

Enclosure 5 to No. 11.

MY DEAR SIR,—

Ngahinepowri, 13th November, 1864.

According to your desire I now forward to you a statement of what I know of the part you took in the latter part of the engagement at Waiari.

I remember that when Colonel Havelock gave me the order to cover the rear of our troops returning to Te Rore, you were with me at the time and took part in the skirmishing we carried on against the Maori reinforcements from Paterangi.

When I faced about for the last time, while the rear of our troops crossed at the ford of the Mangapiko, you then rejoined the litter party at the time that the last casualty occurred amongst our men.

There was no other officer with us except yourself and myself, after Colonel Havelock's order mentioned above.

I am, &c.,

G. F. VON TEMPSKY, Major F.R., No. 2 Co.

Witness to signature of Major Von Tempsky

Alex. S. Skerrett, Ensign 2nd Co. Forest Rangers.

To Major Heaphy.

No. 12.

(No. 114.)

SIR,—

Government House, Wellington, 12th September, 1865.

I have been requested by my Responsible Advisers to bring under your notice the enclosed Memorandum from the Attorney-General of New Zealand, regarding the difficulties which have been experienced by the Chief Justice in bringing the Vice-Admiralty jurisdiction into operation within the Colony of New Zealand.

I have, &c.,

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

G. GREY.

Enclosure to No. 12.

(Enclosure to No. 114.)

FOR THE CABINET,—

Difficulties have presented themselves in bringing into operation the Vice-Admiralty jurisdiction within the Colony of New Zealand.

The Chief Justice of the Supreme Court entertains a doubt whether it is competent to him to appoint Proctors and Advocates, without whom the machinery of the Court is defective.

It is desirable that such doubt should be set at rest.

Another difficulty arises from the peculiar circumstances of New Zealand. The Colony is divided into Judicial districts. The Chief Justice resides at Auckland; one Puisne Judge at Wellington, another at Canterbury, and two at Dunedin.

It is extremely desirable that the jurisdiction of the Admiralty Court should be extended to each Puisne Judge in his own judicial district.

I respectfully suggest that this Memorandum be brought under the consideration of Her Majesty's Secretary of State for the Colonies.

Attorney-General's Office, 30th August, 1865.

HENRY SEWELL.

No. 13.

(No. 116.)

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

SIR,—

Government House, Wellington, 13th September, 1865.

I have the honor to transmit for your information the copy of an extract from a Melbourne newspaper of the 1st of September, which has been handed to me by my Responsible Advisers, which contains a letter from General Cameron to myself, dated Melbourne, 20th August last, enclosing the copy of a letter to him from Brigadier-General Waddy, dated Wanganui, 7th August last. I wish to call your attention to the fact that General Cameron in his letter to myself, which he furnished to a newspaper in another Colony, alleges that a statement I made in my Speech on the opening of the General Assembly of New Zealand had no foundation in truth.

2. On the same evening that this Melbourne newspaper was brought to me, I received a copy of General Cameron's letter direct from that officer.

3. Regarding the charge of untruth preferred by General Cameron, I think it unnecessary to say anything. The correspondence regarding the Weraroa Pa is already before you. Her Majesty's Government can judge from my two letters to General Waddy of the 19th of July last, from his replies to these letters, and from his letter to General Cameron of the 7th of August, now transmitted, whether or not the statement I made was correct. I have no doubt it was so.

4. It will be for the Military Authorities to determine whether General Cameron has acted rightly, or unbecomingly and unfairly, in the course he has pursued in furnishing such letters to a newspaper in another Colony, and whether the correspondence between himself and Brigadier-General Waddy is satisfactory, and sufficiently explains circumstances which require explanation. With that I have nothing to do. My desire was, that the fortress should be taken; that having been accomplished I am satisfied, and am quite willing to let the matter rest there—unless I am called on for further explanations, which I shall be happy to furnish.

5. Brigadier-General Waddy is quite right in saying I told him at Wanganui, after the affair was over, that had he arrived in camp before the Weraroa Pa I should have left the command in his hands. I knew him to be a good and gallant soldier, anxious to do his duty; and I believed, if I only got him into the fray, he would have fought his way well through it, whatever his orders were. The moment, therefore, I saw him thoroughly engaged in the affair, I should either have left the place or have served on his staff if he would have allowed me to do so.