

3. Had it been found possible to confer this distinction on officers and men of H.M.'s Colonial Forces, I had intended to recommend two other persons besides Major Heaphy as worthy to receive it, one of whom is a Native, and who has by his gallantry established unusual claims to some such distinction.

4. So many ties which connected the Colonies to the Mother Country being gradually rent away, I would venture to suggest that it has become the more necessary to unite them by inhabitants of all parts of the Empire sharing in honors and distinctions derived from their common Sovereign as from the fountain of honor. I believe that such honors and distinctions would be most highly prized, and would greatly tend to keep alive a spirit of loyalty and personal attachment to the Sovereign amongst Her Majesty's subjects in every part of the empire.

5. If, therefore, such a course is possible, I would recommend that a special warrant should be issued, extending the distinction of the Victoria Cross to New Zealand and other Colonies, some distinctive mark being placed on the decoration which should show in which Colony it was issued.

6. I feel sure that the General Assembly of New Zealand would cheerfully vote all funds necessary for paying all the expenses incident to the extension and maintenance of this distinction, in so far as the Colony of New Zealand was concerned.

I have, &c.,

To the Right Hon. Edward Cardwell, M.P.

G. GREY.

### No. 11.

(No. 113.)

His Excellency the GOVERNOR to the Right Hon. the SECRETARY OF STATE for the COLONIES.

SIR,—

Government House, Wellington, 12th September, 1865.

I have the honor to transmit for your consideration the copy of a letter received from Major Heaphy, conveying his respectful request that his claims for the decoration of the Victoria Cross may be again considered by Her Majesty's Government, for the reasons set forth in his letter.

I have, &c.,

The Right Hon. Edward Cardwell, M.P., &c.

G. GREY.

### Enclosure 1 to No. 11.

MAJOR HEAPHY to the Hon. the DEFENCE MINISTER.

SIR,—

Auckland, 16th August, 1865.

Observing that the recommendation forwarded on my behalf for the distinction of the Victoria Cross has been unsuccessful, owing to my not belonging to the Imperial Service, I have the honor respectfully to request that you will favor me by moving His Excellency the Governor to forward to the proper authorities my humble request for a further consideration of the subject, on the following grounds, viz.:—

1st, That although not in the Imperial Service, it was yet my good fortune to be at the time in charge of men (not belonging to the Colonial Forces) but to Her Majesty's Regiments—a position for a Volunteer Officer unprecedented, and probably not likely to recur.

2nd, Further, that I was placed in such position on the exigency of the moment by Lieut.-Colonel Havelock, Bart., V.C., a Lieut.-Colonel of the Imperial Troops, being the Senior Officer on the field.

3rd, That it was in attempting to bring off a man who had been thus placed under my charge—Private Cussan, 50th Regiment—who had fallen severely wounded amongst the enemy, that I received the volley which Captain Fisher and Colonel Havelock mention.

In evidence of this, I respectfully refer to the Despatch of Lieut.-Colonel Havelock of 12th February, 1864, which states: "Captain Heaphy took charge of a party and ably directed it, in gallantly assisting a wounded soldier of the 40th,\* who had fallen into a hollow amongst the thickest of the concealed Maoris, he became," &c.

In Lieut.-Colonel Havelock's statement of 31st October, 1864, that officer says: "Some thirty-five men of the 40th and 50th Regiments accompanied us, with whom there appeared to be no other officer, consequently, as it struck me that the Natives in the pa would move down to help those engaged with our pickets, and as I could not myself leave the spot where I had extended all the available men to watch and counteract this, I availed myself of Major Heaphy's services to take charge of about a third of those present, whom I pushed forward to where sharp firing on my right showed that a small party under Captain Fisher were pressed. This Major Heaphy did, conducting them promptly and with great intelligence to support Captain Fisher, with whom he entered the old entrenchment where the Maoris were standing at bay."

Captain Fisher states, on the 24th October, 1864: "I beg to certify to having seen Major Heaphy in the Maori pa at Waiari, along with a few men of the 40th and 50th Regiments, they having crossed the River Mungupiko by a canoe bridge, thereby cutting off the retreat of the Maoris."

I would draw attention to the fact that there were at this time no Colonial troops on the ground; it was in seeking to aid Private Cussan, 50th Regiment, a soldier who had been placed under my charge, and who was lying severely wounded amongst the enemy, that I received the volley of which Lieut.-Colonel Havelock and Captain Fisher speak.

It being an occasion of surprise or ambush, it happened that there were not officers of the Imperial Troops enough for the occasion on that particular part of the field, and a deep river prevented communication being had with the rest of the troops. The men I had charge of entered the entrenchments from behind, whilst the attack was being pressed by a more organized force in front. In about two hours after the circumstance mentioned, Colonial Troops came on the field, and I joined them, and with them covered the retreat of the latter parties; but at the time of my entering the entrenchments and assisting Cussan, I was employed as an officer in temporary charge of men of Imperial Regiments alone.

\* 40th should be 50th.

See Despatch of  
Lieut.-Colonel  
Havelock, 12th  
February, 1864.

Statement of Capt.  
Fisher, 40th Regt.  
to D. A. A. Gen.  
Baker, on 24th  
October, 1864.