

it, knowing that the business was almost concluded, and without the slightest prospect of the Natives then either making legal declarations or receiving certificates. I deemed it to be a duty I owed to the Natives of my own district to write a letter to Colonel Greer, enclosing a copy of each form. The following is a copy of the letter:—

SIR,—

Tauranga, 25th July, 1864.

I have the honor to enclose herewith a copy of the form of declaration of allegiance, which should be made by Natives when they surrender their arms; also, a copy of the certificate which should be given to every Native who makes such declaration. It is my intention to take the declarations and issue certificates immediately to all Natives belonging to my district (Waihou) who have surrendered at Tauranga; that is, if you do not cause it to be done by Mr. Baker, or by some other duly authorized person.

To Colonel Greer,
Commanding H.M. Forces, Tauranga

I have, &c.,

JAMES MACKAY, junr.

An answer was brought by Adjutant Covey, "That the Colonel would not permit me to visit the Natives." I said, "I should go to them if I liked, and considered it my duty." I asked for a written answer to my communication.

At 3.35 p.m. Mr. Baker told me I was placed under arrest, and was not to go more than 100 yards from my tent, and if I did not walk up there I should be marched up.

I heard about the same time from Mr. Warbrick that the Colonel had forbidden even the settlers then in camp, who resided on the opposite side of the harbour, to return to their homes; if they were not told so in words, the result was the same. An order was issued that no person should cross the harbour; a most unwarrantable proceeding, and a very unjustifiable interference with the liberty of the subject.

I went up to the tent, and at 3.40 p.m. Adjutant Covey, a sergeant-major, and file of men, with rifles and fixed bayonets, placed me under arrest; Adjutant Covey read the order. I demanded to be informed what offence I was charged with having committed. He answered, he believed for saying "I would go to the Natives when the Colonel ordered the contrary." I said, "Very well, you can tell the Colonel I shall enter an action in the Supreme Court against him for illegally imprisoning me."

On Tuesday, 26th July, 1864, I wrote to Colonel Greer as follows:—

Memorandum of request made to the Officer Commanding the Troops at Tauranga.

1st, I request to be furnished with a certified copy of the order for my arrest. 2nd, I request to be furnished with a written statement of the particulars of the offence (if any) alleged to have been committed by me, with reference to the Law, Statute, Act, Ordinance, or Regulation under which I, a Civil officer of the Government, have been deprived of my liberty, and prevented from executing my duty. 3rd, I desire to be informed for what further period I am to be kept in confinement, to the detriment of the public service. 4th, I further request that all communications shall be made in writing.

26th July, 1864.

JAMES MACKAY, junr.

At 12.20 p.m. I received a letter from Adjutant Covey, by direction of Colonel Greer, in answer to my communication of the same date, of which the following is a copy:—

SIR,—

Camp, Te Papa, Tauranga, 26th July, 1864.

I am directed by Colonel Greer, commanding the Tauranga District, to inform you that while you remain in the camp under his command, that you will not be entitled to go more than 100 yards from your tent.

The "Sandfly" will sail for Auckland this evening. You can take that opportunity of leaving the camp. I will during the day inform you at what hour I will be at liberty to see you on board.

With regard to your second query, it has come to the knowledge of the Commanding Officer that you have, contrary to his orders, and to your own promise not to interfere with the Natives in this district, been visiting and tampering with the enemy then in arms in the neighbourhood of his camp; and further, that you have notified your intention again to interfere with them in opposition to the Commanding Officer's orders, and although well knowing his promise to the Natives that they should not be meddled with, until His Excellency the Governor's decision regarding them should be known.

Your confinement to a certain portion of the camp is the necessary consequence. All further explanation will be given to the proper authorities.

The Commanding Officer declines to have any further correspondence with you.

I have, &c.,

To James Mackay, jun., Esq., R.M.,
Civil Commissioner, &c., &c.

CHARLES COVEY,
Lieut., Adjutant 68th Light Infantry, and
Adjutant Tauranga District.

(Received at 3.45 p.m., No. 119.)

SIR,—

Camp, Te Papa, Tauranga, 26th July, 1864.

With reference to my former letter of this date, I have the honor by order to inform you that I shall be at your quarters at or about 4.30 p.m. to-day, to see you on board the "Sandfly," if you are desirous of availing yourself of that opportunity of leaving the camp.

James Mackay, jun., Esq., R.M.,
Civil Commissioner.

I have, &c.,

CHARLES COVEY, Lieut., &c.

I was allowed to go on board the "Sandfly" at 4.45 p.m., after being twenty-five hours under arrest.

I have the honor to enclose herewith an extract and copy of speeches made by Hori Ngatai and Penetaka respectively, as taken down by Mr. Baker. These of themselves, without the statements of Te Amohau, Wi Parera, Wi Patene and others, are a strong proof that pressure of various kinds has been brought to bear upon the Natives to bring about a peace. Much as a speedy termination of the war is to be wished for, and much as I would personally rejoice in a lasting peace, I cannot view