperial officers, or, in other words, to His Excellency himself. The charge that the information given to the Assembly by the Ministry of the day is frequently only such as it thinks fit to transpire, conveys of course the imputation that papers are frequently purposely kept back. This charge Ministers distinctly deny; it is entirely without foundation; and Ministers can indeed with confidence appeal to the Parliamentary papers published in every session of the Assembly in proof of the truth of their denial. The several statements which follow on the same subject Ministers feel bound in justice to say are either without foundation or greatly exaggerated.

7. His Excellency states that the sessions of the General Assembly are not only short but by far too infrequent to enable them to exercise such control over public affairs as is exercised by the Parliament of Great Britain. It may be observed that if the meetings of the General Assembly were infrequent, it would be in strict conformity with the plan of a constitution proposed for New Zealand by His Excellency himself, in 1851, and substantially adopted by the Constitution Act. But how far His Excellency is correct may be judged by the following statement, commencing with the year 1860, that in which the Maori disturbance first broke out in Taranaki.

	Day of commencement of Session.		Date of Prorogation.		Duration— No of days.
1860	- 30th July	-	5th Nov.	-	99
1861	- 3rd June	-	7th Sept.	-	97
1862	- 7th July	-	15th "	-	71
1863	- 19th Oct.	-	14th Dec.	-	57

It must be borne in mind that mere local matters are not subjects of legislation in the General Assembly, as they are dealt with by the Provincial Councils, so that only questions of general interest engage the attention of the General Legislature; and it is unquestionable that no subject introduced into the Assembly has received the same consideration and has been so fully discussed as those relating to the Maoris, or has occupied one-fifth part of the time; in fact it may be safely affirmed that during the last four sessions—those above referred to—few days have passed in which Native affairs, in some shape or another, were not under consideration, and a very large portion of the session of 1863 was exclusively devoted to them.

8. It would be presumption in a Ministry in New Zealand to institute any comparison between themselves and the "strong and powerful Ministry which can be found in Great Britain." But because a New Zealand Ministry is comparatively very weak, it can be no justification for the inaccurate and exaggerated statements made by His Excellency in paragraph No. 9 of his despatch.

It is not true that the direction of affairs, involving largely the interests of Great Britain, have frequently rested in the hands of two members only of the Ministry; and it is not true that it was on advice thus tendered to him that the Governor was frequently expected to act in the most important affairs of Imperial concern. The present Government entered office in October 1863, and from that time to the present Mr. Fox has been absent from time to time 38 days collectively on urgent public business, and Mr. Gillies 144 days, for the most part in accordance with the arrangement made when he joined the Government, that he should generally reside in the South with a view to especial attention to Southern business. And Ministers beg to state most distinctly that no Ministerial advice has ever been tendered to His Excellency by any two members of the Government which had not been previously considered and decided on invariably by one and frequently by two other members of the Government, and that such advice has been in furtherance of plans previously agreed to by every member of the Government.

As His Excellency has considered it necessary, for the information of the Secretary of State, fully to express his opinion, on rather personal terms, of the New Zealand Colonial Government, both

Executive and Legislative, it seems necessary, in order to render the information of the Secretary of State complete, that the opinion entertained in the Colony in reference to His Excellency himself should not be omitted. Ministers, however, will not follow His Excellency's example by descending into personalities, but will confine themselves to a simple expression of opinion, without entering on the reasons on which it is founded. Ministers are clearly of opinion, and on this they certainly believe that they speak the sentiments of a large majority of both Houses of Assembly and of the public in general, that Responsible Government in New Zealand can never be satisfactorily worked under His Excellency Sir George Grey.

9. Many of the observations of His Excellency in reference to the difficulties of a Governor under Responsible Government in New Zealand are more or less correct. But it may be said that with ordinary tact and management they are not insuperable. No doubt there is an essential difference between Responsible Government in New Zealand and in the mother country. It is true that in the Colony the Governor issues orders in his own name, and that in matters not involving Imperial interests they are the orders of his Ministry who are responsible and are invariably so considered at all events in the Colony. If Ministers advise that which is repugnant to his Excellency's own feelings he is not compelled to give his assent, but he has his constitutional remedy; and although there certainly are impediments in the way of forming a new Ministry, they are much exaggerated by his Excellency, and there is no difficulty which could be not easily overcome if his views coincided with those held by a majority of the House of Representatives or with those held by a majority of the Executive.

10. No doubt with a civil war raging in a country there is danger of men's passions misleading them, but Ministers refer with the utmost confidence to their acts and expressed opinions since they have been in office as a refutation of any charge that may be brought against them that their passions have led them to "adopt extreme views" or to do "hasty and ill considered acts."

11. What Great Britain owes to the feelings of her Naval and Military Forces, and his Excellency reminds her that she does owe something, is not a question for the Colonial Government; but his Excellency's observations are equally applicable to the Colonial Forces, and Ministers cannot therefore permit them to pass without notice. They beg most respectfully to express their dissent from what to them appears to be a new and dangerous doctrine, that the feelings of the Naval and Military Forces of a State are to be consulted as to the political justice, propriety, or expediency of the service on which they are employed.

Ministers entirely agree with his Excellency that the "uncontrolled power over the lives, actions, and honor" of the officers and men of Her Majesty's Imperial Troops and "the welfare of their wives and children" should not be "handed over to irresponsible persons or at least but feebly responsible to Colonial Legislature." As Ministers have never claimed such a power, have frequently stated and certainly have never attempted to exercise it they are quite at a loss to understand against what so much declamation is directed. So far indeed from such power having ever been exercised, Ministers feel that they have been excluded by his Excellency from that which they conceive that they have a legitimate right to. For some time past his Excellency has not thought it necessary even to communicate any information relative to Military movements, and at this very time it is only through the newspapers that they have become informed that some expedition is about to be despatched to the south either to Taranaki or Wanganui or to both, nor has his Excellency permitted his Ministers to see the despatches received from Her Majesty's Secretary of State by the last mail ten days ago. If Wanganui be the intended scene of Military operations Ministers feel especially that they should have been informed, for it appears to them of importance that timely notice of the intention should have been given in order to place on their guard the out-settlers who will be exposed to Native outrage.

12. The repetition by his Excellency in various forms of the imputation that Ministers desire or claim to exercise controul over Her Majesty's Imperial Troops and divert the expenditure of the resources of the British tax-payer, renders it necessary for Ministers to repeat that they never did and do not claim anything of the kind. But on the other hand they do claim, and as long as they remain Responsible Ministers will exercise, as they feel it to be their duty, controul over the resources of the taxpayer, and will not consent to surrender that controul to Imperial Officers.

Ministers entirely agree with his Excellency that no doubt need be entertained of the sense and good-feeling of the inhabitants of New Zealand, and that Her Majesty's Secretary of State will be supported by a large majority in doing that which is right. The inhabitants of New Zealand have no desire unduly to interfere with the functions of Her Majesty's Imperial Officers nor to exercise any powers over Her Majesty's Imperial Forces, but on the other hand they do claim and feel that they have a right to expect that in all questions affecting Colonial interests their legitimate influence should not be denied them. They are above all things anxious that the present war should be speedily terminated; indeed it is of vital importance to them that it should be. They have made great sacrifices with the hope and expectation that it will be brought to that satisfactory conclusion—a just and permanent peace; and they earnestly hope that his Excellency the Governor will not be induced to forego all that has been gained towards that end by patching up a mere truce. Ministers feel assured, to use the words of His Grace the Duke of Newcastle, that "it is 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."

Ministers most respectfully request that His Excellency will be pleased to transmit a copy of this Memorandum to Her Majesty's Secretary of State for the Colonies by the mail of the 8th of next month, as His Excellency's despatch, to which this memorandum refers, was transmitted by the last mail.

FREDK. WHITAKER.

30th September, 1864.

No. 2.

MEMORANDUM by HIS EXCELLENCY SIR GEORGE GREY.

In their memorandum of this day's date Ministers state:—"For some time past His Excellency has not thought it necessary even to communicate to them any information relative to Military movements, and at this very time it is only through the newspapers that they have become informed that some expedition is about to be despatched to the South, either to Taranaki or Wanganui, or to both."

"If Wanganui be the intended scene of Military operations Ministers feel especially that they should have been informed, for it appears to them of importance that timely notice of the intention should have been given, in order to place on their guard the outsettlers, who will be exposed to native outrage."

In reference to this paragraph the Governor desirous to remove what he believes to be an entire misunderstanding, would state that upon the 19th of May last, he acting under the advice of his Responsible Advisers, wrote a letter to the Lieutenant-General containing the following paragraph:

"With regard to future operations I should wish now that the Waikato tribes have been conquered, that such Military operations should be carried on in the country between Taranaki and Wanganui, as you may find practicable, having regard to the number of Troops that may be available after the substitution of river transport for land transport, the consequent reduction of some posts, and the total withdrawal of others." A delay in the commencement of these operations took place on account of the setting in of the winter season.

The Governor however never heard from his Responsible Advisers that they desired any change in the instructions he issued on the 19th May to the Lieutenant-General. When, therefore the Lieutenant-General on the 30th of August wrote to him asking if anything had taken place which rendered it necessary to vary the instructions which had been issued in May last, he replied that he saw no reason to alter those instructions; and the Lieutenant General began to make such preparations as he thought necessary for the purpose of carrying them out, although the Governor does not know the precise details of those preparations.

The Governor communicated the substance of this correspondence to the Minister for Colonial Defence, who obtained for him, on the 16th of September, the consent of the Government that any men in the Waikato Regiments, now employed in the Transport service, might volunteer for service temporarily in the Taranaki or Wanganui districts, if the General wished to employ them there.

In the same manner, with the consent of the Government, he informed the Lieutenant General why permanent blockhouses were not prepared by the local Government, and informed him that whenever, during the course of the proposed operations the men should occupy stations where permanent detachments were to be placed, they should, in the first instance, construct stockades, and that the Colonial Government would pay their working pay while so occupied.

Lastly, on the 28th instant, the Minister for Colonial Defence authorised the Governor to tell the Lieutenant General that the colonial vessel "Prince Alfred" was then loading for Port Waikato, but that on her return she should be placed at the General's disposal for a few trips in getting supplies down to Taranaki and Wanganui.

The Governor, as he thought, had thus carefully imparted to his Ministers every information he was in possession of relative to military movements, and received their cordial co-operation in forwarding these movements. He has not asked the Lieutenant General for any of the details of his plans. He believed that in a country without roads, regarding which we have little information, and where the Natives are in a continual state of movement, it would be impossible for the Lieutenant General to form any plans until he had reached the scene of operations. If, however, Ministers acquaint him with the nature of the information they wish to possess, he will at once ask the Lieutenant General to furnish it, if it is of a kind which the Governor thinks he can properly ask for.

The Governor has written this memorandum with the sincere desire of removing from the minds of his Ministers what he believes a very grave misapprehension.

G. GREY.

September 30th, 1864.

No. 3.

MEMORANDUM by MINISTERS.

Ministers beg to be permitted to make a few remarks on His Excellency's Memorandum of the 30th of September last.

1. In a Memorandum of the 9th of April, Ministers recommended military operations to be undertaken at Taranaki, and the garrison of Wanganui strengthened.

2. On the 19th of May they again advised, in reply to a communication from His Excellency, the carrying on such operations at Taranaki.

3. On the same day it appears that His Excellency wrote a letter to the Lieut.-General giving instructions that such military operations should be carried on in the country between Taranaki and Wanganui as might be found practicable.

4. Ministers were not made aware of the existence of these instructions until the 4th of September, when His Excellency in a casual conversation communicated to the Minister for Colonial Defence, the substance of his correspondence with the General.

5. The consent of the Government that any one of the Waikato Regiments might volunteer for service temporarily in the Taranaki or Wanganui districts, was only "if the General could employ them there."

6. The Colonial store vessel 'Prince Alfred,' was stated to be required to carry stores, which did not necessarily imply active Military operations as Colonial vessels have before been frequently employed to convey stores for Troops in garrison.

7. Even yet, Ministers have no authentic information as to whether Military operations are to be undertaken at Taranaki or Wanganui, or at both places, or if so with what object, or when they will probably be commenced. Ministers will again observe, that if Wanganui is to be the scene of active operations, it is desirable that some precaution should be first taken to put the settlers there on their guard against danger.

8. General Sir Duncan Cameron addressed a letter to His Excellency on the 2nd of July on a reference made to him of plans of future military operations suggested by Ministers. Ministers became aware on the 19th of August only, that this important letter had been written in reply to a Memorandum written by them, when they requested His Excellency to permit them to see it.

9. In making these observations, Ministers have no intention of reiterating the statement that His Excellency had not thought it necessary to communicate to Ministers any information relative to military movements, but except in justification of their having been under what His Excellency states to be a grave misapprehension on the subject.

10. Ministers feel bound to add that His Excellency on the 30th of September, courteously offered to furnish them with such information as they may wish to possess as to the military operations at Taranaki or Wanganui, if it is of a kind which the Governor thinks, he can properly ask for, but Ministers have not felt themselves justified in accepting His Excellency's offer, seeing that their resignations have for several days been and were at the time that the offer was made, in His Excellency's hands, awaiting acceptance.

FREDK. WHITAKER.

Auckland,
4th October, 1864.

No. 4.

MEMORANDUM by the GOVERNOR.

The Governor feels that he ought not to withhold from his Responsible Advisers his opinion that notwithstanding what is stated in their Memorandum of the 4th October, 1864, they really were under a very grave misapprehension when in their Memorandum of the 30th September, they complained to the Secretary of State as follows:—

"For some time past His Excellency has not thought it necessary even to communicate to them any information relative to Military movements, and at this very time it is only through the newspapers that they have been informed that some expedition is about to be despatched to the South, either to Taranaki or Wanganui, or to both."

* * *

"If Whanganui be the intended scene of Military operations, Ministers feel especially that they should have been informed, for it appears to them of importance that timely notice of the intention should have been given, in order to place on their guard, the out-settlers, who will be exposed to Native outrage."

The Governor will not now remark upon the first portion of the Ministerial Memorandum of the 4th instant on that subject—he will do that hereafter.

He will only now say that in making every general preparation to enter upon operations in the south of this Island, the Lieut.-General conjointly with himself were, to the best of their ability giving effect to the repeatedly expressed wish of Ministers—and, to shew the nature of the misapprehension which existed in the minds of Ministers, when they forwarded their complaint to the Secretary of State for the Colonies without previously asking the Governor for any information, he will quote the following paragraph from a letter he has to-day (October 5th) received from the Lieut.-General:—

"I will also feel obliged by your informing me as far as possible, as to the object and contemplated extent of the intended operations in the South, as on this information will depend the advisability of sending the whole of the Force available for service either to Taranaki or Wanganui, or of dividing it between those places."

G. GREY.

Government House,
Auckland, 5th October, 1864.

No. 5.

MEMORANDUM by the GOVERNOR.

Adverting to the Ministerial Memorandum of the 4th of October, upon the subject of the Governor not having thought it necessary to communicate to Ministers any information relative to Military movements, the Governor wishes to offer the following remarks:—

He transmits a copy of his letter to Lieut.-General Sir D. Cameron of the 19th of May. Ministers say they were not aware of the existence of the instructions which that letter contains, until the 4th of September, when the Governor in a casual conversation communicated to the Minister for Colonial Defence the substance of his correspondence with the General.

The Governor begs to point out that Ministers have fallen into an error on this subject. They in fact themselves wrote the instructions for the General on the 19th of May. A comparison of Mr. Whitaker's Memorandum of the 19th of May, with the Governor's letter to the General of the same

date, shews that such is the case. Ministers, or some of them, must have known that the letter was written, and must now have forgotten it, for the Governor has a perfect recollection of adding the following words, to those in their Memorandum, at the request of Ministers "The consequent reduction of some Posts, and the total withdrawal of others."

Ministers also knew that the instructions contained in their Memorandum of the 19th of May had been carried out. They knew that Wanganui had been reinforced—that Hawke's Bay had been re-inforced—that military settlers had been located at Tauranga,—and that various posts had been reduced or withdrawn.

The Governor further thinks that his conversation with the Minister for Colonial Defence on the 4th of September, can hardly be called a casual conversation. In it, the only two points of importance regarding military matters which had not been settled, were arranged. The words of the paragraph, in which these were to be communicated to the General were settled, and it was arranged that the Governor was not to send the letter; until Mr. Russell had consulted his colleagues on these points, and that if the Governor did not hear from him before the evening, he was to understand that they acquiesced in the arrangements concluded between the Governor and himself. Late in the evening, after the Offices had closed, the Governor, hearing nothing further on the matter, entered the letter of the 4th of September in the letter book with his own hand, as there was no one in the office, and sent it on.

The Governor would again point out to Ministers that in their Memorandum of the 19th of May, which was communicated to the General, they left it to Sir D. Cameron to carry on such operations at Taranaki and Wanganui as might be found practicable, regard being had to the number of troops that might be available after certain changes had been made. Ministers also know that the General did not think it expedient to carry on operations during the winter months. On the 4th of September they were aware that the General was beginning his preparations for a campaign, and agreed to give aid to the extent the General had then asked. On the 28th, they agreed to lend the 'Prince Alfred' to the military authorities for a few trips. Upon the 30th of September Ministers forwarded for transmission to the Secretary of State a complaint against the Governor for withholding information from them, which he had not himself; without first asking him if he had such information, or why he withheld it; and on the 5th of October the General for the first time acquainted the Governor with the Force which would be available, and it then became possible, when further information had been obtained, to form those very plans which Ministers complained the Governor had not communicated to them.

He trusts that this explanation will satisfy his Responsible Advisers that they have fallen into an error on this subject.

G. GREY.

Government House,
Auckland, 13th October, 1864.

P.S.—The Governor transmits copies of all his letters to the General between the 4th and 30th of September, 1864.

Enclosure 1 to No. 5.

Government House,
Auckland, 19th May, 1864.

SIR,—In reply to your letter of the 15th instant, I have the honor to state that I entirely concur in your recommendation that no offensive operations should be carried on at Tauranga, at all events for the present. I also approve your suggestion that two posts should be held there, one at Te Papa of 500 men, and one of 150 men on the site of the Gate Pa.

As you observe, this arrangement will place at your disposal, a force of about 600 men, who would be available as a reserve.

Without doubt, it is in the present state of the country, an object of the greatest importance, that you should have as large a reserve as practicable at your command to aid any settlement that may be suddenly and unexpectedly threatened. You point out that the reserve of about 600 men will be increased when the Posts between Drury and the Frontier can be reduced, and when a rise in the river may enable you to order a portion of the men now employed in the Transport service back to their Regiments.

I think the services of an additional number of men may be obtained by doing away with some of the Posts between Auckland and the Waikato, and between the Waikato and the Thames. I will, when I have obtained further information, state the Posts which I think may be withdrawn,

As you are of opinion that the Force stationed on the line between the Waipa and Horotiu is not under present circumstances more than sufficient to secure our possession of the country which has been conquered, I think that force should be maintained at present at its existing strength; but, I should wish the Officer in command of it, in the event of your absence, to be empowered to avail himself of any opportunity that may appear of striking a blow or of harrassing the enemy.

I am anxious that as soon as you can you should increase the strength of the Garrison of Wanganui by two companies, or 300 men, if they can be spared, as there is much reason to fear that that settlement may be attacked by hostile Natives.

When this has been done, and men are disposable for the purpose, I should wish a reinforcement of 300 men to be sent to Hawke's Bay.

With regard to future operations, I should wish now that the Waikato tribes have been conquered that such military operations should be carried on in the Country between Taranaki and Wanganui as you may find practicable, having regard to the number of troops that may be available after the substitution of river transport for land transport. The consequent reduction of some Posts, and the total withdrawal of others.

I should be glad if you could make it a part of your arrangements to allow Government Military

settlers to be sent to Tauranga, to hold one of the Posts there, with a view to their ultimate location at that place.

To prevent further misapprehension, I will state that whenever it is recommended for your consideration that military settlers should be sent to any station, the intention is that they should be employed at that post in the same manner as other troops are, that they should always be available for military service, but that the Officer in command should be authorised to employ them when not required for military duties, in preparing land for occupation, in order to facilitate their future settlement.

I enclose for your information returns shewing the total effective strength of the local forces in the Northern Island to be 11,031 men.

I have, &c., &c., &c.

G. GREY.

Enclosure 2 to No. 5.

Government House, 13th September, 1864.

MY DEAR GENERAL,

I am very much obliged to you for the orders you have given for the march of a detachment of 50 men to proceed to the Manukau Heads and protect the Pilot Station if the escaped prisoners attempt to cross there. If they make the attempt, they will be very much surprised to find that their move has been anticipated by such speedy action on your part.

Very truly yours,

G. GREY.

Enclosure 3 to No. 5.

Government House, 14th September, 1864.

MY DEAR GENERAL,

The Government agree with you in thinking that it will be a good thing to extend the telegraph to Onehunga and to the Manukau Heads, and they will agree to purchase the necessary stores and defray all the expenses attending the establishment of the line, if you will furnish the labour required to construct it and the staff to work it.

Will you therefore kindly furnish the estimate of the expense as you propose.

Very truly yours,

G. GREY.

Enclosure 4 to No. 5.

Government House, 15th September, 1864.

MY DEAR GENERAL,

I send for your perusal a very interesting Report I have just received from Mr. Mackay. Will you return it when you have done with it.

Very truly yours,

G. GREY.

Enclosure 5 to No. 5.

Government House, 28th September, 1864.

MY DEAR GENERAL,

The "Prince Alfred" is now loaded for Waikato; on her return the Government say they will place her at your disposal for a few trips.

Very truly yours,

G. GREY.

No. 6.

MEMORANDUM by the GOVERNOR.

The Governor observes in the Ministerial Memorandum of this day's date the following passage—

"Nor has His Excellency permitted his Responsible Advisers to see the despatches received from Her Majesty's Secretary of State by the last mail, ten days ago."

Ministers will pardon the Governor for saying that he does not think that the passage he has quoted accurately describes what has taken place.

He has given positive orders in his office that the Ministers should be supplied with any information they wanted, and that they should have the despatches of the Secretary, or the Governor whenever they sent for them.

The Governor having enquired in his office, is assured that Ministers have never asked for the despatches, or sent to his office for them. He forwards two memoranda on this subject. He has been himself very ill, and greatly occupied with affairs of importance, and the question never presented itself to his mind whether Ministers had or had not sent for the despatches. He can assure them that he had no wish or thought of keeping them from Ministers, and has, directly he has known they wish to see them, ordered them to be forwarded to them.

G. GREY.

September 30th, 1864.

Enclosure 1 to No. 6.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

I have the honor to state, for His Excellency the Governor's information, that I have not received any application from His Excellency's Responsible Advisers, requesting that they might see the Despatches from the Secretary of State by this last mail.

SPENCER M. MEDLEY,
Acting Private Secretary.

Private Secretary's Office,
30th September, 1864.

Enclosure 2 to No. 6.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

Yesterday morning, in the course of a conversation I had with Mr. Gisborne, he asked me, in the presence of the hon. Reader Wood, "If I had seen the despatches which came out by the last mail?" I replied "That I had not." He then said, "Do you think the Governor intends to send them to Ministers?" I said, "I don't know." Mr. Gisborne remarked, "Perhaps he has sent them over to Mr. Whitaker without letting you know." I said "it was possible, as that had been the case once or twice before." I was not asked officially to mention to the Governor that the despatches had not been sent to Ministers. What passed between us was simply an unofficial conversation, and I did not look at it in any other light. I certainly did not think it of sufficient importance to mention it to His Excellency. I have never offered any obstruction to Ministers obtaining access to the despatches, either from or to the Secretary of State, whenever it lay in my power to give it them. His Excellency instructed me on several occasions always to give them any information I could, and let them see the despatches whenever they desired, and to these instructions I have endeavoured to adhere as closely as possible.

F. J. MOORE,
Confidential Clerk.

Private Secretary's Office,
Auckland, September 30th, 1864.

No. 7.

MEMORANDUM by MINISTERS.

Ministers willingly admit the courtesy with which His Excellency has always been pleased freely to permit them to be supplied with information from his office.

But with regard to despatches received from the Secretary of State it has not been the practice (indeed in no instance has it occurred, that Ministers are aware of, since the establishment of Responsible Government) for them to ask for the despatches from the Secretary of State to the Governor before he had referred them to Ministers. As the despatches in this instance (the only one known) were not sent to them, Ministers inferred that it was not intended that they should see them; Ministers are quite satisfied, from His Excellency's explanation, that such was not the case.

FREDK. WHITAKER.

Auckland,
30th September, 1864.

MEMORANDA RELATIVE TO MOVEMENTS OF WAIKATO MILITIA REGIMENTS.

No. 1.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

The Emigrants from the Cape, by the "Steinwarder," have been placed in the new iron building on the North Shore; but other vessels with emigrants are expected in the course of a few days, and it becomes necessary to make preparations for receiving them. The buildings at Onehunga, now occupied by the 4th Regiment and their families, were especially designed for the reception of the emigrants from the Cape, and the United Kingdom, and it is desirable to have them cleared out as soon as possible. The huts at Hamilton, the location of the 4th Regiment, will be ready within a few days, and the remainder of that Regiment, with their families, may be removed there at once. Ministers therefore respectfully recommend His Excellency to give directions for the removal of the remainder of the 4th Regiment to Hamilton.

T. RUSSELL.

Colonial Defence Office,
Auckland, October 20th, 1864.

No. 2.

MEMORANDUM by the GOVERNOR.

The Private Secretary has been directed by His Excellency the Governor to state for the information of the Minister for Colonial Defence that in reply to his Memorandum of the 20th instant, the Lieutenant-General thinks that, as it is desirable to get the whole of the 43rd Regiment together at Otahuhu, the detachment of the 4th Regiment of Waikato Militia, now at Onehunga, will be more useful if they relieve the 43rd Regiments at the "Miranda" and "Esk" Redoubts, than if they join the military settlement at Hamilton.

Private Secretary's Office,
24th October, 1864.

SPENCER M. MEDLEY,
Acting Private Secretary.

No. 3.

MEMORANDUM for HIS EXCELLENCY.

Ministers have received the Private Secretary's Memorandum of 24th instant, in reply to the Ministerial memorandum to His Excellency of the 20th instant; they are much obliged to His Excellency for the trouble His Excellency has taken in obtaining the opinion of the Lieutenant-General as to the disposal of the detachment of the 4th Regiment (52 in number) now at Onehunga; but they wish to point out to His Excellency that the request made in their memorandum of the 20th instant did not relate only to the detachment of the Regiment at Onehunga, but to the remainder of the men of that Regiment now scattered in various posts (from which, in Ministers' opinion, they might be withdrawn) and to the families of the men of the 4th Regiment, now occupying 138 rooms out of the 204 in the new iron barracks at Onehunga. It is plain that the Government cannot make the Barracks at Onehunga available for the reception of the people shortly expected from the Cape, and England, until the families who now occupy the Onehunga buildings are removed. Huts are ready for their reception at Hamilton, and in Ministers opinion they should be removed there at once.

By the mail just received the Government have been informed that two ships, with emigrants for Auckland, were to leave Great Britain early in September, and it is known that several vessels may be daily expected with emigrants from the Cape of Good Hope. Ministers therefore feel it to be a question of pressing importance to provide house accommodation for these people, and they know no other means by which the necessary accommodation can be obtained than by the means now again recommended to His Excellency.

T. RUSSELL.

Colonial Defence Office, Auckland, 24th October, 1864.

No. 4.

MEMORANDUM by the GOVERNOR.

The Governor transmits for the consideration of his Responsible Advisers, a letter he has just received from the Lieutenant-General regarding the outposts held by the 4th Waikato Militia, at Papakura, at Kerikeri, and the Wairoa. The Governor's opinion is, that in the present state of the country these posts ought not to be withdrawn.

October 26th, 1864.

G. GREY.

No. 5.

MEMORANDUM for HIS EXCELLENCY.

Head Quarters,
Auckland, 25th October, 1864.

SIR,

In reply to your letter of the 24th instant, No. 87, A 64, I have the honor, by direction of the Lieutenant-General commanding, to state for the information of His Excellency the Governor that the outposts furnished by the 4th Regiment Waikato Militia, which are referred to in the Memo. of Ministers, are—

Papakura	-	-	-	-	-	-	-	67
Keri Keri	-	-	-	-	-	-	-	18
3 Posts at Wairoa	-	-	-	-	-	-	-	90
								175

As these Posts are maintained for no other object than the protection of the out settlements, the Lieut.-General would feel obliged if His Excellency will inform him whether he concurs in the opinion of Ministers that they may be withdrawn.

I have the honor to be, sir,

Your most obedient servant,

GEORGE DEAN PITT, Major.

Assistant Military Secretary.

No. 6.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

Referring to the Ministers' Memorandum of the 24th instant, and His Excellency's reply of the 26th instant, together with the order now issued by Lieut.-General Cameron for the removal of the detachment of the 4th Regiment of Waikato Militia from Onehunga to Kirikiriroa, Ministers wish respectfully to point out to His Excellency that if this detachment is removed, and the remainder of the Regiment left in the other posts, it will be the cause of great embarrassment and difficulty. There are now about one hundred and forty of the wives and families of the men of the 4th Regiment at Onehunga; the most of the men belonging to these families are now at Koheroa, and other posts held by the regiment, and if the fifty men now at Onehunga be removed, as proposed, with their families, there would still remain about one hundred women and a great number of children in the Onehunga Barracks, without any men to attend to the duties of the camp; and the barracks at Onehunga would still be unavailable for the reception of the expected immigrants.

Ministers still think that the posts referred to in the Lieut.-General's letter of the 25th inst., might be withdrawn, as the garrisons in them are so much reduced in number now as to be of very little use against attacks from the enemy. If the Governor, however, is still of opinion that these posts should not be broken up, and cannot give the Lieut.-General instructions to withdraw them, Ministers would then respectfully request His Excellency to have the garrisons of those posts relieved by other men.

The Lieutenant-General has not referred to the 1st Company of the 4th Regiment, now at Koheroa, a post near the Queen's Redoubt. Ministers respectfully request His Excellency to move the Lieutenant-General to give the necessary order for these men (who are nearly all married men) to be removed with the Onehunga detachment to Kirikiriroa.

T. RUSSELL.

Colonial Defence Office,
Auckland, 28th October, 1864.

No. 7.

MEMORANDUM by the GOVERNOR.

In reply to the Ministerial Memorandum regarding the reductions of certain posts held by the 4th Waikato Militia, the Governor begs to state that he is still of opinion that, in the present state of the country, these posts ought not to be withdrawn. He thinks they are of use both as posts of observation and of protection to the settlers, and which, being kept occupied, can be speedily reinforced, if likely to be attacked by an enemy. But to do this, a different plan of operations to that now contemplated would have to be decided on, and this change the Governor is very unwilling to make until a necessity absolutely arises.

The Governor would remark that a great part of the existing difficulties arises from his plans having been disregarded. His wish was, and still is, that a part of the Waikato Regiments, and a large number of the settlers arriving should be placed in localities much nearer Auckland than Ministers propose. There is abundance of good land for the purpose in various localities. The district of Auckland will then be placed in a state of complete security. The incoming settlers will be safer, and can be more easily protected. They will be far more prosperous, and will be saved an enormous annual loss in time and cost of transport. A supply of labor will be provided for the country between Auckland and the Waikato. A large tract of country will be placed in a state of safety against the Natives, which will be open for settlement, and the Governor believes that, in manifold ways, the public wealth, security, and prosperity, would be largely promoted.

G. GREY.

November 11th, 1864.

No. 8.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

Ministers respectfully direct His Excellency's attention to the fact that in his minute of the 11th instant, he has only replied to a part of their Memorandum of the 23rd ultimo. His Excellency is of opinion that the posts held by the 4th Regiment should, for the reasons he has assigned, still be maintained. Ministers requested (if such was His Excellency's opinion) to have the men of the 4th Regiment in the garrisons of those posts, relieved by other men, in order that the wives and families of the men of the 4th Regiment might all be removed from the Onehunga Immigration Barracks. There are 118 women, with a great number of children, who might be removed at once if the arrangements proposed by Ministers were carried out, and the present great and increasing inconvenience of providing house-room for immigrants just arrived per "Alfred," and others soon expected, would thereby be avoided.

With reference to that part of His Excellency's minute in which he states that "the Governor would remark that a great part of the existing difficulty arises from his plans having been disregarded," Ministers beg to observe, if His Excellency means the plans stated in Mr. Domett's Memorandum of the 24th of June, and His Excellency's reply of the 6th July, 1863, that they have already taken occasion in their Memorandum of the 1st July last, to show that those plans have been adhered to with remarkable exactness to a given point, and they now add, that whatever difficulties have arisen are, in the

opinion of Ministers, altogether to be attributed to His Excellency not permitting those plans to be carried out to their legitimate ends. His Excellency's new plans, so far as they can be understood from his Memorandum under notice, and other Memoranda recently received from His Excellency by Ministers, are, in the opinion of Ministers, impossible. In the localities designated by His Excellency there does not exist good land available for the purpose of locating any considerable number of military and other settlers, and Ministers believe that the advantages stated to be derived are imaginary, and will be dispelled by a few calculations.

Ministers feel, however, that it is unnecessary to enter on the subject at length, as they have done so in another Memorandum of this day's date.

T. RUSSELL.

Colonial Defence Office,
Auckland, 17th November, 1864.

No. 9.

MEMORANDUM by the GOVERNOR.

In reply to the Ministerial Memorandum of this day's date on the subject of the Troops of which the Posts held by the 4th Waikato Regiment are composed, the Governor begs to remind his Responsible Advisers that by his instructions, he is warned in regard to detachments that, all the military details regarding such distribution, and the manner in which any detachment shall be formed and composed rest with the commanding Military Officer;—the Governor therefore could not interfere further in this matter than to mention it to the General, which he has already done.

G. GREY.

Government House, 17th November, 1864.

FURTHER PAPERS ON THE SUBJECT OF CONFISCATION.

No. 1.

MEMORANDUM by MINISTERS.

His Excellency the Governor, in his despatch of the 3rd of September, No. 130, enclosed to Her Majesty's Secretary of State, copies of a further correspondence in relation to the confiscation of Native land, and a copy of a "Map of Waikato," shewing the district of country which Ministers wished to be "embraced in an Order in Council which would bring it within the operation of the New Zealand Settlements Act, and enable the Government to confiscate the landed property of all persons who had "been directly or remotely connected with the present disturbances, as specified in that Act."

It appears to Ministers that an error has been committed in reference to the transmission of the map which will mislead the Secretary of State. A draft Order in Council, with a copy of the "Map of Waikato" transmitted, was shewn to His Excellency prior to his Memorandum of the 25th of May, and a proposal made that it should be submitted to the Governor in Council, as required by the Act, but His Excellency objected, and wrote his memorandum of the 25th of May. In deference to His Excellency the proposal was abandoned, and two Orders in Council were substituted, and a map attached to each; one map defining a district "to be embraced in an Order in Council which would bring it within the operation of the New Zealand Settlements Act;" and the other defining the land within that district to be taken for settlement under the Act. The substituted maps—those prepared in deference to His Excellency, as appears in Ministers' memorandum of the 30th May, have not been sent by His Excellency to the Secretary of State; but instead of them the "Map of Waikato," which was part of the abandoned proposal, has been transmitted by him.

Ministers also wish to point out, that after the issue of an Order in Council defining a district to be within the operation of the Act, it is not the *Government*, as stated by His Excellency, but the *Governor in Council* only that can take land for settlement under the Act. The only Order in Council ever submitted to His Excellency for this latter purpose was one of those above referred to, with the map attached.

Ministers respectfully request that His Excellency will be pleased to transmit copies of the maps attached.

Ministers respectfully request that His Excellency will be pleased to transmit copies of the maps attached to the Orders in Council, and a copy of this memorandum, for the information of Her Majesty's Secretary of State.

FREDK. WHITAKER.

Auckland, 30th September, 1864.

No. 2.

MEMORANDUM by MINISTERS.

The Attorney-General will feel much obliged if His Excellency will be pleased to inform him whether the Memorandum of Ministers of the 30th of September, relative to an error that had been committed by His Excellency in reference to the transmission of a map which would mislead the

Secretary of State, was forwarded by the last mail; as also whether the correct maps accompanied it, as requested by Ministers.

FREDK. WHITAKER.

18th October, 1864.

No. 3.

MEMORANDUM by the GOVERNOR.

In reply to the Memorandum of the Attorney-General, of this day's date, requesting to be informed if the Ministerial Memorandum of the 30th of September, relative to an error stated to have been committed by the Governor in reference to the transmission of a map which would mislead the Secretary of State, was forwarded by last mail—the Governor would state that the Attorney-General is in possession of the Governor's Despatch Book, an inspection of which would show that the Memorandum in question had not been sent by the last mail.

The Memorandum required remarks which the Governor had not time to make to send by the last mail. He will endeavour to do so by the next mail.

G. GREY.

October 18th, 1864.

No. 4.

MEMORANDUM by MINISTERS.

The Attorney-General trusts that His Excellency will permit him to state, in explanation, that it was because His Excellency's Despatch Book did not afford the information the Attorney-General wished to have, that he ventured to ask His Excellency for it.

The Attorney-General found that His Excellency had transmitted to the Secretary of State two Memoranda of Ministers, dated the 30th of September, but it did not appear whether that in question was or was not one of them.

FREDK. WHITAKER.

Auckland, 18th October, 1864.

No. 5.

MEMORANDUM for HIS EXCELLENCY THE GOVERNOR.

The Colonial Treasurer has read the correspondence that has taken place between the Governor and his Ministers on the subject of the forfeiture of Native lands, and he finds that the Governor, in his minute of June 28, 1864, states: "The first time that the Governor was made aware that no part of his plan would be acted on, and of the points on which it was proposed to locate the Waikato Militia, was by the Minister for Colonial Defence, at Pukerimu, on the 15th April last." He also finds, in Mr. Whitaker's Memorandum of June 25th, a full statement of the views of Ministers on this subject, as held by them from the time of the formation of the present Government.

It is with reference to the statement in the Governor's minute above quoted that the Colonial Treasurer feels it incumbent on him to make the following remarks:—

In December last the Governor read to him the draft of a despatch which His Excellency then proposed to forward to England, the object of which was to request instructions as to the extent of confiscation, on the ground that, in His Excellency's opinion there were persons who thought he would not carry the principle of confiscation sufficiently far. The Colonial Treasurer, fearing that an allusion might possibly be made to Ministers, and fearing too that if the forfeiture of Native lands were carried out on a scale more limited than that which Ministers had stated in the House of Representatives it was their intention to carry it, and to render it impossible for them to realise the views of the Legislature with reference to emigration and the repayment of a proportion of the cost of the war by the sale of some of the land, asked His Excellency whether, upon this point, there was any difference of opinion between himself and his Advisers, and added: "Your Excellency of course is fully aware of our views upon this subject from the speeches made by us on the Settlements and Loan Bills in the House of Representatives." His Excellency replied that he was aware of those views, and that he did not know that there was any difference of opinion between himself and his Ministers on the subject of confiscation; "if anything," he added, "he went further than they did." The Colonial Treasurer asked in what direction. The Governor replied: "You would give them (the rebel Natives) back some of their lands, but I would not." The Colonial Treasurer then asked what he would do, as if "the people had no land, they would be driven to despair." The Governor replied: "No, that would not be the case, as other tribes in different parts of the country would give them land enough for their wants."

The Colonial Treasurer was then satisfied, and he had no reason to believe, from that time till his return from England, that any difference on the subject of confiscation had arisen.

About the end of December it became, in the opinion of Ministers, necessary that the Colonial Treasurer should go to England to endeavour to obtain the Imperial guarantee to the Loan, to negotiate the Loan, and to organise a system of Emigration from the United Kingdom, for the purpose of filling up extensive districts of the confiscated territory with population. The Colonial Secretary was accredited by His Excellency to the Colonial Office, and the Secretary of State was informed by the

Governor, "that the Colonial Ministers are of opinion that Mr. Wood is in all respects qualified to acquaint your Grace, whenever you may require him to do so, with the views and opinions of the present Government of New Zealand on the state of the country and its requirements. For my own part I am quite satisfied that Mr. Reader Wood's large experience of New Zealand will enable him to afford your Grace much valuable information upon all questions connected with its interests." Amongst the documents sent to England by His Excellency, for the information of the Secretary of State, was the financial statement of the Colonial Treasurer, in the concluding part of which the proposed frontier line from Tauranga to Raglan is pointed out, together with the positions at which Ministers proposed to locate the different regiments of the Waikato Militia. The Governor also, in his despatch dated January 6, 1864, "earnestly recommended" the Secretary of State to aid the Colony by granting the Imperial guarantee to the loan of £3,000,000, which loan was for the purpose of enabling the Government to suppress the rebellion, to fill up the confiscated country with emigrants, and to undertake public works for the maintenance of the emigrants on their arrival; in fact, to carry into full effect the policy which was affirmed by the General Assembly.

On his arrival in England the Colonial Treasurer found considerable anxiety prevailing at the Colonial Office as to the intentions of the Government in carrying out the details of the Settlement Act, and as to the extent to which the principle of confiscation would be applied. Upon these points the Colonial Treasurer gave full detailed information; he traced on the map repeatedly the frontier line from Tauranga to Raglan; he pointed out the localities at the head of the navigation of the various rivers as to the sites on which the military settlers would be located, who would be looked to to defend that frontier line, and for which purpose, after peace was made, no troops would be required. He explained, in fact, to the Secretary of State for the Colonies the whole plan as it had been exhibited by Ministers in the House of Representatives, and in addition he used, as he felt himself entitled to do, from the conversation with His Excellency specially referred to, and from many others at different times, the Governor's name as a willingly assenting party to the confiscation of territory to that extent. He is under the impression that he satisfied the Secretary of State that the Ministers desired to confiscate no more land in the rebel districts than that which had been justly forfeited by the misconduct of the Natives; that they intended to act with liberality by giving land to a considerable extent to Natives who would agree to live under English law within the defensible frontier line; and that they had, in the operations they proposed to undertake, no other object than that of securing a permanent and lasting peace.

The Colonial Treasurer has reason to believe that had Her Majesty's Secretary of State been aware that His Excellency, at the time the measure left New Zealand, had never heard of the Ministers' proposed plan of operations, and was quite ignorant of its extent and scope, he would have regarded the plan less favourably than he appeared to do; and when he learns from His Excellency's minute that he heard of it for the first time on April 15th from the Minister for Colonial Defence, the statements of the Colonial Treasurer will appear to have been a tissue of misrepresentations.

The Colonial Treasurer would not have accepted on any consideration the mission to England which he undertook, had he not felt assured that the Government of which he was a member was in exact accord with His Excellency upon this subject of confiscation, nor would he in any way have been a party to offering inducements to emigrants to come out here had he not felt the most perfect assurance that there would be more than a sufficiency of land for their location; in fact, the, as he believed, perfect accordance between the Governor and his Advisers upon this point formed the basis of the whole course of action he took in England, of the statements he made and of the pledges which he gave: a basis which, from some misunderstanding or change of view, appears now to be swept away.

As this is a matter which appears to the Colonial Treasurer to affect his veracity and his personal honour, he trusts that His Excellency will deem it of such importance as to enable him to comply with his request that this memorandum be transmitted to England for the information of the Secretary of State.

READER WOOD.

Treasury,

29th September, 1864.

MEMORANDA NOTIFYING RESIGNATION OF MINISTERS.

Ministers enclose a memorandum from the hon. Colonial Treasurer on the subject of an interview which he had the honor to hold yesterday with His Excellency the Governor.

Ministers are unanimously of the same opinion as that expressed by Mr. Wood in this memorandum, and beg most respectfully to transmit herewith their resignations of the offices they hold.

FREDK. WHITAKER.

30th September, 1864.

The Colonial Treasurer, on his return from England, waited officially on His Excellency to-day, at this interview the Governor was pleased to enter fully into the present state of affairs, and in the course of conversation the Colonial Treasurer understood His Excellency to say that the conduct of Ministers in standing in the way of his publishing the proclamation transmitted with His Excellency's memorandum of the 6th instant was prolonging the war, and closing the avenues of peace.

Under these circumstances, considering the gravity of the accusation made by Her Majesty's Representative, the Colonial Treasurer thinks there is no other course open to Ministers than to place

their resignations in the hands of the Governor, and at the same time to place upon record the fact that their views have never changed since first they were stated in the House of Representatives in November last, and that they have had no other object in the course they have pursued than that of securing a permanent peace upon a sound and just basis.

READER WOOD.

September 29th, 1864.

Sir,—

We beg to place in the hands of your Excellency the resignation of our offices in the Government of New Zealand, together with our seats in the Executive Council.

30th September, 1864.

FREDERIC WHITAKER,
WILLIAM FOX,
READER WOOD,
THOMAS B. GILLES,
THOMAS RUSSELL.

NEW ZEALAND

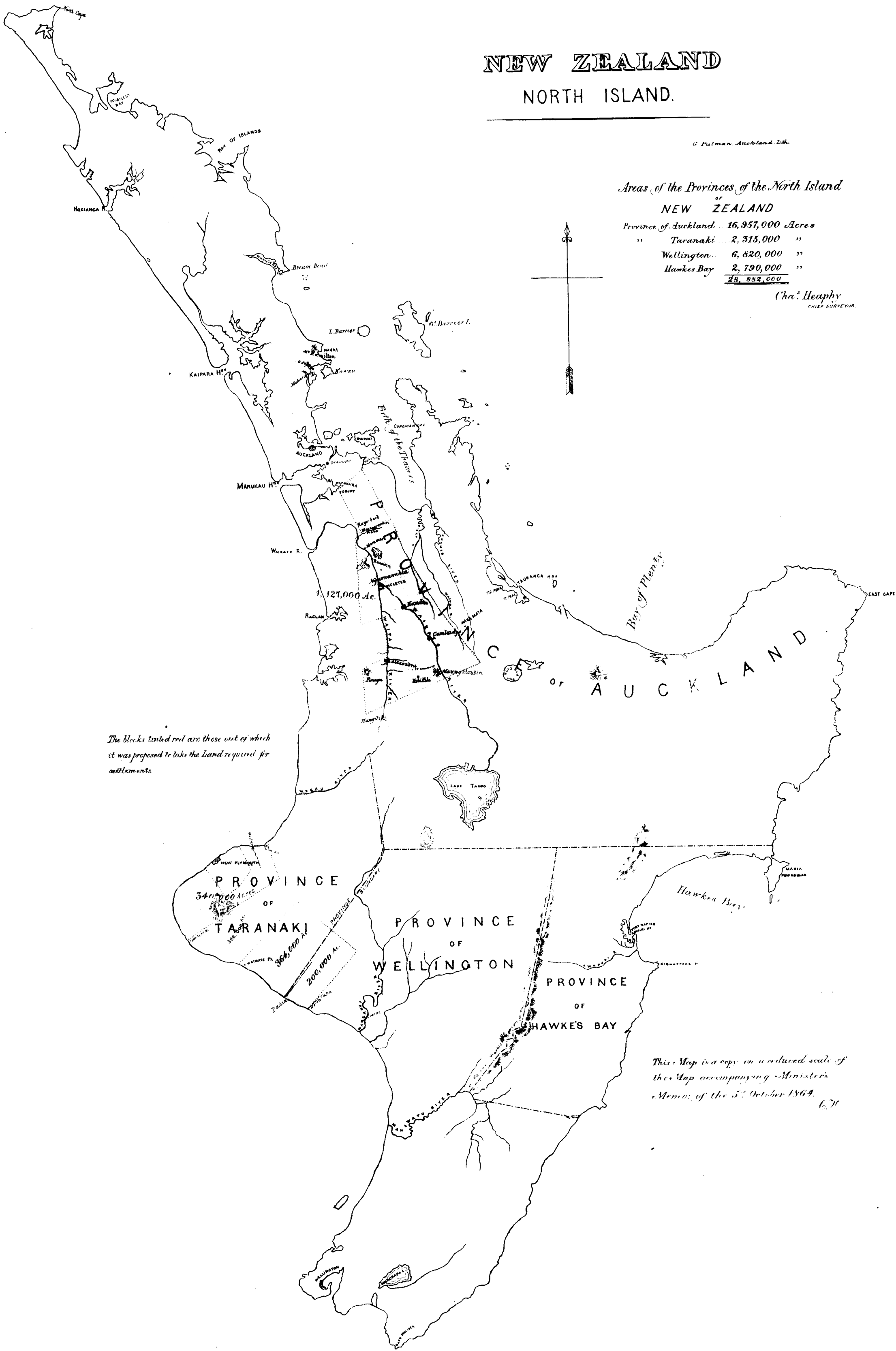
NORTH ISLAND.

G. Palmer, Auckland Lith.

Areas of the Provinces of the North Island of NEW ZEALAND

Province of Auckland	16,957,000 Acres
" Taranaki	2,315,000 "
Wellington	6,820,000 "
Hawkes Bay	2,790,000 "
	<u>28,882,000</u>

Chas. Heaphy
CHIEF SURVEYOR



The blocks tinted red are those out of which it was proposed to take the Land required for settlements.

This Map is a copy on a reduced scale of the Map accompanying Minister's Memoir of the 5th October 1864. 6/11

