

FURTHER DESPATCHES

FROM

HIS EXCELLENCY THE

GOVERNOR OF NEW ZEALAND

TO THE

RIGHT HON. THE SECRETARY OF STATE FOR THE COLONIES.

(In continuation of Despatches presented 15th August, 1871.)

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

WELLINGTON.

—
1872.

SCHEDULE OF DESPATCHES
FROM THE GOVERNOR OF NEW ZEALAND TO THE SECRETARY OF STATE.

No. in Series.	Date and Number.	Subject.	Page.
1	23 August, 1871 (No. 72.)	Respecting the Death of the celebrated Maori Chief, Tamati Waka Nene	1
2	30 August, 1871 (No. 76.)	Transmitting Abstracts of the Principal Results of the Census of New Zealand, taken in February, 1871; together with Statistical Tables on Trade and Finance.	2
3	31 August, 1871 (No. 77.)	Respecting the Cost of Prosecution of Persons who may be tried before the Colonial Courts for kidnapping Natives from Islands in the Pacific.	3
4	1 Sept., 1871 (No. 80.)	Transmitting Additional Papers respecting the Claims and Counter-claims of the Imperial and Colonial Governments. In continuation of Despatch No. 68, of 8th August, 1871.	3
5	2 Sept., 1871 (No. 81.)	Meeting of the Fifth Parliament of New Zealand. Election of Mr. F. D. Bell as Speaker. Transmitting Opening Speech of the Governor, and Addresses in Reply from both Houses; with other Parliamentary Papers.	5
6	2 Sept., 1871 (No. 82.)	Respecting the Charges, &c., at the new Graving Dock at Port Chalmers	6
7	2 Sept., 1871 (No. 83.)	Transmitting a Ministerial Memorandum, and the Opinions of two Judges of the Supreme Court and of the Attorney-General of New Zealand, respecting the Questions propounded in the Circulars of 31st December, 1870, and 21st February, 1871.	7
8	20 Sept., 1871 (No. 85.)	Transmitting the Financial Statement of the Colonial Treasurer (Mr. Vogel)	8
9	24 Sept., 1871 (No. 86.)	Respecting the Progress and Present Condition of the Provinces of Wellington, Nelson, Taranaki, Hawke's Bay, and Marlborough.	9
10	27 Sept., 1871 (No. 89.)	Transmitting the Third Volume of the Transactions of the New Zealand Institute, with a copy of the Anniversary Address of the Governor as President.	9
11	28 Sept., 1871 (No. 90.)	Transmitting the Annual Reports of the Militia and Volunteers, and of the Armed Constabulary, in New Zealand.	10
12	29 Sept., 1871 (No. 91.)	Transmitting a Memorandum from Mr. Fox respecting the remarks made on the tone of his Telegram of 12th April, 1871.	11
13	30 Sept., 1871 (No. 92.)	Respecting the progress of events in New Zealand during the past month. The proceedings of the Colonial Parliament. Great Native Meeting in the Waikato.	12
14	1 Oct., 1871 (No. 94.)	Transmitting the Statement of the Minister for Public Works	13
15	17 Oct., 1871 (No. 95.)	Transmitting Report of Commissioners, and other information, respecting the Exhibition of the New Zealand Flax (<i>Phormium tenax</i>) held at Wellington in 1871.	13
16	22 Oct., 1871 (No. 98.)	Replying to Circular respecting Crime and Prison Discipline in the Colonies	14
17	23 Oct., 1871 (No. 99.)	Transmitting a Resolution of the House of Representatives, and a Ministerial Memorandum, respecting Sir David Monro.	15
18	24 Oct., 1871 (No. 100.)	Transmitting a Ministerial Memorandum respecting the termination, in a certain contingency, of the Contract with the P. and O.S.N. Company.	16
19	25 Oct., 1871 (No. 101.)	Transmitting a further Ministerial Memorandum respecting the case <i>Regina v. Barton</i> ...	16
20	28 Oct., 1871 (No. 102.)	Respecting the Proceedings of the Colonial Parliament, and the general progress of events in New Zealand, during the past month.	17
21	8 Nov., 1871 (No. 104.)	Transmitting copies of the Reports of the Geological Exploration in New Zealand during 1870-71; of the Meteorological Report for 1870; and of the Catalogue of the Birds of New Zealand.	17
22	8 Nov., 1871 (No. 105.)	Respecting the substitution of the term <i>Phormium</i> for New Zealand Flax	17
23	9 Nov., 1871 (No. 106.)	Recommending that Mr. Henry Sewell may be permitted to retain the title of "Honorable"	18
24	18 Nov., 1871 (No. 107.)	Transmitting a Letter from Sir David Monro	18
25	19 Nov., 1871 (No. 108.)	Transmitting the Report of the Select Committee on the Working and Management of the Electric Telegraph Department.	21
26	20 Nov., 1871. (No. 109.)	Transmitting, with remarks, the Speech delivered at the Prorogation of the Session of 1871	22
27	24 Nov. 1871. (No. 111.)	Respecting the Death of Bishop Patteson; and transmitting Addresses to the Queen from both Houses of the New Zealand Parliament.	22
28	24 Nov., 1871. (No. 112.)	Transmitting a Ministerial Memorandum, and a Resolution of the Legislative Council, respecting the Navigator Islands.	23
29	24 Nov., 1871. (No. 113.)	Transmitting information respecting the Laws in force in New Zealand with regard to the Sale of Intoxicating Liquors.	24
30	25 Nov., 1871. (No. 114.)	Transmitting Papers respecting the selection of a Station in New Zealand for the observation of the Transit of Venus in 1874	26
31	27 Nov., 1871. (No. 116.)	Transmitting a Memorial respecting the Death of Bishop Patteson, from a Public Meeting at Auckland.	27
32	9 Dec., 1871. (No. 117.)	Transmitting a Ministerial Memorandum respecting Intercolonial Reciprocity	27
33	12 Dec., 1871. (No. 119.)	Reporting the Governor's recent Visit to Wanganui... ..	31
34	19 Dec., 1871. (No. 121.)	Transmitting the Acts passed in the Session for 1871 of the New Zealand Parliament ...	33
35	20 Dec., 1871. (No. 122.)	Transmitting Protests by certain Members of the Legislative Council	38
36	21 Dec., 1871 (No. 123.)	Transmitting copies of two Bills which have been reserved for the signification of Her Majesty's pleasure.	39
37	19 Dec., 1871. (No. 125.)	Transmitting a Ministerial Memorandum respecting an Inquest held on the body of a Chinaman, lately a passenger in the "Guiding Star" to Dunedin.	40

No. in Series.	Date and Number.	Subject.	Page.
38	4 Jan., 1872 (No. 3.)	Transmitting a Ministerial Memorandum respecting the proposed Observatory at Christchurch, in the Province of Canterbury.	43
39	5 Jan., 1872 (No. 4.)	Respecting Mr. Seed's Visit to New Caledonia and other South Sea Islands; also respecting the Harbour of Pango Pango.	44
40	6 Jan., 1872 (No. 5.)	Reporting the Appointments of Messrs. Ormond and Reeves to the Executive Council ...	44
41	7 Jan., 1872 (No. 6.)	Respecting the Governor's Second Official Visit to the Wairarapa	45
42	9 Jan., 1872 (No. 8.)	Respecting the Distribution of Prizes at the Wellington College; with some remarks on Education in New Zealand.	46
43	10 Jan., 1872 (No. 9.)	Transmitting a Ministerial Memorandum respecting certain War Department premises at Auckland and Wellington.	47
44	11 Jan., 1872 (No. 10.)	Respecting Kereopa; and the Release of the remaining Maori Prisoners convicted of political offences.	48
45	12 Jan., 1872 (No. 11.)	Respecting the Payment of Imperial Pensions	51
46	13 Jan., 1872 (No. 12.)	Transmitting a Report from the Registrar-General on the Statistics of New Zealand for 1870, and on the Census of 1871.	51
47	14 Jan., 1872 (No. 13.)	Acknowledging the receipt of the Despatches respecting the case Regina v. Barton ...	52
48	15 Jan., 1872 (No. 14.)	Respecting Public Works and Immigration undertaken by the Government of New Zealand.	52
49	18 Jan., 1872 (No. 15.)	Transmitting a question for the opinion of the Law Officers of the Crown in England, respecting Marriage with a Deceased Wife's Sister.	55
50	5 Feb., 1872 (No. 18.)	Reporting the Governor's Visit to the Province of Marlborough	58
51	13 Feb., 1872 (No. 20.)	Respecting the feeling in New Zealand with regard to the recent Illness of the Prince of Wales.	59
52	1 March, 1872 (No. 24.)	Transmitting Lists of the Officers of the Colonial Forces	60
53	2 March, 1872 (No. 25.)	Transmitting a Ministerial Memorandum respecting the New Zealand <i>Phormium</i> ...	60
54	14 March, 1872 (No. 30.)	Forwarding a Ministerial Memorandum, with statement for transmission to the Lords of the Treasury.	61
55	18 March, 1872 (No. 31.)	Transmitting the Native Minister's Report of the submission of the Maori Chief Te Rangitake (William King, of Waitara). Progress of Native Affairs. General tranquillity of New Zealand.	61
56	21 March, 1872 (No. 32.)	Respecting the schooner "Helen," and alleged illegal proceedings in the South Sea Islands	63
57	27 March, 1872 (No. 33.)	Respecting the alleged illegal enlistment of men in New Zealand for Military Service in Fiji.	64
58	30 March, 1872 (No. 35.)	Transmitting Documents respecting the recent difference between the two Houses of the New Zealand Parliament.	65
59	1 April, 1872 (No. 36.)	Respecting the Governor's Visit to the Kaikouras, Amuri District, &c....	73
60	9 April, 1872 (No. 37.)	Reporting the Governor's arrival at the great central Lake of Taupo	74
61	26 April, 1872 (No. 38.)	Forwarding Congratulatory Address from the Inhabitants of Wanganui to the Queen, on the recovery of His Royal Highness the Prince of Wales.	75
62	1 May, 1872 (No. 40.)	Transmitting a Ministerial Memorandum and other papers respecting the claims of certain discharged Soldiers at Taranaki.	76
63	2 May, 1872 (No. 41.)	Transmitting a Ministerial Memorandum respecting the Extradition of Criminals in certain cases.	81
64	13 May, 1872 (No. 45.)	Respecting the Thanksgiving Day for the recovery of His Royal Highness the Prince of Wales.	81
65	14 May, 1872 (No. 46.)	Respecting the schooner "Peri"	83
66	15 May, 1872 (No. 47.)	Transmitting an Account of the Governor's Journey overland from Wellington to Auckland in April, 1872.	83
67	16 May, 1872 (No. 48.)	Reporting the completion of the Electric Telegraph to Auckland	92
68	10 June, 1872 (No. 50.)	Reporting the Governor's third Visit to the Waikato District, and transmitting a Report from Mr. McLean, C.M.G., on the present aspect of Native Affairs.	93
69	12 June, 1872 (No. 51.)	Transmitting a Memorandum from the Postmaster-General, respecting certain proposals of the Peninsular and Oriental Steam Company as to their Packets touching at Glenelg.	94
70	13 June, 1872 (No. 52.)	Transmitting an Address of Congratulation from the Provincial Council of Wellington to the Queen, on the recovery of H.R.H. the Prince of Wales.	95
71	25 June, 1872 (No. 54.)	Transmitting a Ministerial Memorandum respecting a proposed supply of new Silver Coin.	95
72	26 June, 1872 (No. 55.)	Transmitting a Ministerial Memorandum and other Papers respecting the Passenger Ship "England."	96
73	26 June, 1872 (No. 56.)	Transmitting a Ministerial Memorandum from the Postmaster-General of New Zealand respecting certain questions connected with the Navigator Islands.	96
74	27 June, 1872 (No. 57.)	Transmitting the receipts from Mr. Fitzherbert and Mr. Vogel of their insignia as C.M.G.	96
75	27 June, 1872 (No. 58.)	Transmitting a Congratulatory Address from the Provincial Council of Otago to the Queen, on the recovery of the Prince of Wales.	97
76	27 June, 1872 (No. 59.)	Reporting further on the Governor's third Visit to Waikato, and transmitting an Article from the <i>Sydney Morning Herald</i> .	97
77	27 June, 1872 (No. 60.)	Respecting certain South Sea Islanders employed in New Zealand.	98
78	5 July, 1872 (No. 61.)	Transmitting an Address to the Queen from the Rechabites of Hawke's Bay, on the recovery of the Prince of Wales.	100
79	6 July, 1872 (No. 62.)	Further Report of the Governor's Official Tours. Voyage from Auckland to Wellington along the East Coast of the Colony.	100
80	7 July, 1872 (No. 63.)	Transmitting the Statistical Register or Blue Book of New Zealand for 1870	101

DESPATCHES

FROM THE GOVERNOR OF NEW ZEALAND TO THE SECRETARY OF STATE.

No. 1.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 72.)

Government House, Wellington,

MY LORD,—

New Zealand, 23rd August, 1871.

It will be observed that, in the Speech with which I opened the present Session of the Colonial Parliament, there occurs the following paragraph:—
 “ You will concur with me in regretting the death of the celebrated chief, Tamati Waka Nene, alike distinguished for his loyalty to the Queen and for his friendship with the English, and who, whether in peace or war, did more than any other chief in New Zealand to establish the Queen’s sovereignty and to promote colonization.” In their Addresses in Reply to my Speech, both Houses reciprocated the feeling thus expressed, and the same sentiment is universal throughout this Colony. The enclosed extract from one of the local journals shows the general tone of the comments in the Colonial Press.

*Wellington
Independent,
Aug. 10, 1871.*

2. Tamati Waka Nene, the principal chief and most famous warrior of the great clan of the Ngapuhis, the most powerful in New Zealand, died at the Bay of Islands on the 4th instant, lamented alike by the English and by the Maoris. His age must have been above eighty years, for he was an elderly man when he procured the cession of the sovereignty of these Islands to the British Crown, by the Treaty of Waitangi, in 1840, and when he fought so gallantly for the Queen in the Maori war of 1845–48. His last illness was short and not severe. A few weeks previously he had paid me a visit at Auckland, and he was then still erect in stature and unclouded in mind. His dying words were earnest exhortations to his countrymen to live in peace and union with the English; and his last wish was that he should be buried, not like the old heroes of his race in heathen times, in a remote cavern of the mountains, but in the English churchyard at the Town of Russell. This last wish was assented to by his family and his tribe, and the funeral took place on the 11th instant, according to the rites of the Church of England, to which Nene had been, for more than thirty years, a sincere and faithful convert. His coffin was borne to the grave by twelve of the leading colonists of the North, who have owed so much to his good offices, while his chief surviving clansmen and the Government officers of the district were pall-bearers. Had it been possible for me to leave Wellington during the Session of the Colonial Parliament, I should have gone myself to the Bay of Islands to pay the last mark of respect to him, “ who, whether in peace or war, did more than any other chief in New Zealand to establish the Queen’s sovereignty and to promote colonization.”

3. In my Despatch No. 51, of the 26th May, 1870, written after my second visit to the northern clans, I gave some description of the Ngapuhis and of their country, and mentioned that Tamati Waka Nene always spoke “ with grateful emotion of the silver goblet presented to him several years ago by the Queen, in recognition of his services to the British Crown. As he has outlived his own children, he has bequeathed it as an heirloom to the family of the late Mr. Russell, a respectable settler at Hokianga, who married his niece, and there it will be carefully preserved.” I may now add that the Colonial Government will continue to the widow of Tamati Waka Nene the pension which was conferred many years since on her husband.

4. I described my first visit to the Bay of Islands in my Despatch No. 37, of the 4th May, 1868. On that occasion the chiefs and people of the North assembled

to welcome me at the mouth of the River Waitangi,* on the spot where, twenty-eight years previously, the great meeting of the 5th February, 1840, so momentous in its results, had been held. I then wrote as follows:—"It will be remembered that the chiefs who first addressed the meeting at Waitangi, in 1840, strongly dissuaded their countrymen from the cession of their national independence, and that the majority yielded at length to the authority and eloquence of Tamati Waka Nene, who urged that the sovereignty of the Queen would bring with it the blessings of Christianity and of civilization. It has been often stated, and it is generally believed here, that, without the support of this celebrated chief, the British Government could not have been established in New Zealand in 1840, nor maintained during the war of 1845-48. It was with deep interest that I and the other Englishmen present at the recent meeting,† saw this loyal subject of our Queen, this constant friend and brave ally of our race,—now in extreme old age,—arise, and striking his staff on the ground, proceed to remind his Maori countrymen that, standing on that very spot, he had counselled the fathers of the present generation to place themselves 'under the shadow of the Queen and the law'; that he knew he had counselled them well; and now exhorted the sons of his former hearers to dwell in peace and brotherhood with each other and with the colonists."

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 2.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 76.)

Government House, Wellington,

MY LORD,—

New Zealand, 30th August, 1871.

I have the honor to transmit herewith a Parliamentary Paper just presented to the Colonial Legislature, viz. :—"Abstracts of certain Principal Results of the Census of New Zealand, taken for the night of the 27th February, 1871."

2. At the same time, I forward copies of "Statistical Tables, in anticipation of the Annual Volume of Statistics of New Zealand for 1870."

3. I shall transmit the full report of the Census, and also the annual Statistical Register, or "Blue Book," for 1870, so soon as they are published.

4. Meanwhile, it will be perceived that the population of European origin, and exclusive of the Maoris, which amounted to only ninety-nine thousand and twenty-one (99,021) when the Census for 1861 was taken, amounted to two hundred and fifty-six thousand three hundred and ninety-three (256,393) in February, 1871. It will be further seen, from the Statistical Tables, that the revenue, the trade, and the other chief elements of material prosperity, have advanced during the same period in nearly equal proportion. The total revenue of the Colony, ordinary and territorial, was six hundred and ninety-one thousand four hundred and sixty-four pounds (£691,464) in 1861; and one million three hundred and eighty-four thousand six hundred and thirty-nine pounds (£1,384,639) in 1870. The imports were valued at two million four hundred and ninety-three thousand eight hundred and eleven pounds (£2,493,811) in 1861; and at four million six hundred and thirty-nine thousand and fifteen pounds (£4,639,015) in 1870. The exports were valued at one million three hundred and seventy thousand two hundred and forty-seven pounds (£1,370,247) in 1861; and at four million eight hundred and twenty-two thousand seven hundred and fifty-six pounds (£4,822,756) in 1870.

5. When it is considered that the years between 1861 and 1870 were years of almost constant war and disturbance, this result cannot be described as otherwise than satisfactory. Had New Zealand enjoyed the tranquillity of the Australian Colonies, the progress achieved here would have been far more rapid. However, it is now confidently believed that for the future there will be little impediment,

* Waitangi means "weeping water," and the river is so named from the beautiful cascade near its mouth.

† i.e., on 17th April, 1868.

from internal warfare, to the steady development and organization of the vast resources of this country.

6. It is, of course, impossible to form more than an approximate estimate of the Maori population of New Zealand. It is believed by the Native Department not to exceed, at present, thirty-seven thousand five hundred (37,500), all of whom dwell in the North Island with the exception of from fifteen hundred (1,500) to two thousand (2,000) souls, scattered over the other Islands.

7. I hope to be, before long, in a position to address your Lordship more fully on the subject of this Despatch.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 3.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 77.) Government House, Wellington,
New Zealand, 31st August, 1871.

MY LORD,—
I have the honor to report that I have referred to my Responsible Advisers your Lordship's Circular Despatches of the 20th and 29th April ultimo, directing me to ascertain whether the Colonial Government would be prepared to defray the cost of prosecutions, in the Supreme Court of the Colony, of persons accused of kidnapping Natives from islands in the Pacific.

2. I now enclose a Ministerial Memorandum, showing the views held on this subject by the Government of New Zealand.

Memo. by Mr.
Fox, Aug. 30,
1871.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 3.

MEMORANDUM by Mr. Fox.

MINISTERS beg respectfully to acknowledge the receipt of two Circular Despatches from the Right Hon. the Secretary of State for the Colonies, dated respectively the 20th and 29th of April last, upon the subject of a project of law which it is proposed to submit to the British Parliament, for the purpose of checking acts of violence and barbarity which have been from time to time committed by British subjects in various Islands of the Pacific, and which are chiefly perpetrated by persons proceeding from Australian ports.

These Despatches His Excellency has done Ministers the honor to forward for an expression of their opinion thereon, and to ascertain whether they will be prepared to defray the necessary expenses connected with the procuring of evidence, the remuneration of witnesses, and their occasional conveyance to Australia and reconveyance to their own country, in cases brought (with the concurrence of Ministers) before the Supreme Court of New Zealand.

Ministers are in doubt whether the word "Australia" in these Despatches was used advisedly or not, as that word neither in common understanding nor literally includes New Zealand. If the word was used advisedly, the Despatches would appear to Ministers to have been sent to New Zealand by mistake.

If, however, the Despatches have been sent advisedly, and the word "Australia" has been used by inadvertence, Ministers have to remark that, assuming that persons did set out from New Zealand on such expeditions as those alluded to by the Earl of Kimberley, such persons ought, in the opinion of Ministers, to be tried and, if guilty, punished in New Zealand, and that New Zealand should bear the expenses necessarily attaching to such trials; and Ministers would be prepared to advise your Excellency to recommend that provision should be made by the General Government for the purpose.

WILLIAM FOX.

Wellington, 30th August, 1871.

No. 4.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 80.) Government House, Wellington,
New Zealand, 1st September, 1871.

MY LORD,—
In continuation of my Despatch No. 68, of the 8th August ultimo, and of previous correspondence respecting the claims and counter-claims of the

Memo. by Mr. Gisborne, 30th August, 1871, with 3 sub-enclosures.

Imperial and Colonial Governments, I am again requested by my Responsible Advisers to forward the enclosed Ministerial Memorandum, with other papers.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 4.

MEMORANDUM by Mr. GISBORNE.

ADVERTING to the Memorandum to His Excellency, No. 20, 1871, of the 7th ultimo, and to Mr. Assistant Commissary-General Lewis' letter of the 19th ultimo in reply to the said Memorandum, Ministers beg to inform His Excellency that Dr. Pollen has been instructed to act in accordance with the terms of a Memorandum on the subject by the Assistant Treasurer and the Paymaster-General of the Colony (a copy of which is enclosed).

In thus instructing Dr. Pollen to give a receipt on payment in full of the sum of £1,951 10s. 7d., and to take a receipt on paying in full the sum of £794 2s. 11d., Ministers respectfully desire to represent that this arrangement is made without prejudice to the claim against the Imperial Government for the sum of £871 1s. 11d., referred to in the Ministerial Memorandum of the 7th ultimo, and of which details are given in the Memorandum to His Excellency of the 27th May, 1871, and also without prejudice to such further claims as may yet be outstanding.

His Excellency is respectfully advised to communicate the contents of this Memorandum to Mr. Assistant Commissary-General Lewis, and to forward copies of the correspondence noted in the margin, together with a copy of this Memorandum to the Right Honourable the Secretary of State for the Colonies.

Wellington, 30th August, 1871.

W. GISBORNE.

Letter from A.C.G. Lewis, No. 107, C., 19th July, 1871. Memo. by Messrs. Woodward and Batkin, of 5th August.

Sub-Enclosure 1 to Enclosure in No. 4.

ASSISTANT COMMISSARY-GENERAL LEWIS to the PRIVATE SECRETARY.

(No. 105, C.)

Control Office, New Zealand,

SIR,—

Auckland, 19th July, 1871.

With reference to the Ministerial Memorandum of the 7th instant, I have the honor to acquaint you, for the information of His Excellency the Governor, that I am prepared to pay over to the Colonial Government the sum of £1,157 7s. 8d., being the amount authorized on account of maintenance of military prisoners, less £794 2s. 11d. due to the Imperial Government for Customs drawbacks on supplies.

The question of the counter claim made by the Colony on account of double payment of drawback to form the subject of a representation to the Imperial authorities.

I have, &c.,

The Private Secretary to His Excellency
the Governor, Auckland.

HENRY C. LEWIS, A.C.G.

£	s.	d.
1,951	10	7
794	2	11
£1,157	7	8

Sub-Enclosure 2 to Enclosure in No. 4.

ASSISTANT COMMISSARY-GENERAL LEWIS to the PRIVATE SECRETARY.

(No. 107, C.)

Control Office, New Zealand,

SIR,—

Auckland, 19th July, 1871.

With reference to my letter of this day's date, I have the honor to request that instructions may be given to the Government Agent at this place to receive the amount payable to the Colonial Government.

It is necessary that a receipt should be given to me for £1,951 10s. 7d. on account of maintenance of military prisoners, and I, in return, will furnish a receipt for £794 2s. 11s. on account of Customs drawbacks, together with a cheque for the balance of £1,157 7s. 8d.

I have, &c.,

The Private Secretary to His Excellency
the Governor, Auckland.

HENRY C. LEWIS, A.C.G.

Sub-Enclosure 3 to Enclosure in No. 4.

MEMORANDUM by MESSRS. J. WOODWARD and C. T. BATKIN.

(No. 358, A. T.)

THE claims of the Imperial Government on the one hand, and of the New Zealand Government on the other, which Mr. Assistant Commissary-General Lewis proposes to adjust by a payment of the difference and an exchange of receipts, are so entirely distinct in character as to require that each account should be the subject of a distinct and separate settlement. The Colonial Government, acting on behalf of the several Provinces concerned, has put forth claims amounting to £1,951 10s. 7d. for the maintenance of military prisoners in the Provincial gaols. These claims are admitted by the Imperial Government, and it is considered that payment should be made without reference to claims subsisting between the Imperial Government and the Colony on other grounds.

The Imperial Government has, however, made it a condition of the settlement that a deduction of £794 2s. 11d. should be made on account of Customs drawbacks due from the Colony.

This sum should, we think, be forthwith paid; not only because it is a claim admitted by the Colony, but because it will enable a complete and separate settlement to be obtained in respect of the sums claimed by the Provinces.

In making payment of the sum of £794 2s. 11d., it should be distinctly understood that it is made without prejudice to the claim advanced by the Colony for £871 1s. 11d., the amount of Customs drawbacks erroneously paid (as stated in Ministerial Memorandum of the 7th ultimo).

It should at the same time be noted that a settlement of the claim of £1,951 10s. 7d. will leave unadjusted a claim of £68 7s. 8d. made by the Province of Wellington for the maintenance of naval prisoners in gaol from 1st April, 1869, to 31st January, 1870, together with further claims of a similar nature.

Treasury, Wellington, 5th August, 1871.

J. WOODWARD,
C. T. BATKIN.

No. 5.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 81.)

Government House, Wellington,

MY LORD,—

New Zealand, 2nd September, 1871.

I have the honor to report that the Fifth Parliament of New Zealand met for its first Session, with the customary formalities, on the 14th ultimo.

2. Sir David Monro, who has filled the office of Speaker of the House of Representatives for the last ten years with dignity and efficiency, expressed his wish to retire on account of temporary ill-health; and himself proposed as his successor, Mr. Francis Dillon Bell, who was unanimously elected. The Speaker elect, accompanied by the whole House, presented himself to me in the usual manner, when I approved and confirmed his election on behalf of the Queen, and in the terms of the New Zealand Constitution Act, and congratulated him that his long and honorable career in the public service of this Colony had been crowned by the distinguished position in which he had been placed by the confidence of the House of Representatives.

3. Ever since the first settlement of New Zealand, Mr. Dillon Bell has taken a prominent part in public affairs. He has acquired long and varied experience as a Member of several Ministries and Parliaments. Under an Act of the Colonial Legislature, passed in the Session of 1869, he was appointed, in conjunction with Dr. Featherston, to proceed to England on an important mission, which was conducted in a manner highly satisfactory alike to the Imperial and to the Colonial Government.

Enclosure 1.
Vide Journals of
H. of R., 1871,
p. 10.

4. On the 15th ultimo, I delivered the opening Speech, of which, as also of the Addresses in Reply from both Houses, I now annex copies.

Enclosure 2.
Vide Journals of
L.C., p. 6.

5. The Speech contains, of course, the Ministerial programme for the Session. I inserted, as will be seen, a paragraph expressing my sense of the demonstrations of loyalty to the Queen and of good will to myself which have been called forth by my official tours throughout this Colony, and my grateful remembrance of the constant courtesy and hospitality which I have always received in all parts of New Zealand and from all classes of the community.

Enclosure 3.
Vide Journals of
H. of R., 1871,
p. 16.

6. Both Houses of Parliament are applying themselves steadily to business. I transmit herewith copies of the New Zealand *Hansard*, containing full reports of the debates, corrected by the several speakers themselves.

Enclosure 4,
N.Z. Hansard,
Nos. 1 to 3.

7. The Government Printer has standing instructions to forward to the Colonial Office, by each monthly mail, copies of all the Parliamentary Papers. I annex to this Despatch the Reports and other official documents of most interest, which have been already presented to the Colonial Legislature during the present Session, viz. :—

- (1.) Annual Report on the Postal Service of New Zealand.
- (2.) Annual Report on the Telegraph Department.
- (3.) Papers respecting the construction of Railways and Roads (in several parts).
- (4.) Report of the Immigration and Public Works Department.
- (5.) General Summary of the Imports, Exports, and Customs Duties.
- (6.) Papers relative to the Defence of the Harbours of New Zealand.
- (7.) Report on Public Works, by the Engineer-in-Chief.
- (8.) Papers relative to the New Zealand War Medal.
- (9.) Memorandum on the Native Lands Court, by Sir W. Martin.

DESPATCHES FROM THE GOVERNOR OF

- (10.) Papers relating to Immigration (in several parts).
- (11.) Papers respecting the San Francisco Mail Service.
- (12.) Annual Report on the Constabulary Force.
- (13.) Papers relating to Mr. Vogel's Mission to England.
- (14.) Return of Wool Exported from New Zealand.

8. The above-mentioned documents, together with those forwarded previously, will amply repay perusal, and will supply full information respecting the present condition of New Zealand.

I have, &c.,
G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 6.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 82.) Government House, Wellington,
MY LORD,— New Zealand, 2nd September, 1871.

I have the honor to report that I lost no time in directing the attention of the proper authorities to your Lordship's Despatch No. 101, of the 14th November ultimo, requesting, on behalf of the Lords Commissioners of the Admiralty, information respecting the tariff of charges, wages of artificers, and other particulars concerning the new graving dock at Port Chalmers, in New Zealand.

2. Owing to a delay in the completion of this dock, it appears that the Trustees did not adopt a final code of regulations before the 25th August ultimo. It was forwarded to me only this day, and I now transmit it, together with the accompanying letter from the Superintendent of Otago.

I have, &c.,
G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Superintendent
of Otago to
Col. Sec., 1st
Sept., 1871, with
1 sub-enclosure.

Enclosure in No. 6.

SUPERINTENDENT of OTAGO to the COLONIAL SECRETARY.

SIR,— Wellington, 1st September, 1871.
Enclosed I do myself the honor to forward, for transmission to the Lords Commissioners of the Admiralty, the Otago Graving Dock Regulations. As regards the wages of shipwrights at the Port of Otago, I may state that, although hitherto they have been in excess of Sydney rates, they are gradually being reduced, and, as the dock comes into constant use, the wages will not exceed those at Sydney and Melbourne.

I have, &c.,
J. MACANDREW,
Superintendent.

The Hon. the Colonial Secretary, Wellington.

Sub-Enclosure to Enclosure in No. 6.

OTAGO GRAVING DOCK.

Regulations adopted by the Dock Trustees, 25th August, 1871, subject to the approval of His Honor the Superintendent.

1. All vessels will be liable to a dock rate according to the following scale:—

						Per registered ton per diem.
Vessels of 1000 tons and upwards	...	...	...	...	...	6d.
" 900 tons and under 1000 tons	...	...	...	...	...	6½d.
" 800 "	" 900 "	...	...	...	...	6½d.
" 700 "	" 800 "	...	...	...	...	6¾d.
" 600 "	" 700 "	...	...	...	...	7d.
" 500 "	" 600 "	...	...	...	...	7½d.
" 400 "	" 500 "	...	...	...	...	7½d.
" 300 "	" 400 "	...	...	...	...	7¾d.
Under 300 tons	...	...	...	...	...	8d.

2. Double rates will be charged for the day of docking.

3. The dock dues will include and cover the cost of pumping, shoring, wedges, and blocking, and the cost of all labour connected with opening and closing the dock, and all incidental labour connected with the actual operation of docking a vessel.

4. The Board will not undertake the repairs of a vessel; and all parties availing themselves of the use of the dock will be required to make their own arrangements for this service, and provide all necessary labour and material for the same.

5. The Board will not hold themselves responsible for any accident occurring to a vessel whilst docking, undocking, or in dock.

6. The officers, crews, and workmen of any vessel, whilst in dock, will be required strictly to adhere to the regulations of the establishment.

7. The captain, master, or pilot of a vessel, after making fast to any buoy or bollard off the mouth of the dock, for the purpose of entering, will thenceforth be required to attend to the directions of the officer of the dockyard superintending the docking or undocking of the vessel.

8. Applications for the use of the dock or machinery will be registered in order of their receipt; but the Board reserves to itself the right to determine the order of priority in especial cases, such as men-of-war or mail steamers.

9. Vessels registered, and not arriving at the dock at the appointed time to enter, will be liable to the forfeiture of their turn on the register, and will also be held responsible for any expenditure that may have been incurred to dock them.

10. Vessels will be admitted into the dock on the application of the owner or master, who will be held responsible for payment of all dues and charges.

11. No vessel will be permitted to enter the dock with gunpowder or combustible matter on board.

Regulations and rates approved in terms of "The Otago Dock Ordinance, 1865," Session XV.

J. MACANDREW,

Superintendent of Otago.

1st September, 1871.

No. 7.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 83.)

Government House, Wellington,

MY LORD,—

New Zealand, 2nd September, 1871.

With reference to the questions propounded in your Lordship's Circular Despatches of the 31st December and 21st February ultimo, I am requested by my Responsible Advisers to transmit the accompanying Ministerial Memorandum, with copies of letters from Chief Justice Sir George Arney, from Mr. Justice Johnston (the senior Puisne Judge of the Supreme Court), and from the Attorney-General of New Zealand.

Memo. by Mr. Gisborne, 1st. Sept., 1871, with 4 sub-enclosures.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 7.

MEMORANDUM by Mr. GISBORNE.

MINISTERS beg to inform His Excellency that the draft Bill for the more effectual Prosecution of Offenders in Her Majesty's Foreign Dominions, forwarded as an enclosure to Lord Kimberley's Circular Despatch of the 21st February, 1871, having been remitted by them to the Judges of the Supreme Court of this Colony for their remarks thereon, they now do themselves the honor of forwarding to His Excellency copies of the letters received by them in reply, and noted in the margin, together with copy of the opinion of the Attorney-General of the Colony on the subject.

Ministers respectfully recommend His Excellency to forward copies of these enclosures to the Right Hon. the Secretary of State for the Colonies, and to inform Lord Kimberley that Ministers are disposed to agree in the opinions given by the Chief Justice in his letter.

Wellington, 1st September, 1871.

W. GISBORNE.

Letter from Sir G. A. Arney, Chief Justice, 12th June, 1871.
Letter from Mr. Justice Johnston, 7th June, 1871.
Letter from Mr. Justice Johnston, 4th Aug., 1871.

Sub-Enclosure 1 to Enclosure in No. 7.

Sir G. A. ARNEY to the COLONIAL SECRETARY.

SIR,—

Supreme Court, Auckland, 12th June, 1871.

I have the honor to acknowledge the receipt of your letter of the 10th ultimo, enclosing a draft Bill for the more effectual Prosecution of Offenders in Her Majesty's Foreign Possessions, as the Bill is proposed to be introduced into the Parliament of the United Kingdom; also requesting that I will express an opinion upon the provisions of the Bill, and in particular whether it ought to be extended to other offences besides those specified in it.

Assuming, as I do, that it is not intended that the presiding Judge of a Court (say in New Zealand) shall, in all cases, take judicial notice of what in England may constitute the particular felony charged, but that proof thereof will, when required, form part of the evidence in support of the prosecution, I think that the provisions of this Bill are adapted to effect the object of its framers; and perhaps the instances will be rare in which it will inflict a hardship upon the convict.

The second and third section already reach beyond the scope of the preamble, and I think the Bill may well be extended to all more serious felonies and indictable misdemeanours, including misdemeanours committed in contravention of the Bankruptcy Act; but I think it may be well, in the first instance, to test the working of this limited enactment.

Practically, I believe the measure will seldom be found available wherever the felony has been committed in New Zealand.

I have, &c.,

The Hon. the Colonial Secretary,
(Judicial Branch).

GEORGE ALFRED ARNEY,
Chief Justice.

DESPATCHES FROM THE GOVERNOR OF

Sub-Enclosure 2 to Enclosure in No. 7.

Mr. Justice JOHNSTON to the COLONIAL SECRETARY.

SIR,—

Judge's Chambers, Wellington, 7th June, 1871.

I have the honor to acknowledge the receipt (on my recent arrival from Napier) of your letter dated 10th May, in which you transmit for my consideration a copy of a Despatch from the Secretary of State for the Colonies, enclosing a copy of a Bill proposed to be introduced into the Parliament of the United Kingdom, relating to larcenies, accessories, &c., in the Australian Colonies.

In pursuance of your request, I have carefully examined the provisions of the proposed Bill, and have also considered the propriety of extending similar provisions to other offences; but as a serious difficulty has presented itself to my mind with respect to the practicability of carrying out the proposed measure, I am desirous of conferring with the other Judges—as I shall have an opportunity of doing in a few weeks—before conclusively expressing an opinion on the subject.

I have, &c.,

The Hon. the Colonial Secretary,
(Judicial Branch).

ALEXANDER J. JOHNSTON.

Sub-Enclosure 3 to Enclosure in No. 7.

Mr. Justice JOHNSTON to the COLONIAL SECRETARY.

SIR,—

Judge's Chambers, Wellington, 4th August, 1871.

Referring to my letter of the 7th June, 1871, in answer to yours enclosing a copy of a circular from Lord Kimberley and a copy of a Bill respecting "Accessories to felonies," I have the honor to add that I have conferred with my brother Judges on the subject, and to state my opinion that although the definition given of the word "felony" in the proposed Bill may possibly lead to an apparent inconsistency in cases (if any) where an offence is a felony in England which is not so in the Colony where the act was committed, the provisions of the proposed Bill seem very proper to be adopted, at all events unless a larger measure, such as that suggested by the Victorian Commission, should be introduced into the Imperial Parliament.

I have, &c.,

The Hon. the Colonial Secretary,
(Judicial Branch).

ALEXANDER J. JOHNSTON.

Sub-Enclosure 4 to Enclosure in No. 7.

OPINION of the ATTORNEY-GENERAL.

I THINK that the preamble should be altered, so as to include the cases intended to be met by the second section. That section includes all felonies, and is not limited to the case of accessories in thefts.

The Act may, I think, be found sometimes useful with regard to New Zealand, and think that an opinion in favour of it should be given: no doubt it is more especially likely to be useful on the continent of Australia.

The first section is founded on one contained in the English Larceny Act, with regard to offences in England, Ireland, or Scotland, being a re-enactment of a similar provision in 7 and 8 George IV. c. 29, s. 76.

It enables an offender who has been guilty of larceny in any Colony in Australasia to be tried in any other Colony into which he may take the goods stolen; also, it enables a receiver in any Colony in Australasia to be tried there though the goods received were stolen in another Colony.

The second section is founded on the seventh section of the 24 and 25 Vict. c. 94, with regard to felonies in England and Ireland, being a re-enactment of provisions contained in repealed Acts. It enables an accessory to a felony committed in one Colony to be tried either in the Colony in which the principal felony was committed, or in the Colony in which that act was committed which made him an accessory.

I do not know of any other crimes with regard to which similar provisions could be enacted with a due regard to the principles which secure to a person charged his trial near the place where the offence was committed and his witnesses are likely to be.

It might be well to provide, for the purposes of section three, what evidence may be received; it may be impossible to get an expert in all cases.

I think the fifth section should be made to extend to the terms "accessory," "theft," "larceny," and perhaps to all other terms, such as "valuable security," and probably it might be well to provide that the Court should take notice of such interpretation without proof of the law of England; for though the Courts will take notice of law of England in force in New Zealand, I do not know that they will take notice of English law generally. I think it would be well to send a copy of the Bill to the Judges for their opinion.

J. PRENDERGAST,
Attorney-General.

Wellington, 14th April, 1871.

No. 8.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 85.)

Government House, Wellington,

MY LORD,—

New Zealand, 20th September, 1871.

I have the honor to transmit herewith copies of the annual Financial

Statement of the Colonial Treasurer (Mr. Vogel), which was delivered in the House of Representatives on the 12th instant.

2. This Parliamentary Paper, with the documents annexed to it, will show the financial position of New Zealand at present, and also the financial policy of the existing Ministry.

*Vide Appendix
to Journals of
H. of R., 1871,
B. No. 2.*

The Right Hon. the Earl of Kimberley.

I have, &c.,

G. F. BOWEN.

No. 9.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 86.)

Government House, Wellington,

MY LORD,—

New Zealand, 24th September, 1871.

In my Despatches Nos. 20, 21, 28, 31, 37, and 49 of this year, I gave some account of the progress and present condition of the Provinces of Otago, Canterbury, and Auckland, and of the County of Westland. I now have the honor to transmit an official Return, showing the Population, Revenue, Imports and Exports, Shipping, and Live Stock, of the remaining Provinces of New Zealand, namely, Wellington, Taranaki, Hawke's Bay, Nelson, and Marlborough.

2. Wellington was the first and principal settlement of the New Zealand Company, and was founded on the 22nd January, 1840. The seat of the General Government and Legislature was removed from Auckland to Wellington in 1865, in pursuance of votes of the Colonial Parliament, and in consequence of the central position of the latter city on Cook's Strait, which separates the two principal Islands. According to the Census of 1871, the City of Wellington has seven thousand nine hundred and eight (7,908) inhabitants.

3. Taranaki, also settled originally by the New Zealand Company, was founded on 31st March, 1841. It is the smallest of the Provinces, but has large quantities of rich and fertile land. The chief town is New Plymouth, with one thousand eight hundred and thirty-seven (1,837) inhabitants.

4. The Province of Hawke's Bay was separated from Wellington in 1858. Napier, the chief town, has two thousand one hundred and seventy-nine (2,179) inhabitants.

5. Nelson, the third settlement of the New Zealand Company, keeps as the anniversary of its foundation in 1842, the 1st February. The seat of the Provincial Government, of the same name with the Province, has five thousand five hundred and thirty-four (5,534) inhabitants.

6. The Province of Marlborough was separated from Nelson in 1859. It is chiefly a pastoral settlement, and contains only two small towns: Picton, with six hundred and thirty-six (636), and Blenheim, with seven hundred and forty-one (741) inhabitants.

7. I will not add further details on the present occasion, seeing that the fullest possible information respecting the present condition of New Zealand will be found in the Statistical Register for 1871, and in the Report of the Census taken in the February of this year, both of which official documents will be published shortly.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 10.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 89.)

Government House, Wellington,

MY LORD,—

New Zealand, 27th September, 1871.

In continuation of my Despatches No. 77 of 1868, No. 94 of 1869, and No. 90 of 1870, I have now the honor to transmit a copy of the anniversary address with which, on the 23rd instant, I opened, as President, the Session for 1871 of the New Zealand Institute.

Enclosure 1.
See "Transactions
and Proceedings
of the N.Z.
Institute," Vol.
IV., page 1.

2. It will be found that, among other topics, my address of this year contains a fuller account than could be furnished in my Despatches No. 159 of the 26th December ultimo, and No. 20 of the 18th February ultimo, of my recent official visits respectively to the Hot Lakes of the North Island, and to the Sounds of the West Coast of the Middle Island of New Zealand. As these two regions, though among the most remarkable in the world, are very imperfectly known, I venture to suggest that copies of my address should be forwarded to the Geographical and Geological Societies of London.

Enclosure 2.

3. I transmit at the same time two copies of the Third Volume (for 1870) of the "Transactions and Proceedings of the New Zealand Institute." It will be found that this volume, like the two previous volumes already forwarded to the Colonial Office, comprises a large mass of valuable and practical information respecting this country.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 3.
Vide Journals of
H. of R., 1871,
G. No. 17.

P.S.—I annex copies of the "Third Annual Report of the New Zealand Institute," as presented to the Colonial Parliament.

G. F. B.

No. 11.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 90.)

Government House, Wellington,

MY LORD,—

New Zealand, 28th September, 1871.

Enclosures 1 & 2.
Vide Appendix
to Journals of
H. of R., 1871,
G. No. 5 and
G. No. 5b.

I have the honor to transmit herewith the Annual Reports showing the present state of the Militia and Volunteers and of the Armed Constabulary Corps in New Zealand.

2. The Militia has never yet been enrolled in the South or Middle Island, where there is no internal danger; but the Returns show that there are 2,736 Volunteers in that Island. It will be seen that "the strength (all ranks) of the Militia" called out for actual service and for training and exercise, in the North Island alone, is 4,263. There are also in the North Island 3,832 Volunteers and 723 officers and men of the Armed Constabulary. It will be further perceived that Colonel Harington, the Inspector, reports that the percentage of "efficient" in the New Zealand Volunteers is 74, a large proportion when compared with the percentage elsewhere.

3. It will thus appear that there are now enrolled and armed in New Zealand,—

(1.) Militia	...	...	...	...	4,263
(2.) Volunteers	...	...	...	...	6,568
(3.) Armed Constabulary	...	...	...	...	723

Total of Europeans	11,554
--------------------	-----	-----	-----	-----	--------

4. Moreover, about four thousand (4,000) fighting men of the loyal Maori clans in the North Island are armed by the Government, and have done good service in supporting the authority of the Queen.

5. It will thus be seen that the entire armed force of New Zealand at the present time amounts to above fifteen thousand (15,000) officers and men in a population (European and Maori) of something under three hundred thousand (300,000) souls. In other words, more than one-twentieth part of the inhabitants of this Colony are armed and drilled in support of the Government. This is as if the regular troops, Militia, and Volunteers in the United Kingdom were to number one-twentieth part of the entire population of thirty-one (31) millions, namely, one million and a half (1,500,000) officers and men.

Enclosure 3.
Vide Appendix
to Journals of
H. of R., 1871.

6. Again, as will be perceived from the annexed Return, the total cost of the Departments of Defence and Native Affairs during the three years ending 30th June, 1871, amounted to £972,823, or a yearly average of £324,274. This sum does not include the annual interest (about £180,000) of the war loan of three

millions sterling contracted a few years ago, while a large force of Imperial troops was serving in New Zealand. It results that the annual cost of the Defence and Native Departments (including the payment of the Maoris in arms for the Queen) has amounted to a charge of about £1 7s. per head of the mean European population (240,000) of the last three years. This is much as if the expenditure on the Army and Navy were to amount to £1 7s. per head of the population of the United Kingdom, or to an annual charge of about forty-two millions sterling.

7. The Parliamentary "Papers relative to the Defence of the Harbours of New Zealand," (of which a copy is appended,) will show that this important question has by no means escaped attention. I would also refer to my Despatches on this subject, No. 122, of 24th September, 1870, and No. 4, of the 5th January ultimo, and to the Ministerial Memoranda therein enclosed. Moreover, Mr. Vogel, the Colonial Treasurer, during his recent visit to England, procured valuable information respecting the best methods of defending harbours. A Committee of the New Zealand Parliament has been appointed, during the present Session, to consider the whole question, and I shall forward a copy of its Report when published.

8. Meanwhile, it will, I submit, be generally agreed that the exertions already made by this Colony for its own defence and for the maintenance of the authority of the Queen, under difficulties in some respects unparalleled elsewhere, deserve sympathy and support.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 12.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 91.)

Government House, Wellington,

MY LORD,—

New Zealand, 29th September, 1871.

I have the honor to acknowledge the receipt of your Lordship's Despatch No. 59, of the 26th July ultimo, by which I was much gratified to learn your approval of the action taken by me in last April, with respect to H.M.S. "Virago," as reported in my Despatch No. 39, of the 1st May ultimo.

2. With regard to the latter part of the Despatch under reply, I am requested by Mr. Fox to transmit the enclosed Memorandum, expressing his regret that in his telegram to me of the 12th April ultimo, concerning the departure of the "Virago," he should have used any expressions which your Lordship deems exceptionable.

Memo. by Mr. Fox, 28th Sept., 1871.

3. I may be permitted to add that if Mr. Fox had been at the seat of government in April last, or if there had been time to communicate with him further before the departure of that month's mail, I should have requested him to modify the language of his message; but he was then residing on his estate in the Native District of Rangitikei, near Wanganui. In my Despatch No. 116, of the 17th November, 1868,* (paragraph 17.) I reported that I visited him there, while on my way to the front at Wanganui, during the formidable outbreak, in that portion of the Colony, of the Maori rebels under Titokowaru; when I found that "within one mile of Mr. Fox's house, there is a large settlement of Hauhaus, who have frankly told him that they wish him no ill personally, but that they must kill him or drive him away, together with all the other English in the district, if they should receive orders to that effect from the Maori King." It will be seen that Mr. Fox sent his message from this dangerous neighbourhood when he had no time for reflection, and at a crisis when his colleagues in the Ministry, and others well acquainted with the Maoris, apprehended very serious consequences from the sudden "recall of the only British man-of-war remaining in New Zealand waters, at the moment when the unfortunate murder of Mr. Todd had again unsettled the Native mind, and the European districts were threatened with renewed invasion by a section of the King party."

4. Having said thus much in justice to Mr. Fox's peculiar position, I am

* Printed at page 283 of the Papers on New Zealand presented to the Imperial Parliament in July, 1869.

certain that I may with confidence add to his my assurance that he and the public men generally of New Zealand are sincerely desirous not to “disturb the friendly relations existing between the Imperial and Colonial Governments.” Further, I am certain that they remember with gratitude your assistance in the early settlement of this country, and are fully sensible of the sympathy and support which your Lordship has at all times afforded to New Zealand.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 12.

MEMORANDUM by Mr. Fox.

MR. FOX has read the Despatch of Her Majesty's Secretary of State for the Colonies, No. 59, 26th July, 1871, in which, referring to Mr. Fox's telegram to your Excellency of 12th April, 1871, Lord Kimberley expresses his regret at the tone and language “adopted by Mr. Fox,” and intimates that “it is by no means of a nature to strengthen the friendly relations between the Imperial and Colonial Governments, which it is the earnest desire of Her Majesty's Government to maintain.”

Mr. Fox's telegram was intended to impress upon your Excellency the gravity of the circumstances under which it was written, and with which it was his duty to make your Excellency acquainted. The naked brevity of telegraphic communication may have led to the use of expressions more terse and abrupt, and less explanatory, than he might have used if opportunity had existed for a written memorandum. Mr. Fox begs that your Excellency will convey to Lord Kimberley his regret that he should have used any expressions which His Lordship should think it his duty to criticise in the manner he has done; and Mr. Fox's assurance that nothing could be further from his intention than to disturb the friendly relations existing between the Imperial and Colonial Governments.

At the same time, Mr. Fox will venture to express his belief that Lord Kimberley can scarcely have appreciated the extremely difficult position in which the Colonial Government was placed by the sudden and unexplained recall of the only British man-of-war remaining in New Zealand waters, at the moment when the unfortunate murder of Mr. Todd had again unsettled the Native mind, and the European districts were threatened with renewed invasion by a section of the King party.

Wellington, 28th September, 1871.

WILLIAM FOX.

No. 13.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 92.)

Government House, Wellington,

MY LORD,—

New Zealand, 30th September, 1871.

The mail *via* San Francisco will leave Wellington to-morrow, and, in continuation of my Despatch No. 81, I have the honor to transmit by it further numbers of the New Zealand *Hansard*, showing the proceedings of the Colonial Parliament during the past month.

2. I forward also by this opportunity, under separate cover, several additional Parliamentary Papers, recently presented by the Colonial Ministers, and of which I annex a schedule.

3. I beg also to enclose a Memorandum by Mr. McLean, the Minister for Defence and Native Affairs, showing the great improvement which has recently taken place in our relations with Tawhiao, the so-called “Maori King,” and his adherents. Tawhiao held this month at his head-quarters a general meeting, to which the clans loyal to the British Crown were invited, and asked “to bring their English friends.” Accordingly, Major Mair and other officers of the Government attended, together with a large number of the loyal chiefs. They were received in a very friendly and hospitable manner; and Tawhiao himself, for the first time since 1860, welcomed them in person, and mingled freely with them. The most competent judges of Native character and feeling expect the best results from these demonstrations. Already, as will be seen from Mr. McLean's Memorandum, “the passage of the mail from the Thames to Tauranga, which has met with so much obstruction, is now likely to be permitted permanently; the chief opponent, Te Hira, having withdrawn his objections to its transit over his lands.”

4. Te Kooti is reported to have now not more than ten or twelve followers with him; and he has during the past month narrowly escaped capture by detach-

Enclosure 1, N.Z.
Hansard, Nos.
4 to 8.

Enclosure 2.
Schedule of
Parliamentary
Papers.

Enclosure 3.
Memo. by Mr.
McLean, C.M.G.,
29th Sept., 1871.

ments of the loyal clans of the Arawa and Ngatiporos, who have scoured, in search of him, the almost inaccessible mountains and forests of the East Coast.

5. The Maori chiefs who sit in the Colonial Parliament as representatives of their countrymen, take an active and intelligent part in the proceedings whenever they affect, directly or indirectly, the interests of the Native race. The substance of their speeches will be found in the New Zealand *Hansard*. A Government Interpreter is present to translate their remarks sentence by sentence; and they are always received with applause and listened to with attention whenever they rise to address the House.

6. It is probable that the present Session of the Colonial Parliament will last for about five or six weeks more. At its conclusion, I will forward a full report on the public business transacted and on the Acts passed.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 3 in No. 13.

MEMORANDUM by Mr. McLEAN, C.M.G.

IN Native affairs, considerable improvement has manifested itself.

Two large meetings have been held by the Hauhaus, to which Europeans and friendly Natives were invited; the one took place at Parihaka, on the West Coast; and the other at Te Kuiti, the Native King's place of residence.

At both of these the tone of the speeches indicated a marked change for the better; and although opposition was still shown to road and telegraph works being carried on in some parts of the country, yet the discussions on these subjects proved the existence of a wish to come to terms.

At the Kuiti meeting, an influential loyal chief, Wiremu Te Wheoro, offered his services as a mediator, and they were accepted by Rewi Manga, the leader of the Ngatimaniapoto Tribe.

The passage of the mail from the Thames to Tauranga, which has met with so much obstruction, is now likely to be permitted permanently; the chief opponent, Te Hira, having withdrawn his objections to its transit over his lands.

The powerful Northern tribe the Ngapuhi, who have lately lost their aged and celebrated chief Tamati Waka Nene, have sent a demand to the Waikatos for the surrender of the slayers of Mr. Todd, the surveyor murdered in Waikato in November, 1870.

The Ngatiporou under Major Ropata, and a detachment of Arawas under European officers, have scoured with success the mountainous country which has for so long afforded an asylum to Te Kooti and his followers.

The Native Members in the present House of Representatives evince a great desire to take part in the measures brought forward, and are quite alive to the interests of their race.

Considerable progress in cultivation and other industrial pursuits has been made in Native districts where very lately avocations of this character met with much neglect.

Wellington, 29th September, 1871.

DONALD McLEAN.

No. 14.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 94.)

Government House, Wellington,

MY LORD,—

New Zealand, 1st October, 1871.

I have the honor to transmit herewith copies of the Statement made by the Minister for Public Works in the House of Representatives on the 27th ultimo. *Vide Appendix to Journals of H. of R., D. No. 4.*

2. This official document and the papers appended to it explain the large scheme of Public Works and Immigration proposed by the present Ministry.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 15.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 95.)

Government House, Wellington,

MY LORD,—

New Zealand, 17th October, 1871.

In continuation of my Despatch No. 10, of the 31st January ultimo, and of other documents already transmitted on the same subject, I have now the honor to forward herewith, copies of the "Report of the Commissioners appointed to inquire into the preparation of the fibre of the *Phormium tenax*, or New Zealand Flax." *Vide Appendix to Journals of H. of R., G. No. 4.*

2. It will be seen that this Report, and the accompanying documents, contain a large mass of well-digested and interesting information respecting this valuable fibre-bearing plant, and its cultivation and manufacture.

3. The export of the *Phormium* fibre from New Zealand has rapidly increased during the last six years. From one of the Statistical Tables, at page 101 of the Enclosure, it will be perceived that in 1865 only 15 bales were exported, and that this number rose to 12,162 in 1869, and during last year to 32,820 bales, valued at £132,578. The number of flax-mills at work in New Zealand in 1870 was 161.

4. There is at present open in the Colonial Museum at Wellington a very interesting exhibition of numerous and well-arranged specimens of the *Phormium*. In my recent address* to the New Zealand Institute, I referred to this exhibition in the following terms :—“ The present collection will form a good basis for future reference; and it is to be hoped that it may prove the means of rendering permanent an industry, the importance of which to New Zealand can hardly be exaggerated, if only a satisfactory solution of the difficulties involved in the process of manufacture were discovered. The experience in this respect already acquired has been somewhat dearly purchased; but even a cursory inspection of the exhibition is sufficient to show that much progress has been made, and that a large amount of accurate information respecting this entire subject has been collected. All will admire the varied and beautiful specimens of the manner in which the Maoris have adapted this indigenous fibre to almost every purpose of domestic economy. Several of the articles of Native manufacture show at once thought in contrivance, taste in design, and skill in execution.” A catalogue of the articles exhibited will be found at pages 36–60 of the enclosed Report.

5. Considerable interest has already been expressed in England respecting the fibre of the *Phormium*, which is so useful in many manufactures; and I would request your Lordship to cause some copies of the Enclosure to be forwarded to the Board of Trade, for distribution in the manner best calculated to insure increased publicity.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 16.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 98.)

Government House, Wellington,

MY LORD,—

New Zealand, 22nd October, 1871.

I have the honor to report that your Lordship's Circular Despatch of the 13th March ultimo, respecting certain statistical inquiries concerning the state of crime and of prison discipline in the Colonies, was at once referred to the Colonial Ministers, who have caused letters to be addressed to the Judges and Provincial authorities throughout this Colony, requesting them to supply the information required. It appears that some further time must elapse before full replies can be received.

2. It will, of course, be recollected that the collection of Statistics generally of the kind now wanted, is a matter of much greater labour and difficulty in New Zealand than in the other Australasian Colonies; for here, the prisons are not, as elsewhere, under the control of the General Government, but of the several Provincial Governments; and the five Judges of the Supreme Court do not, as in the Australian Colonies, reside together at the capital; but are placed respectively at Auckland, Wellington, Nelson, Christchurch, and Dunedin; and meet only once a year at Wellington, for a short time, to form the Appeal Court.

3. Moreover, it will also be recollected that with my Despatch No. 74, of the 1st August, 1868, I transmitted copies of the “ Report of the Commission on the “ Prisons of New Zealand,” which had been appointed partly in consequence of a previous Circular Despatch from the Colonial Office. In the reply,† your Lord-

* See Governor of New Zealand to Secretary of State, No. 89, of 27th September, 1871.

† Earl Granville to Governor of New Zealand, No. 7, of 11th January, 1869.

ship's predecessor, Earl Granville, wrote as follows:—"This Report is the most painstaking, searching, and elaborate that has been received from any Colony. The Government of New Zealand seems to have been fortunate in being able to confide this inquiry to gentlemen of so much ability and diligence. You will be good enough to convey to them the high sense I entertain of the excellence of their Report."

4. I shall transmit the further information now requested, so soon as I shall receive it from the Colonial Government.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 17.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 99.)

Government House, Wellington,

MY LORD,—

New Zealand, 23rd October, 1871.

I have the honor to transmit and to recommend to favourable consideration, the enclosed letter from the present Speaker of the House of Representatives (Mr. Dillon Bell), forwarding a Resolution recently passed by the House of Representatives to the effect "That a respectful Address be presented to His Excellency the Governor, requesting that Her Most Gracious Majesty may be moved to confer on Sir David Monro, late Speaker of this House, some mark of Her Majesty's approbation on his retirement from the Chair."

Enclosure 1.
Speaker, H. of R.,
to Sir G. Bowen,
with 1 sub-
enclosure.

2. It will be seen, from the accompanying Ministerial Memorandum, that I am requested "to inform Her Majesty's Government that it would fulfil the intention of the House if a seat in the Legislative Council should be offered to Sir David Monro."

Enclosure 2.
Memo. by Mr.
Fox, 21st Oct.,
1871.

3. The resolution referred to above was proposed by Mr. Fox, the head of the Ministry, seconded by Mr. Stafford, the leader of the Opposition, and carried unanimously.

4. Sir David Monro was an early settler in New Zealand, and has for a lengthened period taken a prominent part in the public affairs of the Colony. As I have already mentioned in my Despatch No. 81, of the 2nd September ultimo, he filled with dignity and efficiency the office of Speaker of the House of Representatives for ten years and during two Parliaments, and lately expressed his wish to retire on account of temporary ill health. It should be added that Sir David Monro has taken an active part alike in the development of the natural resources of the country and in the promotion of science and literature. He was knighted by patent in 1866.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure 1 in No. 17.

SIR,—

House of Representatives, Wellington, 4th October, 1871.

I have the honor to forward herewith to your Excellency the copy of a respectful Address to your Excellency, passed by the House of Representatives yesterday.

Sir G. F. Bowen, G.C.M.G.

I have, &c.,
F. D. BELL, Speaker.

vide Journals of
H. of R., 1871,
page 149.

Enclosure 2 in No. 17.

MEMORANDUM by Mr. Fox.

REFERRING to a Resolution of the House of Representatives, that an Address should be presented to your Excellency, requesting that your Excellency would be pleased to move Her Majesty the Queen to confer some mark of favour on Sir David Monro, Kt., on his retirement from the Speakership of the House of Representatives,—

Ministers beg to advise your Excellency to comply with the request of the House of Representatives, and to inform Her Majesty's Government that it would fulfil the intention of the House if a seat in the Legislative Council should be offered to Sir David Monro.

Wellington, 21st October, 1871.

WILLIAM FOX.

No. 18.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 100.)

Government House, Wellington,

MY LORD,—

New Zealand, 24th October, 1871.

At the request of my Responsible Advisers, I have the honor to transmit
herewith a Ministerial Memorandum respecting the contract with the Peninsular
and Oriental Steam Navigation Company. I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Memo. by Mr.
Vogel, 16th Oct.,
1871.

Enclosure in No. 18.

MEMORANDUM by Mr. VOGEL.

MINISTERS respectfully request His Excellency to represent to Her Majesty's Secretary of State for
the Colonies, that if the Home Government should have received an intimation of the desire of the
Government of Victoria to have the required notice given on behalf of that Colony to terminate the
contract with the Peninsular and Oriental Steam Navigation Company for the mail service between
Point de Galle and Sydney, this Government desires that notice be given for terminating the contract
on behalf of New Zealand.

General Post Office, Wellington, 16th October, 1871.

J. VOGEL,
Postmaster-General.

No. 19.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 101.)

Government House, Wellington,

MY LORD,—

New Zealand, 25th October, 1871.

With reference to my Despatch No. 38, of the 25th April ultimo, and to
previous correspondence respecting the case *Regina v. Barton*, I am now requested
by my Responsible Advisers to transmit a further Ministerial Memorandum on
that subject. I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Memo. by Mr.
Fox, 24th Oct.,
1871, with 1 sub-
enclosure.

Enclosure in No. 19.

MEMORANDUM by Mr. FOX.

MINISTERS having been informed by Mr. G. Barton's solicitors that a certain printed paper headed
"Mr. Muston's Free Pardon," purporting to be written by Mr. Barton, and reflecting on the opinion
of the Attorney-General which was forwarded to His Excellency in a Ministerial Memorandum of the
8th April last, has been forwarded by Mr. Barton to the Right Hon. the Secretary of State for the
Colonies, have the honor to forward herewith a copy of a letter from Mr. Haggitt, Crown Solicitor of
Otago, who conducted the prosecution against Mr. Barton, replying to certain allegations made by
Mr. Barton in the printed paper above referred to.

Ministers respectfully request His Excellency to forward the copy of Mr. Haggitt's letter to the
Right Hon. the Secretary of State for the Colonies.

Wellington, 24th October, 1871.

WILLIAM FOX.

Sub-Enclosure to Enclosure in No. 19.

The CROWN SOLICITOR, Otago, to the ATTORNEY-GENERAL.

SIR,—

(Regina v. Barton.) Dunedin, 23rd September, 1871.

In reply to your telegram of the 13th instant, on the subject of a Memorandum published in
the *Otago Daily Times* newspaper, and headed "Mr. Muston's Free Pardon—Notes on the Statement
and Opinion of the Attorney-General," I have the honor to say that the statement therein contained,
"that a telegram from you to myself, containing instructions to object to any evidence which Mr.
Barton might tender in support of the truth of the statements contained in the articles published by
the *Daily Times*, was handed to Mr. Barton's counsel in open Court," is untrue.

It is a fact that, on the 26th January, on the occasion of Mr. Barton's counsel intimating his
intention to make an application for a remand for a month, in order to obtain the attendance of the
Hon. Mr. Gisborne and certain officers of the Telegraph Department from Wellington, it was inti-
mated by me in open Court, that if such an application were made, I should oppose it on the ground
that such evidence was inadmissible on a preliminary inquiry, and I stated that the case of *Regina v.*
Townsend would be relied on as an authority in support of that contention; but the question was never
raised, and the case of *Regina v. Townsend* was not quoted in Court, or even referred to subsequently.
The statement contained in the notes before referred to, to the effect that "when Mr. Barton's
counsel entered upon the examination of witnesses with a view to justify the publication of the libel,
the counsel for the prosecution strenuously objected to the admissibility of the evidence upon the
ground that the Magistrate had only to consider the question of authorship and publication," is also
without foundation in fact. I have, &c.,

B. C. HAGGITT,
Crown Solicitor.

The Hon. the Attorney-General, Wellington.

No. 20.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 102.)

Government House, Wellington,

MY LORD,—

New Zealand, 28th October, 1871.

I have little to add by the mail of this month (which will leave Wellington to-morrow) to the report contained in my Despatch No. 92, of the 30th September ultimo, respecting the proceedings of the Colonial Parliament, and the general progress of events in New Zealand.

2. I forward by this opportunity, under separate cover, further copies of the *Hansard*, and also several official Papers recently presented to the Parliament, and of which a schedule is annexed.

Enclosure 1.
N.Z. *Hansard*,
Nos. 9 to 16.

3. The present Session will probably end in about a fortnight from this date. At its close I will transmit copies of the Acts passed, together with the customary report on them.

Enclosure 2.
Schedule of
Parliamentary
Papers.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 21.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 104.)

Government House, Wellington,

MY LORD,—

New Zealand, 8th November, 1871.

In continuation of many previous Despatches forwarding Papers containing valuable information respecting New Zealand, I have now the honor to transmit herewith, under separate cover, three pamphlets recently published under the direction of Dr. Hector, F.R.S., the Director of the Colonial Museum. They are—

- (1.) Reports of Geological Explorations during 1870–71.
- (2.) Meteorological Report for 1870.
- (3.) Catalogue of the Birds of New Zealand.

2. I would request your Lordship to cause some copies of the enclosed Papers to be sent to the Scientific Societies of London. Probably it would be well to communicate also to the Board of Trade a copy of the Meteorological Report.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 22.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 105.)

Government House, Wellington,

MY LORD,—

New Zealand, 8th November, 1871.

Adverting to my Despatch No. 95, of the 17th October ultimo, and to the Report therewith forwarded, I am requested by my Responsible Advisers to transmit the enclosed Ministerial Memorandum, recommending that the term *Phormium* may be adopted instead of New Zealand Flax, in the Commercial Statistics of the United Kingdom.

Memo. by
Mr. Gisborne,
4th Nov., 1871.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure in No. 22.

MEMORANDUM by Mr. GISBORNE.

HIS Excellency's attention is respectfully drawn to the concluding paragraph of the "Report of the Commissioners appointed to inquire into the Preparation of the *Phormium* Fibre, or New Zealand Flax," in which the desirability of adopting the term *Phormium* in preference to New Zealand Flax is suggested. The Government entirely concur in this suggestion, and have accordingly given instructions to the Customs officers throughout the Colony to cause this designation to be used in all Customs

documents and Trade Returns. Ministers, with a view to securing the early general adoption of the term *Phormium* for New Zealand flax, would feel obliged to His Excellency if he would be good enough to bring this suggestion under the notice of the Home Government, accompanied by a recommendation that the necessary directions should be given by the Lords of the Treasury for causing New Zealand flax fibre to be similarly designated in the commercial statistics of the United Kingdom.

Wellington, 4th November, 1871.

W. GISBORNE.

No. 23.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 106.)

Government House, Wellington,

MY LORD,—

New Zealand, 9th November, 1871.

Adverting to my Despatch No. 61, of the 21st June, 1870, I have now the honor to report that Mr. Henry Sewell has resigned his seat in the Executive Council, and his office in the present Ministry, in consequence of a political difference with his late colleagues.

2. In accordance with the practice established here and in other Colonies, I have the honor to recommend that Mr. Sewell may receive Her Majesty's gracious permission to retain the title of "Honorable." He was one of the founders of the Canterbury Settlement, and has taken a prominent and active part in the public affairs of this Colony, having been a member of several successive Ministries during a period considerably exceeding three years.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 24.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 107.)

Government House, Wellington,

MY LORD,—

New Zealand, 18th November, 1871.

Adverting to my Despatch No. 99, of the 23rd October ultimo, and in pursuance of the Colonial Regulations, Chapter VII., Section 6, I have the honor to transmit herewith a letter addressed to your Lordship by Sir David Monro, but which reached my hands for the first time on the 7th instant, that is, several days after the departure of the last mail.

2. I cannot but regret that I was not placed in a position to forward this letter together with my Despatch No. 99.

3. I now transmit also a Ministerial Memorandum respecting Sir David Monro's letter.

4. The difference between Mr. Fox and Sir David Monro seems to be one of those personal misunderstandings which occasionally arise, here as elsewhere, between political opponents. It is, of course, alike my duty and my determination not to allow myself to be in any way mixed up with a controversy of this kind. I feel the highest respect for, and maintain the most cordial relations, officially and personally, with both the gentlemen concerned.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 1 in No. 24.

Sir DAVID MONRO, Kt., to the Right Hon. the SECRETARY of STATE for the COLONIES.

MY LORD,—

Nelson, New Zealand, 28th October, 1871.

I observe by the reports of the proceedings of the New Zealand Parliament, that the House of Representatives has agreed to an Address to the Governor of the Colony, praying His Excellency to move the Queen to bestow some mark of Her Royal approbation upon the late Speaker of the House, Sir David Monro.

And I further observe, that the Prime Minister of the Colony, the Hon. William Fox, in reply to a question, informed the House that it was not the intention of Ministers to advise the Governor to call Sir D. Monro to the Upper House at once, as some Members appear to have expected was to be done; but that, upon Her Majesty's pleasure in the matter being made known, Sir D. Monro would be further communicated with.

Enclosure 1.
Sir D. Monro to
Secretary of State,
28th Oct., 1871.

Enclosure 2.
Memo. by Mr.
Gisborne, 17th
Nov., 1871.

Your Lordship will, I presume, be addressed on the subject above referred to by the Governor of the Colony, who, I suppose, will express the views of his Responsible Advisers. But, as the conduct of these gentlemen towards myself has been unusual, and, as I consider, unbecoming, I respectfully request your Lordship's permission to trouble you with a brief account of the proceedings.

When the House of Representatives was dissolved last year, I had occupied the Chair as Speaker for upwards of ten years. I was originally elected Speaker on the 3rd of June, 1861. At the commencement of the next Parliament, on the 30th of June, 1866, I was elected a second time without opposition; and in the same year I had the honour to receive from Her Most Gracious Majesty the distinction of knighthood.

About a fortnight before the termination of the last Session of the Parliament, which expired in 1870, I informed the House from the Chair that in consequence of ill-health, and from other causes, it was not my intention to offer myself again as Speaker. Your Lordship of course knows the usual proceedings taken when a Speaker retires. These proceedings may vary in different Legislative Bodies.

Some of them, as the English House of Commons, may think it right that a retiring Speaker should be pensioned. Others may think not. But it will be admitted that ordinary courtesy and good feeling require that a retiring Speaker, if he has done his duty, should at least receive the thanks of the House over which he has presided.

I am not aware that, with one exception, it has been imputed to me that I did not do my duty as Speaker. As I have already informed your Lordship, I was unanimously elected a second time, and was knighted in consideration of my services; and I frequently had the satisfaction of hearing from leading Members of the House that its character and tone had been successfully maintained by my conduct in the Chair. I refer your Lordship with confidence to the successive Governors of the Colony and its leading public men, for an estimate of the manner in which I discharged the duties of the highly responsible office which I had the honor to hold.

When a Speaker has announced his intended resignation, it is usual, I believe, for the leader of the House to come to the front, and invite the House to take the steps which are dictated alike by custom and courtesy.

But the leader of the House, the Hon. William Fox, made no such movement; and the result was that, after ten years' service as Speaker, I was allowed to leave without a single word of thanks, or any acknowledgment whatever of my services.

Mr. Fox has, with exceedingly bad taste, imputed to me that I had been influenced as Speaker by party considerations. I assure your Lordship that any such imputation is entirely untrue and undeserved; and I do not believe that a single individual in the House of Representatives, besides Mr. Fox himself, is capable of making such an imputation.

Conscious that I had done my duty to the House, and believing that fact to be generally recognized by the Members, I could only regard the omission of the usual compliment given upon such occasions as an unjustifiable and totally undeserved slight.

The present House, sensible of the discredit brought upon its proceedings, has sought to repair the omission of last Session by a vote of thanks recently agreed to.

The proceeding is an anomalous one, inasmuch as the present House has no knowledge of me as Speaker, and, in point of fact, nothing to thank me for. Still, I cannot but feel much indebted to it for the kind feeling which prompted the action, and much honored by its adoption, even though the Prime Minister, in moving it, did so in terms which were studiously ungracious.

The House has followed up its vote of thanks by an Address for some mark of Her Majesty's favour; and it is in reference to this point, in particular, that I now venture to trespass upon your Lordship's time and attention.

When I occupied the Chair of the House, I frequently found it necessary to assert what I believed to be its proper position and privileges in the government of the country.

Though no longer a Member of the House, I still find myself compelled to assume the same position. As one who filled for many years the highest office in the elective branch of the Legislature, I conceive that I have a right to expect a certain amount of official consideration.

If Ministers, when I resigned, had done what was usual and becoming, they would have moved a vote of thanks to me before the House broke up, and they would have offered me a seat in the Legislative Council at once. Some Legislatures might do even more than this for a retiring Speaker; but I submit that that is the least that should be done, and that much a retiring Speaker has a right to expect.

The resolution of the present Ministry to refer the matter to the Queen is nothing but a movement to exclude me from the Legislature for the present Session, if not longer.

I must decline in any manner whatever to give my countenance to the doctrine that the treatment of a retiring Speaker is to depend upon the pleasure of the party leader of the day. I can imagine few things more calculated to impair the dignity and the efficiency of the office.

I ask your Lordship to excuse me if I am mistaken. I assume that your Lordship will be addressed by the Governor, and moved to request Her Majesty to summon me to the Legislative Council of the Colony. Highly as I should esteem that honor under other circumstances, I cannot, consistently with the respect due, in my opinion, to the office which I once had the honor to hold, accept it as proposed; and I have accordingly respectfully to request that your Lordship will abstain from advising Her Majesty to take that action, and thus spare me the pain of giving a refusal.

It is with much reluctance that I have troubled your Lordship on this unpleasant subject; but I trust that your Lordship will admit that a due sense of official respect required that I should not acquiesce in the treatment which I have received at the hands of the Executive Government of the Colony.

I will only further add, that while it has been my pleasure and good fortune to enjoy the confidence and friendship of nearly all the public men of the Colony, it has been my misfortune to incur the personal hostility of the Prime Minister. I ascribe it to this personal hostility (engendered I know not how, unless a difference of views on public questions be held a good ground for such a feeling);

that I have been treated by that gentleman, upon more occasions than one, in a manner entirely inconsistent with good taste; and that the records of the House bear upon their face an omission which, whether regarded as a departure from customary practice or ordinary gentlemanly feeling, must be considered a blot upon the proceedings of the Parliament of the Colony.

I enclose for your Lordship's information an extract from a local paper, giving a summary of the proceedings of the Legislature relating to the subject of this letter.

Without losing the present mail, which proceeds by way of Auckland instead of Wellington, I find it impossible to comply with the rule which requires all communications on public matters to be forwarded through the Government. But by the first opportunity I shall send a copy of this letter to the Colonial Secretary at Wellington.

I have, &c.,

D. MONRO,

Late Speaker of the House of
Representatives.

The Right Hon. the Earl of Kimberley,
Secretary for the Colonies.

Enclosure 2 in No. 24.

MEMORANDUM by Mr. GISBORNE.

MINISTERS have had under their consideration copy of a letter addressed by Sir David Monro to Her Majesty's Principal Secretary of State for the Colonies. The object of the writer appears to be, to complain of the conduct of the Hon. Mr. Fox, the Premier. It is desirable that some particulars relating to the subject-matter of the complaint, which are not given in the letter, should be laid before the Secretary of State.

Though Sir David Monro was, no doubt, an excellent Speaker of the House of Representatives, it is not to be supposed that in a small Legislature like that of New Zealand, any Member who may fill the office of Speaker or of Chairman of Committees will not be more or less identified with some political party. Sir David Monro, whilst discharging to the satisfaction of the House the duties of Speaker, was well understood to be opposed to the present Government, and one of the prominent questions raised by the Opposition during the late Session had reference to Sir David Monro.

Towards the close of the Session of 1870, being the last Session of the then existing Parliament, Sir David Monro announced from the Chair that he did not contemplate offering himself as a candidate for the Speakership in the next Assembly; but he did not state that it was not his intention to seek again to enter the House of Representatives. The only two of the Ministers who were in the House at the time at once expressed their regret at the announcement, and each of them complimented Sir David Monro upon the manner in which he had discharged his duties.

Subsequently, the Government entertained the idea of asking the Assembly either to vote a pension or to provide some testimonial for Sir David Monro, together with an address; but on consulting their supporters, Ministers found that there was no prospect of a resolution for a pension or for a testimonial being carried in a way likely to be gratifying to the recipient. Undoubtedly, it was an omission that a resolution for a farewell address to Sir David Monro, as Speaker, was not moved; but the omission was wholly accidental, and it will be easily understood how, in the hurry consequent upon the close of the Session, and when it had been ascertained that the idea of a pension or a testimonial could not be realized, the proposal of a motion for an address was overlooked.

Shortly after the close of the Session of 1870, it was announced that Sir David Monro would again come forward as a candidate for a seat in the House of Representatives. There was nothing to warrant Ministers in supposing that, even if Sir David Monro were not again proposed for the Speakership, he would altogether retire from public life. Indeed, there were not wanting reasons for the belief that, in the event of a change of Ministry, Sir David might probably become a member of the new Cabinet.

Sir David Monro became a candidate for the District of Motueka, and was declared to have been elected; but, on petition, during the Session just terminated, he was unseated, and Mr. C. Parker, who contested the election, was declared to be entitled to the seat. A copy of the proceedings of the Committee is annexed.

Proceedings of
Motueka Election
Committee. *Vide*
Journals H. of R.,
1871, H. No. 14.

It will be understood that Ministers do not usually recommend His Excellency to summon to the Legislative Council gentlemen who are their active opponents; and there was no possibility of doubting that Sir David Monro was very much opposed to the policy of the Government.

After the Election Committee had reported, and Mr. Parker had taken his seat for Motueka, the friends of Sir David Monro were very anxious to obtain for him a seat in the Legislative Council. Ministers expressed their regret at the omission to move an address of thanks before the close of the previous Session, and their willingness to have such an address moved.

Sir David Monro, in his letter, mentions that such an address was proposed during the recent Session, but he does not state that its proposer was Mr. Fox. That gentleman also moved the Address to Her Majesty, praying that she would be pleased to show some mark of favour to Sir David Monro. This was intended to mean that, instead of being called to the Legislative Council on the recommendation of the Ministry, Sir David should be summoned there at the request of the House of Representatives. But, as Sir David Monro states in his letter that the motion was understood by some Honorable Members to mean that His Excellency would at once call Sir David to the Council, it must be observed by Ministers that members of the Government repeatedly stated to Sir David Monro's friends, that though the Ministry moved the Address to Her Majesty, they would not on any account recommend that he should be placed in the Council during the then Session. Regarded as a matter of honor to Sir David Monro, there was no necessity for his being at once called to the Council, and, as a matter of fact, it would have been an objectionable precedent to summon during the same Session to the Legislative Council a gentleman who had been unseated for the House of Representatives.

Sir David Monro, on his retirement from the Speakership, desired to become again a Member of that House, and the circumstance of his being unseated on petition cannot be reasonably held to have rendered it incumbent on the Government at once to place him in the Legislative Council.

As Sir David Monro seems, from his letter, unwilling to accept a seat in the Council under the immediate nomination of Her Majesty, there will be no objection on the part of Ministers to recommend to His Excellency that Sir David should be nominated to a seat in the usual manner, though Ministers regret that Sir David Monro should not be sensible that the course proposed by them would confer upon him greater honor.

The only precedent in the matter, arising in New Zealand, which Ministers had before them, was the case of Sir Charles Clifford, who was twice elected Speaker of the House of Representatives. On his retirement Sir Charles received merely an address; but as he proposed to leave the Colony, the question as to a seat in the Legislative Council did not occur in his case.

Ministers concur in the opinion of Sir David Monro as to the estimation in which he is held in New Zealand. But they regret that he should have allowed personal or party feelings to betray him into troubling the Secretary of State for the Colonies with particulars of no Imperial interest. The questions involved are either party or personal; with neither is it likely that the Secretary of State would desire to interfere.

Sir David Monro's letter was probably written under feelings of irritation, and Ministers would suggest that, having regard to the high position which he has held in the Colony, it would be a considerate course for the Secretary of State to allow him to withdraw his letter.

Sir David Monro, writing from Nelson, states that he has forwarded to the Secretary of State an extract from a local paper giving a summary of the proceedings of the Legislature relating to the subject of his letter. Sir David does not, however, name the paper from which the extract was obtained, nor has he forwarded to His Excellency the extract with the copy of his letter; Ministers are therefore unable to state how far that extract may fairly be considered to convey an impartial summary of the proceedings of the House of Representatives on this subject.

Wellington, 17th November, 1871.

W. GISBORNE,
Colonial Secretary.

No. 25.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 108.)

Government House, Wellington,

MY LORD,—

New Zealand, 19th November, 1871.

Adverting to my Despatch No. 101, of the 25th October ultimo, and to the previous correspondence connected with the case *Regina v. Barton*, I am now requested to forward copies of the "Report of the Select Committee on the Working and Management of the Electric Telegraph Department," and to solicit your Lordship's attention to this Parliamentary Paper.

*Vide Appendix
to Journals of
H. of R., H. No.
8.*

2. The Committee was appointed by the House of Representatives, at an early period of the recent Session, in consequence of the charges that had been made in certain quarters against the management of the Electric Telegraph in New Zealand. It will be seen that after a long and searching inquiry, and after the examination of numerous witnesses, "the Committee have arrived at the following conclusions, founded upon the evidence taken:—

"(1.) That the Telegraph Department has been fairly and honestly conducted, and has been eminently worthy of public confidence.

"(2.) That the accusations have been founded entirely on misconceptions and inferences drawn from supposed occurrences which are proved not to have taken place.

"(3.) That the principal accuser of the Government and the Telegraph Department (Mr. Barton) should have continued to use the Press in reiterating the charges, even after evidence was in his possession which should have disabused his mind, shows, in the opinion of the Committee, that his mind was warped by previous antagonism to the Commissioner of Telegraphs, and that the whole of his accusations and beliefs—although by the peculiar circumstances of the case they may have been justified in the first instance—were not justifiable after the evidence which explained away his misapprehensions was in his possession. The Committee desire to record their opinion that the evidence of one witness (Mr. Hart) is an example of the most reckless and wicked conduct; and that unfounded reports such as those spread by that witness have caused great uneasiness in the public mind as to the integrity of the Telegraph Department, and entailed unnecessary expense on the public.

"The Committee, notwithstanding the expense incurred in conducting the inquiry, believe that good has resulted from it, through its having established the integrity of the Telegraph Department."

3. I am further requested to inform your Lordship that the above quoted Report was adopted by the House of Representatives *nemine contradicente*; and that Mr. Stafford, the former Prime Minister, and now leader of the Opposition, who had been Chairman of the Committee, made a motion to the effect "That this House has received with great satisfaction the Report of the Telegraph Committee," which was carried by acclamation.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 26.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 109.)

Government House, Wellington,

MY LORD,—

New Zealand, 20th November, 1871.

Enclosure 1.
Vide Journals
H. of R., 1871,
p. 399.

Enclosure 2.
Schedule of
Parliamentary
Papers.

Enclosure 3.
N.Z. *Hansard*,
Nos. 17 to 23.

I have the honor to transmit herewith copies of the Speech with which, by the advice of my Ministers, I closed, on the 16th instant, the Session for 1871 of the New Zealand Parliament.

2. Enclosed are some further Parliamentary Papers recently published, and of which I annex a schedule; and additional numbers of the New Zealand *Hansard*.

3. Copies of the Acts passed will be forwarded so soon as the Attorney-General shall have prepared the customary report on them.

4. A large amount of public business has been transacted during the recent Session. I should mention that towards its close a serious difference arose between the Legislative Council and the House of Representatives. Finally, however, an amicable arrangement was effected, on the understanding that certain legal and constitutional questions involved in the dispute should be referred for the opinion of the Law Officers of the Crown in England. Accordingly, a case is now in preparation, in the terms of Article 405 of the Colonial Regulations, and it will be transmitted by me in due course.

5. The Prorogation Speech contains (as usual) the opinions held by the Ministry and by the majority of the Legislature concerning the present condition of the public affairs of this Colony. I would solicit attention also to the paragraph recording the intelligence, discretion, and ability shown by the Maori chiefs elected by their countrymen to sit in the House of Representatives.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 27.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 111.)

Government House, Wellington,

MY LORD,—

New Zealand, 24th November, 1871.

It is with deep grief, in which this entire community sincerely shares, that I announce to your Lordship the death of the able and devoted Bishop Patteson, the head of the Melanesian Mission, under the lamentable circumstances stated in the enclosed Papers.

Enclosures 1 to 4.
1. Extract, N.Z.
Herald, 1st Nov.,
1871.

2. *Southern*
Cross, 1st Nov.,
1871.

3. Leading
article, N.Z.
Herald, 1st Nov.,
1871.

4. Leading
article, *Southern*
Cross, 1st Nov.,
1871.

2. The Melanesian Mission Schooner "Southern Cross" arrived at Auckland on the 31st October ultimo, and reported that Bishop Patteson was killed, on the 20th September ultimo, by the natives of Nukapu, a small islet near Santa Cruz, and one of the Swallow Group, between the Solomon Islands and the New Hebrides.

3. I have no official information respecting the details of this sad event; but the narrative furnished to the newspapers by the master of the Mission Schooner, and forwarded herewith (Enclosure 1), is fully confirmed by private letters from the surviving Missionaries.

4. It will be remembered that the Melanesian Mission was originally founded by Bishop Selwyn (now Bishop of Lichfield and Coventry), by whom its direction

was transferred, about ten years ago, to Bishop Patteson. Its head-quarters were for many years at Auckland, and were lately removed to Norfolk Island, with the object of placing them nearer the field of missionary exertion. But Bishop Patteson's long residence in this Colony had made his noble character to be well known and to be thoroughly appreciated here by all religious communions, all political parties, and all social classes. Some idea of the feelings of love and reverence with which he was universally regarded, may be formed from the editorial comments on his death, recently published in two of the leading journals of this Colony.

5. There is no direct official information in New Zealand respecting the traffic in labour between the South Sea Islands and certain ports in Queensland and in the Fijis. Her Majesty's Government doubtless receive reports on this subject from the Governors of New South Wales and Queensland, from the Commodore commanding on this station, and from the British Consul at Levuka (Fijis). I annex a Memorandum by Bishop Patteson, which has been published among the proceedings of the General Synod of the Anglican Church in New Zealand, held in last February at Dunedin, and which now, as it has been truly said, "sounds like a voice from his grave." It will be remembered that with my Despatch No. 87, of 1870, I transmitted a letter to a similar effect addressed to myself.

Enclosure 5.
Vide Appendix
to Journals of
H. of R., 1871,
Gr. No. 35.

6. I am informed that the Melanesian Mission and the Training School at Norfolk Island will remain, at least for the present, under the charge of the senior surviving clergyman, the Reverend R. H. Codrington, Fellow of Wadham College, Oxford, who has been for several years past Bishop Patteson's chief associate in his work. The Governor of New South Wales, under whose jurisdiction Norfolk Island is placed, will probably report fully on this part of the question.

Enclosure 6.
Memo. by Mr.
Fox, 23rd Nov.,
1871.

7. Meanwhile I am requested to forward, and to recommend to favourable consideration, the enclosed Ministerial Memorandum, and also the enclosed Addresses to the Queen from both Houses of the New Zealand Parliament, praying that measures may be taken by Her Majesty's Government for the effectual suppression of the deportation of Natives of the South Sea Islands.

Enclosures 7 & 8.
Address to Her
Majesty the
Queen, from L.C.
and H. of R.
Vide Journals of
L.C. p. 185, and
of H. of R., p.
327.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 6 in No. 27.

MEMORANDUM by Mr. Fox.

YOUR Excellency has received Addresses to Her Majesty from the two Houses of the Legislature, expressing the feelings of sorrow with which they had received the news of the death of Bishop Patteson and his companions.

Ministers think it unnecessary to enlarge upon the subject, because they are aware that the "deportation of labour in the South Seas," which no doubt led to the melancholy event, has already engaged the attention of the Imperial Parliament and Her Majesty's Government.

They beg, however, to enclose extracts from the proceedings in reference to the subject in the House of Representatives and Legislative Council.

Wellington, 23rd November, 1871.

WILLIAM FOX.

No. 28.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 112.)

Government House, Wellington,

MY LORD,—

New Zealand, 24th November, 1871.

At the request of my Responsible Advisers, I have the honor to transmit herewith a Ministerial Memorandum, and also a copy of a Resolution adopted by the Legislative Council of New Zealand, respecting the Navigator Islands.

Enclosure.
Memo. by Mr.
Fox, 23rd Nov.,
1871, with 2 sub-
enclosures.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 1 in No. 28.

MEMORANDUM by Mr. Fox.

Sub-Enclosure 1. MINISTERS have the honor to forward to His Excellency copy of a Resolution adopted by the Legislative Council with respect to the Navigator Islands. Ministers also forward an extract relating to the same subject from a Report by the Honourable Mr. Vogel, on his return from England.

Sub-Enclosure 2. His Excellency is urgently advised to draw the attention of Her Majesty's Government to the great importance of deciding without delay what is to be done as to the Islands of the Navigator Group.

Vide Journals of L.C., 1871, p. 176.
Vide Appendix to Journals of H. of R., 1871, A. No. 6, p. 5.

It is intended by the Contractors for the Californian Mail Service to make one of the islands a coaling station for their boats, and it is probable that in course of time, besides the steamer to New Zealand, steamers will be run from such station to Queensland, to the southern ports of Australia, to Tahiti, to Fiji, and New Caledonia. One of the islands possesses a most excellent harbour, approachable at any hour of the day or night. It may be assumed that that island will be chosen for the coaling station; but the position of the group as a whole, relatively to the western shores of North America, to Australia and New Zealand, and to the islands of the Pacific generally, makes the islands admirable calling places for mail services, as well as for dépôt purposes in connection with the islands trade. In short, they are probably destined to become places of great importance.

It is therefore very desirable that assistance should be rendered to the rulers of the group to enable them to maintain law and order, and to do justice to the European interests which are likely to grow up there.

Ministers submit that it is desirable the islands should be, in some form, under the protection or guidance of Great Britain or a British colony, following the precedent of the protectorates maintained by the Cape Colony.

The recent movement in the Fiji Group—the result of which has been the constitution of a form of nominally independent government, so weak in itself that the first Foreign Power which chooses to interfere will assuredly be eagerly welcomed—is calculated to create very great anxiety as to the possibility of further complications. At the present moment, the Government have before them a request from the British Consul at the Fiji that the Postal authorities in New Zealand will disregard the postal arrangements which have been made by the Government of the islands, under apparently perfectly regular circumstances. Her Majesty's Ministers cannot surely desire that the Colony should act as an arbiter between the representative of Great Britain and a quasi-foreign Government.

If a similar movement should take place in the Navigator group with a similar result, Ministers believe that New Zealand interests would be very much prejudiced. In the event of war, a Foreign Power might, under pretence of a protectorate, take possession of the group, and, with a small fleet at command, might inflict great injury upon the Australasian Colonies. In any case, a Government nominally independent, but so intrinsically weak as such a Government as that of Fiji must be for a long period, can have little power for useful purposes, whilst it is liable to be converted to purposes the reverse of favourable to the large interests which Great Britain has in the South Pacific.

Ministers desire very earnestly to add, that if Great Britain really intends to stop the frightful system of slavery which, under the pretence of voluntary labour, is now being carried on and extended amongst the islands of the Pacific, some hold must be obtained upon a group such as the Navigators; and a feeling must be created that the inhabitants of any of the scattered islands can depend that Great Britain will not only refuse to countenance the iniquities which are now driving the islanders to desperation, but will afford protection against slavery in any form and shape.

New Zealand is so much interested in the Californian Service, one of the most important stations of which will before long be at the Navigators, that Ministers may confidently request His Excellency to assure Her Majesty's Government that anything within reason which it may be desired the Colony should do, to aid Great Britain in establishing for the group some form of protectorate, will receive from the Assembly the utmost consideration.

Ministers propose to despatch to the Navigator Islands a person qualified to report upon them. Meanwhile, they would suggest that His Excellency should seek from Her Majesty's Government authority to appoint a Consular representative, with large magisterial powers, and with instructions, to inquire, and report to His Excellency, for the information of Her Majesty's Government, what steps, if any, it would be desirable to take, with the concurrence of the native rulers, for the purpose of extending British protection to the islands of the group.

Wellington, 24th November, 1871.

WILLIAM FOX.

No. 29.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 113.)

Government House, Wellington,

MY LORD,—

New Zealand, 24th November, 1871.

With reference to your Lordship's Circular Despatch of the 20th July ultimo, asking for certain information respecting the laws in force in New Zealand to regulate the sale of intoxicating liquors, I have now the honor to transmit a Ministerial Memorandum, covering a statement by the Attorney-General.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 29.

MEMORANDUM by Mr. Fox.

WITH reference to the Circular Despatch, dated 20th July last, from the Right Honorable the Secretary of State for the Colonies, Ministers transmit, for His Excellency's information, the enclosed copy of a Memorandum by the Attorney-General on the subject of the law in force in New Zealand in regard to the Sale of Intoxicating Liquors.

Wellington, 24th November, 1871.

WILLIAM FOX.

Sub-Enclosure to Enclosure in No. 29.

MEMORANDUM on the Law in force in New Zealand with respect to the Sale of Intoxicating Liquors.

THE original law in force in New Zealand is contained in an Ordinance passed in 1842, which, with its several amendments, is still on the Statute Book of the Colony; but inasmuch as all the Provinces have passed Ordinances regulating the sale of intoxicating liquors, the law above referred to is virtually inoperative.

Certain Acts of the General Legislature are in existence, which are limited in their operation either as to time or place, or which have been enacted for the purpose of meeting special cases, in which it has been thought fit to exercise a restraining power over the trade in liquor. Of these may be mentioned an Ordinance passed in 1847, restricting the sale of spirits or intoxicating liquors to Natives, power being reserved to the Governor to modify or suspend the operation of the Ordinance in certain cases. Another Act, too, which is limited in its operation, is "The Public Houses Act, 1868," which provides that where the Colonial forces may be employed in the suppression of rebellion, the Governor may proclaim districts within which spirituous or fermented liquors may not be sold without the permission of a person appointed by the Governor to grant the same; while the Distillation Act of 1868 regulates the manufacture of spirituous and fermented liquors within the Colony, and makes provision for the granting of licenses to brewers, distillers, and wine and spirit merchants.

1842, Sess. II.,
No. 12.1844, Sess. III.,
No. 2.1851, Sess. XI.,
No. 16.

1866, Act No. 71.

But as it would appear from Earl Kimberley's Despatch that information is sought as to the sale of intoxicating liquors by retail, as a question of social economy, some extracts from the existing Provincial legislation on the subject are shown in the Table annexed.

For the reason above mentioned, this Table does not refer to the provisions of the Provincial Ordinances for the granting of "wholesale licenses," or the kinds of licenses variously termed "bush licenses" or "conditional licenses," which take effect in remote and thinly-peopled parts of the Colony, or are granted under other exceptional circumstances.

The Ordinances of Auckland, Otago, and Canterbury have alone been referred to, but it may be observed that those of the other Provinces are very similar in their main provisions.

Wellington, 23rd November, 1871.

J. PRENDERGAST.

TABLE showing the chief Provisions of the Ordinances in force in the Provinces of Auckland, Canterbury, and Otago, regulating the Sale of Spirituous and Fermented Liquors.

AUCKLAND.

General provisions of Provincial Ordinance regulating Sale of Spirituous and Fermented Liquors, Retail.

"The Licensing Act, 1871" (Session XXVI., No. 9), provides for the holding of annual licensing meetings on the third Tuesday in April in each year. These meetings are presided over by Justices of the Peace, who are authorized to grant certificates for the issue of licenses and to transfer licenses.

Any householder within the district may attend the meetings of the Justices and object to the grant of any license applied for.

By the 23rd section it is provided that no license shall be granted in respect of any house or premises within the City of Auckland, or any Town or Highway District, in which two-thirds of the adult population, male and female, shall by memorial signed by them, addressed to the Justices, request that no license be granted in respect of any individual house. The Justices are required to verify the statement of the memorial, and are empowered to deal with the request.

Provisions as to Sale of Liquors on Week-days and Sundays respectively.

1. *Week-days*.—No person holding a license is to sell or supply any alcoholic liquor or suffer the same to be drunk in his house between the hours of ten at night and six next morning, or on Sundays, except to or by *bonâ fide* travellers and persons resident thereat and sleeping therein.

Provision is made authorizing Justices of the Peace to grant permission to keep house open till eleven on Saturday nights and twelve on ordinary nights.

2. *Sundays*.—See above clause.

Remarks on the Operation of the existing Law.

It is submitted that the information required under this head can only be completely answered by the Provincial authorities.

General provisions of the Provincial Ordinances more or less identical.

Scale of fees charged for the various kinds of licenses. Disqualification of brewers, &c., and Justices of the Peace, who may be interested, to sit at licensing meetings. Prohibition of taking pledges in payment for liquor. Against gambling. Music and dancing without special license or permission. Right of inspection and entry to police authorities. Forfeiture of license in certain cases.

Penalties.—For sly grog-selling or breach of provisions of Ordinance. On conviction for drunkenness, &c.

Chief provisions of the Law previously in force on the subject.

The previous law was contained in "The Licensing Act, 1863," amended at different times. This Ordinance provided for similar annual meetings for granting licenses.

The hours within which liquor was to be sold, were from five in the morning to ten at night. At no time on Sunday nor at any time on Christmas Day, Good Friday, or any day appointed for a public fast except between the hours of one and seven in afternoons of these days. A similar power of extending the ordinary hours of sale was given as in existing Ordinance.

OTAGO.

General provisions of Provincial Ordinance regulating Sale of Spirituous and Fermented Liquors, Retail.

"The Licensing Ordinance, 1865" (Session XXI., No. 207), is the Ordinance at present in force in Otago. It has been amended by other Ordinances, but not in any important particulars.

The Superintendent of the Province is empowered to define licensing districts. Quarterly licensing meetings are held in each district, presided over by the Justices of the Peace, who decide on the applications made to them for the granting or transfer of licenses.

Power is given to any Justice of the Peace, Municipal Officer, or Chief Officer of Police, and to the owner or occupier of property in the neighbourhood for which such license is applied for, to object to the granting of a license to the applicant.

The Justices are empowered to decide on the sufficiency of the grounds of objection.

Provisions as to Sale of Liquors on Week-days and Sundays respectively.

The hours within which liquor may be supplied or sold are—

1. *Week-days.*—Between the hours of six in the morning and ten at night of every working day, with an exception where a "General Night License," enabling the holder to keep his house open till twelve at night, or where an extension of time has been granted by special permission, as provided, and except on Sundays.

2. *Sundays.*—No liquor is to be sold or supplied on Sundays, except to *bonâ fide* travellers or lodgers having a bed provided for them in the house.

Chief provisions of the Law previously in force on the subject.

"The Licensing Ordinance, 1864," was the Ordinance previously in force in Otago. With respect to the sale of liquor on week-days and Sundays, it was similar in its provisions.

CANTERBURY.

General provisions of Provincial Ordinance regulating Sale of Spirituous and Fermented Liquors, Retail.

"The Public House Ordinance, 1866," as amended by some subsequent Ordinances, now regulates the sale of intoxicating liquors in this Province.

Provision is made for the holding of an annual licensing meeting, and also of quarterly licensing meetings, which are presided over by the Justices of the Peace. The majority of the Justices decide on applications made to them for the issue or transfer of licenses.

Provisions as to Sale of Liquors on Week-days and Sundays respectively.

1. *Week-days.*—It is prohibited to sell or supply liquor, or suffer it to be drank in the house licensed, on any Sunday, Christmas Day, or Good Friday, or any other day between the hours of eleven at night and six in the morning. An exception is made in the case of *bonâ fide* lodgers having a bed provided for them in the house, and in the case of *bonâ fide* travellers having no residence within three miles of the house.

Two Justices may on application extend the time for keeping the house open beyond eleven at night on the occasion of any public dinner or other festivity.

2. *Sundays.*—See above extract.

Chief provisions of the Law previously in force on the subject.

"The Public House Ordinance, 1863," was very similar in its provisions to the law now in force in the Province of Canterbury. The hours for the sale of liquors on Sundays and week-days were the same as in the present Ordinance.

No. 30.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 114.)

Government House, Wellington,

MY LORD,—

New Zealand, 25th November, 1871.

Adverting to your Lordship's Despatch No. 69, of the 12th September ultimo, on the subject of the selection of a station in New Zealand for the observation of the transit of Venus in 1874, I have now the honor to transmit a Ministerial Memorandum, with other Papers.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 30.

MEMORANDUM by Mr. Fox.

ADVERTING to the Despatch No. 69, of 12th September, 1871, from the Right Honorable the Secretary of State for the Colonies, on the subject of the selection of a station in New Zealand for the observation of the transit of Venus in 1874, and to the remark in its enclosure by the Astronomer Royal that he would prefer Canterbury to Auckland as a station, but would accept Auckland if political reasons should be held sufficient for the change," Ministers are of opinion that no political reasons should be allowed to interfere with the determination of this question, which is one of a purely scientific character.

A Memorandum from Dr. Hector, F.R.S., on the subject of this Despatch, is forwarded, together with the printed enclosures noted in the margin.

Ministers have to express their desire to aid to the utmost extent in their power, the Imperial authorities in the necessary arrangements for the establishment of an Observatory in New Zealand for the purpose indicated.

Wellington, 24th November, 1871.

WILLIAM FOX.

Report on Longitude, Wellington.
Correspondence relative to the establishment of an Observatory.
Observations for Longitude, Wellington.
Difference of Longitude, Wellington and Dunedin.
Meteorological Report, 1870, and 2 previous years.

No. 31.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right. Hon. the Earl of KIMBERLEY.

(No. 116.)

Government House, Wellington,

MY LORD,—

New Zealand, 27th November, 1871.

Adverting to my Despatch No. 111, of the 24th instant, I have the honor to transmit herewith a memorial to your Lordship, adopted at a public meeting held at Auckland on the 16th instant.

2. This memorial states that in the opinion of that meeting "The death of " the Right Reverend Bishop Patteson and of the Reverend J. Atkin at the " hands of Natives, while engaged in the work of the Melanesian Mission, is " attributable to the so-called labour trade carried on by British subjects and " others in the Islands of the South Pacific," and prays "That the Imperial " Government be respectfully urged to take measures, in concert with the Aus- " tralian and New Zealand Governments, to place that trade under more effective " control."

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

(Enclosure sent home in original.)

No. 32.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 117.)

Government House, Wellington,

MY LORD,—

New Zealand, 9th December, 1871.

At the request of my Responsible Advisers, I have the honor to transmit herewith a Ministerial Minute by Mr. Fox, covering a Memorandum by Mr. Vogel, the Colonial Treasurer, on the subjects treated of in your Lordship's Circular Despatch of the 13th July, 1871.

Memo. by Mr. Fox, 8th Dec., 1871, with sub-enclosure.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure in No. 32.

MEMORANDUM by Mr. Fox.

MINISTERS present to His Excellency, for transmission to the Secretary of State, the attached Memorandum by the Colonial Treasurer on the Despatch from the Right Honorable the Secretary of State on the subject of Intercolonial Reciprocity.

The Memorandum represents the views of Ministers.

Wellington, 8th December, 1871.

WILLIAM FOX.

MEMORANDUM on a Circular Despatch from the Right Hon. the Secretary of State for the Colonies on Intercolonial Reciprocity.

THE Colonial Treasurer has carefully studied the Circular Despatch dated the 13th July, 1871, from the Right Hon. the Secretary of State for the Colonies to Governor Sir George Ferguson Bowen, on the subject of Intercolonial Reciprocity. He recognizes the consideration which has induced His Lordship to set forth at length the views of Her Majesty's Government on the subject; but he is

unable to discover in those views reasons for withdrawing the recommendation already given, that the Colonies should be at liberty to make reciprocal tariff arrangements. The Despatch was brought under the notice of the Assembly, and the special attention of the House of Representatives was called to it; but no Member expressed a wish that the subject should be reconsidered.

The Secretary of State does not, in his Despatch, mention that the position of New Zealand differs from that of the neighbouring Colonies. He treats of them collectively: but there is reason to believe, from previous communications, that his Lordship is aware that there is no law which prohibits the New Zealand Assembly imposing differential duties. Although such a prohibition is contained in the Constitution Acts of the Australian Colonies, it does not find place in the New Zealand Constitution Act, the provisions in that Act being confined to a prohibition against passing any law infringing treaty arrangements between Great Britain and Foreign Powers. Probably Lord Kimberley did not think it necessary to refer to the distinction; because, evidently, as long as New Zealand alone possesses the power to impose differential duties, she cannot enter into reciprocal arrangements with her neighbours. Still it is important to remember she has the power, both because she might find it convenient to use it outside the Australian group, as the British American Colonies have used a similar power, and also because it may fairly be claimed that the power possessed by New Zealand ought without delay to be granted to the Australian Colonies, including Tasmania.

There are some incidental passages in Lord Kimberley's Despatch, which, if grouped, might lead his Lordship to reconsider the views he has expressed.

1. There are allusions to the absence of any urgent need of dealing with the matter.
2. Throughout the Despatch it is contended that the proposal of reciprocity is made in the interests of protection.
3. The desire is indicated to encourage a Customs Union.
4. The admission is made, that an Act similar to the measure the Colony desires to pass, was one of the first Acts of the Legislature of the newly-constituted Dominion of Canada in its opening Session; "that it was passed in the expectation that at no distant date the other Possessions of Her Majesty in North America would become part of the "Dominion;" and that "the assent of Her Majesty's Government to a measure passed in "circumstances so peculiar and exceptional, cannot form a precedent of universal and "necessary application."

These four references, taken in connection, are unusually suggestive. The Act passed by the Legislature of the Dominion, to which Lord Kimberley refers, was, in respect to the clauses permitting reciprocity, similar to the Act of 1866, passed before the Dominion was constituted; and that again was copied from a former Act. In these Acts, clearly the provision was made from a genuine desire to permit suitable reciprocal arrangements; but Lord Kimberley states that in 1868 the provision was made in the expectation that other provinces would join the Dominion, and that the assent of Her Majesty's Government was given in consequence. It may be assumed that Lord Kimberley uses the word "expectation" in the sense of desire. It was not necessary to make provision for remission of duties in the case of those Provinces which became part of the Dominion, for the fact of becoming part would have caused the duties to cease. It must be concluded that Lord Kimberley wishes it to be understood that the provisions in the Act passed since the constitution of the Dominion were made with the view of encouraging other Provinces to join, or of preventing obstacles being thrown in the way of their joining, and not upon the grounds which previously, for a long period, led to similar legislation in the different North American Provinces. The words "circumstances so peculiar and exceptional," do not apply to the legislation, for that was of a traditional character, but to the desire of the Dominion and of Her Majesty's Government to encourage and promote a further union of the British American Possessions. This desire constituted what Lord Kimberley terms "the circumstances so peculiar and "exceptional." But for that desire, where was the urgency? and if there was urgency in the British North American case, why is there not urgency in the case of Australasia, in the presence of a similar desire to encourage a Customs Union or a Confederation? The actual results in Australasia lead inferentially to the belief that the Dominion authorities and Her Majesty's Advisers were correct in considering the matter urgent in the interest of Confederation, although the proof is only of a negative character. The mere power to make reciprocal arrangements might not in itself be sufficient to induce Confederation; but Australasian experience leads to the belief that it would tend to prevent the growth of obstacles to Confederation. In the absence of the power desired by the Australasian Colonies, retaliatory tariffs of a protective character have grown up; and the way to Confederation, or to a Customs Union, has in consequence become more difficult than it was when the power to make reciprocal arrangements was first asked for, or than it would be now if the power had been granted. The inference is that those who in the case of British America deemed the matter urgent, were right; and that the Secretary of State, desiring a Customs Union or Confederation of the Australasian Colonies, can only deny that the matter is urgent on the assumption that it is too late to deal with it, because of the disposition which has been shown to impose hostile intercolonial tariffs. Several of the protective duties now in force in the Colonies owe their origin to feelings of self-defence or retaliation. The most ardent free-traders have admitted that the tariffs of some Colonies have forced protective duties on others, so that the absence of reciprocity has actually fostered protection. Therefore, in respect to the four propositions, it can be said, that in the interest of a Customs Union or of Confederation there was urgency, because the power to enter into reciprocal arrangements would, in all probability, have prevented the fresh obstacles to union which have grown up; and that, in the interest of free trade, reciprocity was desirable, because its absence has encouraged protection. No doubt, it may be argued that special reciprocal arrangements are in their nature opposed to free trade; but the test of the theory would be the practice; and if that practice were principally confined (to quote his Lordship's justification of the Acts of Newfoundland and Prince Edward Island) to "a limited list "of raw materials and produce not imported to those Colonies from Europe," it might readily be understood that, in respect to other articles, the absence of retaliatory tariffs would tend in the direction of free trade. It is not desired, however, to contend that with powers of reciprocity there would necessarily be free trade in Australasia, any more than, with similar powers, free trade has been

the rule in Canada. It is merely contended that in some of the Australasian Colonies the desire for free trade has been stamped out by prohibitory tariffs, which have owed their growth, partly or wholly, to the absence of that power of reciprocal arrangement so unaccountably withheld from Australia, whilst its urgency was admitted in the case of Canada. The question naturally arises why Lord Kimberley should only compare the proposed legislation with that of the period subsequent to the formation of the Dominion. If he would compare it with the precisely similar legislation of the British North American Provinces prior to the Dominion, he might admit not only that when the Dominion was formed the legislation was required to encourage other Colonies to join, but that the legislation and the friendly intercourse which grew up under it had something to do with the establishment of the Dominion, and that, therefore, it was conducive to a desirable result.

The Colonial Treasurer proceeds to comment on the various questions which Lord Kimberley states the proposal before him raises:—1st. “Whether a precedent exists in the case of the British North American Colonies for the relaxation of the rule or law now in force?” His Lordship admits the precedent, but qualifies the admission, first, as already mentioned, by contending that the Act of the Dominion was passed under peculiar and exceptional circumstances; and second, in the case of the Prince Edward Island and Newfoundland Acts, by contending that “as dealing with a limited list of raw materials and produce not imported to those Colonies from Europe, they are hardly, if at all, applicable to the present case.”

It has already been shown that the “peculiar and exceptional circumstances” can only mean the circumstances calculated to induce the Colonies affected to join the Dominion, or the prevention of obstacles which would preclude their joining; and those circumstances are precisely of the nature which Her Majesty’s Government, in the desire to encourage an Australasian Customs Union or Confederation, should not deem exceptional. In respect to the Prince Edward Island and Newfoundland Acts, it may with propriety be assumed that the Australasian Colonies will exercise the powers they ask for with the same judgment, moderation, and discretion which the two North American Colonies have shown. Those Colonies possess the power sought by the Australasian Colonies—they exercise it without their Acts being reserved for Her Majesty’s pleasure; but in the case of the Australasian Colonies the power is withheld, and when they ask for it, and cite the precedent, it is not to them a satisfactory answer to be told, in effect, that the precedent need not be dwelt upon, because the Colonies enjoying the privilege have used it sparingly. No doubt, Lord Kimberley did not wish directly to urge this plea; but throughout his Lordship’s Despatch, and indeed at the base of all his objections, is the supposition that the Australasian Colonies, if they possessed the power of entering into reciprocal arrangements, would use it in a manner injurious to the interests of Great Britain. But it is singular that Lord Kimberley should give two instances only of British American legislation of the kind, and that he should assign to that legislation the character of “dealing with a limited list of raw materials and produce not imported to these Colonies from Europe.” There are other Acts of the British American Provinces of a similar nature, but which leave to the Governor in Council to determine the articles to be admitted. Indeed, it is difficult to understand on what grounds Lord Kimberley considers the two clauses which he quotes from the Newfoundland Act to have the character he assigns to them. The clause quoted from the Prince Edward Island Act professes to deal with “raw materials and produce,” but includes several manufactures. The clauses from the Newfoundland Act do not even profess to exclude manufactures from the list; and the first of those clauses, instead of not dealing with goods imported from Europe, proceeds to the length of exempting from duties the articles mentioned, being “the growth, produce, or manufacture of the United Kingdom.”

In respect to the second question, “Whether Her Majesty’s treaty obligations with any Foreign Power interfere with such relaxation?” *i.e.*, the rule or law against differential duties, the Colonial Treasurer observes that Lord Kimberley admits the correctness of the view taken by New Zealand. It is a matter which should create much satisfaction, on broad and enlightened national grounds, that the right of Her Majesty’s Colonies to make between themselves arrangements of a federal or reciprocal nature, without conflicting with treaty agreements, has been recognized. It would have been demoralizing to the young communities of Australasia, had they been taught to believe that reciprocal tariff arrangements between the Colonies were inconsistent with Her Majesty’s treaties with Foreign Powers, but that they could override the spirit of such treaties by the subterfuge or evasion of a Customs Union. If, for instance, it be a wrong to any Foreign Power that New Zealand should admit free of duty any produce of New South Wales, while for like produce from any other Colony or country a duty would be demanded, the wrong would be just as great if, by Imperial legislation, such free admission were legalized through a Customs Union. It should clearly be impossible to vary a treaty by the legislation of only one party to it; and seeing that New South Wales and New Zealand were originally one Colony, with one tariff, and may by Imperial legislation become so again, it is evident that if such a result can be brought about without the infringement of Imperial treaties, any terms of more modified arrangement, such, for example, as the free admission of only some goods, would not be open to objection on the score of bad faith with Foreign Powers.

Lord Kimberley admits that the quoted paragraph of the Zollverein Treaty has no application to the case of arrangements between different Colonies. Its object seems to be to prevent the Colonies making such reciprocal arrangements with the United Kingdom of Great Britain and Ireland as from time to time may be found desirable. A provision of this nature is at least open to the objection that it is constantly liable to be infringed. In the Act of the Canadian Dominion already referred to, and which, from what Lord Kimberley writes, appears to have been under the special consideration of Her Majesty’s Government, there are provisions which beyond question conflict with the quoted paragraph in the Zollverein Treaty. The list of free goods in the Schedule to the Act comprises two items which are to be free if of British produce or manufacture. The clause quoted by Lord Kimberley from the Newfoundland Act, which makes free of duty the articles mentioned, “the growth, produce, or manufacture of the United Kingdom,” also conflicts with the provisions of the Zollverein Treaty. Again, the argument which the Colonial Treasurer has used as between the Colonies, applies as between the Colonies and the Imperial country. Why should a foreign treaty contain a provision tending to preclude the union of different parts of the Empire? If Great Britain were to confederate her Empire,

it might and probably would be a condition, that throughout the Empire there should be a free exchange of goods. The arguments in favour of a Customs Union between Colonies have as much force in their application to a wider union embracing the whole Empire. Either the Zollverein Treaty would prevent this, or the necessary legislation would make the quoted clause inoperative. The effect, if not the intent, of the stipulation in the Zollverein Treaty is to make Great Britain hold the relation of a foreign country to her Colonies.

It is appropriate here to urge on the Secretary of State, since he has the subject under his notice, not to confine his consideration to the mere question of intercolonial arrangement. His Lordship entirely refrains, in his allusion to the British American Acts, from noticing that they contain not only a discretionary power to admit Colonial articles free, but also to admit, under similar conditions, articles from the United States. Great as is the distance between the British American and Australasian Colonies, the vast limits of the United States bring that country into ready communication with Australia as well as with British America. It may be for the interest of the Australasian Colonies, just as much as it has been for that of the British American Colonies, that arrangements should be made to admit free, articles from the United States or from some other country. It is desirable that the Secretary of State should define the position of the Australasian Colonies in this respect. Are they to be denied the power which for a long period the British American Colonies have uncontrolledly exercised? That power gives them the right to make reciprocal arrangements with their American neighbour; for only on the ground of the arrangements being reciprocal would they fail to be infractions of the "most favoured nation" clauses of British Treaties with Foreign Powers. The Australasian Colonies would value similar powers.

The third and fourth questions raised by Lord Kimberley are sufficiently analogous to make it convenient that they should be considered together. They are:—"Whether a general power should be given to the Australasian Governments to make reciprocal tariff arrangements, imposing differential duties, without the consent of the Imperial Government in each particular case?" and "Whether, on grounds of general Imperial policy, the proposal can properly be adopted?"

The Colonial Treasurer submits that these questions really raise the issue, whether, in the original Constitutions granted to them, the Colony should have been allowed so much discretion as to fixing their own tariffs; and, if this be the issue, the Treasurer admits that much may be said against the discretion which has been granted.

The exporters of Great Britain are, no doubt, largely affected by the nature of the Colonial tariffs; but it can make no difference to them whether New South Wales and New Zealand exchange their produce free under a special reciprocal arrangement, or by virtue of an Act constituting them into Provinces with a federal union. The actual duties affect the exporters, and not the question whether those duties are the result of federal constitution or reciprocal arrangement. In failing to assert the right to control Colonial tariffs, Great Britain does not take advantage of her power to consolidate an immense trade, from which she and her Dependencies might equally benefit. But it must be observed that, if the right were asserted, it would logically follow that the Colonies should enjoy some share, either by representation or consultation, in deciding the policy by which they would be affected.

Lord Kimberley writes:—"Her Majesty's Government are alone responsible for the due observance of treaty arrangements between foreign countries and the whole Empire; and it would scarcely be possible for the Colonial Governments to foresee the extent to which the trade of other parts of the Empire might be affected by special tariff arrangements between particular Colonies." The remark as to the trade of other parts of the Empire might be applied with as much cogency to the actual tariffs fixed by the Colonies as to the special arrangements entered into between them. Lord Kimberley, recognizing the difficulty which Great Britain would have in dealing with the matter, points to the want of local knowledge which Her Majesty's Government would labour under. The same want of information would equally affect the ability to decide the Colonial tariffs, unless, in either case, there was available the assistance of Colonial representatives. In short, Great Britain must logically do one of two things—either leave the Colonies unfettered discretion; or—if she is to regulate tariffs or reciprocal tariff arrangements, or to make treaties affecting the Colonies—give to the Colonies representation in matters affecting the Empire. In other words, she must apply in some shape to the Empire that federation which as between the Colonies themselves Her Majesty's Ministers constantly recommend. To urge the right of Great Britain to regulate these matters under present circumstances, is to urge that the interests of the Colonies should be dealt with in the absence of the requisite knowledge of their wants and requirements.

In one passage in his Despatch, Lord Kimberley infers that reciprocity in reality means protection; and, again, he writes—"Her Majesty's Government are bound to say that the measure proposed by the Colonial Government seems to them inconsistent with those principles of free trade which they believe to be alone permanently conducive to commercial prosperity, nor, as far as they are aware, has any attempt been made to show that any great practical benefit is expected to be derived from reciprocal tariff arrangements between the Australasian Colonies." There could not be more striking evidence of the disadvantage under which the Colonies in their present circumstances would labour, if the treatment of their fiscal interests were left to Her Majesty's Government, than is supplied by these observations of the Secretary of State. "The measure proposed" may be used to do no more than that which, as already observed, his Lordship in the case of Newfoundland and Prince Edward Island seems to consider unobjectionable. It may be used to make similar arrangements to those which were introduced in the treaty with France, devised by the late Mr. Cobden, the apostle of free trade. It is true that it has been said that that treaty was not a free-trade treaty, but it undeniably was made in the interests of free trade. Again, "the measure proposed" may be used to bring about that Customs Union to which Lord Kimberley is not averse; and, as already shown, it may be used to stop those retaliatory tariffs which impede free trade and stimulate protection. In fine, it may be used to encourage the exchange of the productions of the temperate and tropical portions of the Australasian Colonies, without even remotely affecting the interests of British exporters.

If, in commenting upon Lord Kimberley's Despatch, the Colonial Treasurer has appeared to

travel beyond the immediate questions referred to in it, he has scrupulously abstained from doing so to an extent greater than he has considered necessary for the purpose of representing to Lord Kimberley that, although the New Zealand Government still adhere to the desire they have expressed, they do so for reasons which are not calculated to create unfriendly feelings between the Imperial country and the Colonies. Such Lord Kimberley deems to be the tendency of the present question, although his Lordship very considerably does the Government the justice to believe that it is their desire to preserve the friendly feeling now existing on each side: and it is with a view to prove that such is the desire, that the Colonial Treasurer, whilst expressing the adherence of the Government to their former opinions, has endeavoured to show that those opinions have not the unfriendly tendency suggested, but that, on the contrary, their full and free discussion may lead to a determination to make yet more intimate, and more subservient to mutual welfare, the ties which bind together the Imperial country and the Colonies.

Wellington, 8th December, 1871.

JULIUS VOGEL.

No. 33.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 119.)

Government House, Wellington,

MY LORD,—

New Zealand, 12th December, 1871.

I have the honor to report that I proceeded by sea to Wanganui on the 27th November ultimo, and returned thence to Wellington overland on the 5th instant.

2. The immediate cause of this expedition was the invitation of the Provincial and Municipal authorities, and also of the Maori chiefs of the district, that I should open the iron bridge which has now been completed over the river Wanganui. This is an important public work, being only about one hundred and twenty (120) feet shorter than London Bridge. It was designed by the eminent Civil Engineer, Mr. George Robert Stephenson, and the materials were chiefly constructed in England, but they were put together and erected on the spot by a Colonial contractor.

3. It will be recollected that Wanganui is one of the earliest European settlements in New Zealand, dating from 1842. Situated near the mouth of the principal river, and in the centre of the most fertile districts in the western portion of the Province of Wellington, it would have made rapid progress had it not been for the almost constant Maori wars and disturbances which have frequently threatened its very existence. However, the town, situated on the right bank of the navigable river Wanganui, and about four miles from the sea, already contains nearly four thousand European inhabitants; and, now that permanent tranquillity appears to have been established, it has every prospect of a successful future. On the left bank, nearly opposite the town, is Putiki, the principal *kainga* of the great Maori clan of the Wanganuis, of which the gallant Te Kepa (Major Kemp) is the leading chief.

4. The local newspapers forwarded by this mail, contain full accounts of the ceremonies at the formal opening of the bridge, and of the week's rejoicings which took place in honor of the occasion. I enclose herewith copies of the addresses presented to me by the Town Council on behalf of the inhabitants generally; by the Bridge Committee; and by the Maoris; and of my replies.

Enclosures 1 to 6.
Addresses.

5. It will be seen that the first of these addresses drew attention to the marked and most gratifying contrast between the state of Wanganui in November, 1871, and in November, 1868, at the time of my first visit, of which a full report will be found in my Despatch No. 116, of the 17th November, 1868.* In my reply,† I spoke as follows:—"This, gentlemen, is my third visit to Wanganui. I have not forgotten that, in the address presented to me on the occasion of my first visit, in November, 1868, you expressed your regret that 'I should have arrived among you at a time when a Native insurrection was raging within a few miles of this town, and when your hearts were saddened by the loss of no inconsiderable number of your fellow-settlers, who had gallantly shed their blood in the defence of the Throne and of their adopted country.' Permit me now to congratulate you on the very striking improvement which has taken place in the condition and prospects of your town and district during the brief

* Published at pages 283-295 of the New Zealand Papers presented to the Imperial Parliament on 8th July, 1869.

† See Enclosure 2.

“ period of the last three years. In November, 1868, a formidable rebellion had
 “ broken out in your immediate neighbourhood, and the rebels, after devastating
 “ the whole country to the west, had advanced to within ten miles of your
 “ suburbs.

“ Under these circumstances, and at the urgent request of the local magis-
 “ trates and other principal inhabitants, I took the responsibility of transferring
 “ hither the detachment of Her Majesty’s troops which had been stationed at the
 “ seat of government at Wellington. I also came among you myself, having
 “ been assured that my presence at that perilous crisis would prove of public
 “ advantage, especially in stimulating the zeal of your Maori allies, who, indeed,
 “ headed by the gallant Te Kepa (Major Kemp), once more took up arms at my
 “ call.

“ My second visit to Wanganui was in September, 1869, when I rode over-
 “ land from this town to Patea. All pressing danger had then passed away, but
 “ there still existed a general feeling of insecurity. Now, on my third visit, I
 “ find that the wisdom and firmness of the Legislature, ably seconded by the
 “ gallantry of our local forces, both European and Native, and by the public spirit
 “ of the population at large, have established what I trust will prove permanent
 “ tranquillity and confidence. The settlements laid waste by the rebels have been
 “ re-occupied and extended, and a public coach is now running from Wanganui
 “ to Taranaki, through the country which a few years ago could not be safely
 “ traversed even by a very large force of Imperial and Colonial troops. The facts
 “ to which I have referred are well known to all who now hear me; but it seems
 “ expedient to place them on record for the benefit of those at a distance who are
 “ deeply interested in the welfare of New Zealand.”

6. The Address of the Natives* was read on the bridge by Te Kepa, surrounded by the chiefs and clansmen of his tribe. He wore his uniform as a Major in the Colonial Militia, and the sword of honor presented to him by the Queen. I trust that your Lordship will approve the terms of my reply.†. During my stay at Wanganui on this, as on former occasions, I paid a special visit to the Maoris at their own *kainga* of Putiki, and was again received with the customary war dance and chants of welcome. In the *korero* which followed, and which was attended by several chiefs recently in arms against the Crown, all the speeches were of the most loyal and peaceful character; and I was assured that I might always rely on the active support, alike in peace and in war, of the Maori clans which have already fought so long and so bravely for the Queen.

7. The Maoris asked permission to row Lady Bowen and myself, together with my family and suite, in their war-canoes, up the beautiful Wanganui River. Except in the immediate neighbourhood of the town, no Europeans have as yet settled on its banks, but they are studded with picturesque Native villages, at each of which the Governor and his party were greeted with shouts and songs of welcome. At night we encamped under tents at one or other of these *kaingas*, our Maori hosts gathering for us the flowering shrubs of their country, which form a soft, elastic, and fragrant couch. The scenery of the upper part of the Wanganui River resembles in many of its features that of the Rhine between Cologne and Mannheim. The old towns and castles are of course wanting here, but the vegetation of Germany is far surpassed by the magnificent and almost tropical luxuriance of the New Zealand forests. Nothing can be more striking and suggestive than the sight of a fleet of Maori war-canoes, such as that which conveyed and escorted us. The prow and stern of each canoe ends in a highly curving peak, carved in fantastic shapes, gay with streaming pennons of divers colours, and profusely decorated with the feathers of the kiwi (*Apteryx*) and albatross. Each canoe is rowed by from twenty to fifty kilted warriors, while in the midst stands a chief, with the spear (*taieha*) and green-stone sceptre (*mere punamu*) of his rank, guiding and encouraging his clansmen by voice and gesture, and marking the time for the rhythmical stroke of the paddles and for the wild chants with which it is accompanied.‡

8. Although all is now calm and peaceful on the Wanganui River, it will be recollected that much sharp fighting took place on its banks in both the first and

* See Enclosure 5.

† See Enclosure 6.

‡ A sketch of a Maori war-canoe is given in the frontispiece to Sir George Grey’s *Polynesian Mythology*.

second Maori wars, and especially in the years 1864 and 1865. In the early part of the former year, a large party of Hauhaus from the interior attempted to descend the river, with the object of sacking and burning the town; but they were met and utterly defeated by the loyal Maoris in the fiercely contested battle of Moutoa (14th May, 1864). A handsome monument has been erected in the market-place of Wanganui, by the Provincial Government of Wellington, to the memory of the Natives who fell at Moutoa.*

9. On my return last week overland from Wanganui to Wellington, I found everything tranquil and prosperous, where, on my previous journey through the same districts in November, 1868, all was confusion and terror. The colonists are everywhere improving their homesteads and steadily extending their farms; while the Maoris, who were recently on the point of coming to blows among themselves respecting the ownership of some land at Horowhenua, near Otaki, have listened to the advice and exhortations of myself and of Mr. McLean, and agreed to submit their pretensions to arbitration.

10. During the week which I have just passed at Wanganui, the town was crowded by several thousand happy holiday-makers from the neighbouring districts, and balls, concerts, and other public amusements took place daily. On the other hand, during 1868, I wrote† that the rebels had “murdered or driven off” all the farmers to within a short distance of our fortified posts. The men, having “lost in a few days the fruits of the industry of many years, are, for the most part, under arms in the redoubts, while their families have taken refuge in Wanganui. It is a piteous sight which the streets of this town now present almost hourly, with destitute women and children flocking in for food and shelter; moreover, two nights ago a false alarm was raised by a mounted patrol that had heard the yells of a party of marauders, that Titokowaru was attacking the town in force. The Militia and Volunteers stood generally to their arms, and assembled at their respective posts, while the women and children ran for refuge to the fortified barracks and block-houses.” As has been already observed, the contrast between the present state of this part of the Colony and its condition three years ago is equally striking and gratifying. But I can assure your Lordship that the necessary precautions against possible outbreaks in the future have not been neglected. Fortified outposts at Waihi and elsewhere are still held permanently by strong detachments of the Colonial forces, while every district has its own redoubt and block-house, and its several corps of Militia and Volunteers, well armed and organized, of whom I passed in review a large body at Wanganui on the day of the opening of the bridge. Again, as was stated above, Te Kepa and the other loyal Maori chiefs assured me that they will always be ready, in case of need, to take up arms once more for the Queen and for the cause of law and order.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 34.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 121.)

Government House, Wellington,

MY LORD,—

New Zealand, 19th December, 1871.

In continuation of my Despatch No. 109, of the 20th November ultimo, and in the terms of the Circular Despatch of the 9th June ultimo, I have now the honor to transmit nineteen copies of each of the Acts passed during the Session for 1871 of the New Zealand Parliament, together with the customary synopsis or report from the Attorney-General.

Enclosure 1.
Copies of Acts.
Enclosure 2.
Report from the
Attorney-
General.

2. Copies of the Papers laid before the Legislature have been forwarded by every monthly mail. The annual volume of Papers, or “Appendix to the Journals” for 1871, will be forwarded so soon as it is issued by the Government Printer.

* A full account of the fighting near Wanganui in 1864 and 1865 will be found in Mr. Fox’s “War in New Zealand,” chapters 9 and 14, and in the Parliamentary and other official Papers of those years.

† See Governor’s Despatch No. 116, of 17th November, 1868.

Enclosure 3.
N.Z. *Hansard*,
Nos. 24-26.

3. I forward also by this opportunity further copies of the New Zealand *Hansard*, to the end of the recent Session, in continuation of the numbers already transmitted.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 34.

SYNOPSIS OF THE ACTS PASSED BY THE GENERAL ASSEMBLY OF NEW ZEALAND IN 1871.

- No. 1. *The Imprest Supply Act* authorizes the issue and application out of the Consolidated Fund of £150,000 to the service of the year ending 30th June, 1872. This sum is to be charged in the manner expressed in the Appropriation Act of the present Session.
- No. 2. *The Treasury Bills Act*. Towards making good the supply granted to Her Majesty, the Colonial Treasurer is authorized by this Act to make out Treasury Bills to the amount of £90,000, such Bills to be made out and issued under the authority of "The Treasury Bills Act, 1868." The currency of the said Bills as to £45,000 is not to extend beyond the 30th June, 1873, and as to the residue, not to extend beyond the 30th June, 1874.
- No. 3. *The Customs Tariff Act*. This Act imposes new duties on certain articles mentioned, and increases the duties on other articles chargeable under "The Customs Tariff Act, 1866;" and provision is made for giving effect to the alteration in the law affected by this Act.
- No. 4. *The Stamp Duties Act Amendment Act*. The existing Stamp Duties Acts are amended in several particulars, and new and increased duties are imposed. The Act contains general provisions applicable to the matters contained therein.
- No. 5. *The Gold Duties Act 1870 Amendment Act*. This Act amends an Act passed last Session of the General Assembly ("The Gold Duties Act, 1870"). Doubts having arisen as to the intended operation of the Act referred to, this Act was passed to declare that "The Gold Duties Act, 1858," should be deemed to have remained in operation until 1st January, 1871. The Act also contains an indemnity to officers of Customs for permitting the exportation of gold which had been prohibited by the Governor by Proclamation under "The Customs Regulation Act, 1858."
- No. 6. *The Dunedin and Port Chalmers Railway Act*. This Act has been passed to remove doubts as to the validity of an Ordinance passed by the Provincial Legislature of Otago for the purpose of authorizing the construction of a certain railway, and the taking of lands therein specified, and among others, certain lands below high watermark. Subject to the provisions of this Act, "The Dunedin and Port Chalmers Railway Lands Compulsory Taking Ordinance, 1870," is to be deemed to have the force of law, as if the same had been passed by the General Assembly. All acts done and proceedings taken and completed before the passing of this Act, and all estates, interests, &c., acquired are validated. Lands below high watermark are not to be taken by the promoters, and the Ordinance referred to is *pro tanto* declared invalid. Other provisions are inserted for giving effect to the Act, and regulating the proceedings of the promoters.
- No. 7. *The Municipal Corporations Act Amendment Act* amends the existing Acts as to Municipal Corporations. Power is given to Municipal Corporations to take lands for permanent works (defined by the Act) and prescribes the mode of procedure thereon. Special rates, as water-rates, are authorized to be levied for the supply of water to cities or boroughs, and provides for the conduct of municipal elections by ballot, repealing the provisions of former Acts as to the mode of election.
- No. 8. *The Highway Boards Empowering Act* confers on Highway Boards constituted under Provincial laws, certain powers which cannot be conferred by Provincial legislation, and defines the rights, duties, and powers of the Boards to which the provisions of the Act may be extended.
- No. 9. *The Native Districts Road Boards Act*. In this Act, provision is made for the constitution of Road Boards in Native Districts; wherever the major part of the residents in any district are of the Native race, they may memorialize the Governor to declare such district to be a district in which this Act shall come into operation. The Governor is empowered to make regulations for the constitution and regulation of such Boards, and the exercise of their functions. The application of the revenues to be received by these Boards, and other matters, are also provided for.
- No. 10. *The Provincial Acts Validation Act Continuance Act* continues in operation for a period of six months an Act of the General Assembly called "The Provincial Acts Validation Act Continuance Act, 1869," with the exception of an Act referred to. The fourth section of another Act called "The Provincial Acts Validation Act Continuance Act, 1870," is also continued in operation for a period of six months.
- No. 11. *The Appeals from Provincial Rating Act* provides a system of appealing against rates imposed under the authority of Provincial Legislatures. The Act applies to rates other than rates for the repair and construction of roads under Provincial Ordinances. A right of appeal for certain causes is given to Resident Magistrates' Courts or Courts of Petty Session, and for other causes, not provided for by the preceding provisions, to the District Court or Supreme Court. The proceedings on such appeals are regulated by the Act.
- No. 12. *The Land Transfer Act Amendment Act*. Passed to amend the provisions of an Act of the General Assembly of the Session of 1870, and to extend the operation of that Act.
- No. 13. *The Auckland Mineral Leases Act* empowers the Superintendent of the Province of Auckland to grant leases of land for the purpose of mining for and working the minerals therein on certain terms and conditions. The Act is not to apply to gold, or to authorize lessees to mine or dig for gold.
- No. 14. *The Nelson Crown Lands Leasing Acts Amendment Act* amends "The Crown Lands (Nelson) Leasing Act, 1867." Lessees are to be entitled to get Crown grants of their land in certain cases, and holders of leases already issued may exchange the same for leases under this Act.

- No. 15. *The Otago Settlements Act*. The Superintendent of the Province of Otago, with the advice of his Executive Council, is enabled, by this Act, to proclaim settlements of 100,000 acres of land within the boundaries of Catlin's River and Waikawa, and of a like quantity in Stewart's Island, in the Province of Otago, as eligible sites for settlements for colonization. The lands in these settlements are to be held and disposed of under the provisions of "The Otago Settlements Act, 1869."
- No. 16. *The Payments to Provinces Act*. This Act repeals an Act of similar title passed in the Session of the Assembly held in 1870, and makes other provision in lieu thereof. The duration of this Act is limited to 1st July, 1872.
- No. 17. *The Bay of Islands Settlement Act* repeals an Act of the General Assembly passed in 1858 ("The Bay of Islands Settlement Act, 1858"), making provision for the establishment of a settlement at the Bay of Islands, in the Province of Auckland. By the present Act, all the lands within the settlement on 12th September, 1870, and then remaining subject to the provisions of the above-mentioned Act, are to be deemed from the above date to be waste lands of the Crown in the Province of Auckland, and to dealt with as such. Existing contracts are to be fulfilled, and the rights of persons named are preserved. Express power is given to the Superintendent to grant a lease of a coal mine known as the "Kawa Kawa Coal Mine" to "The Bay of Islands Coal Company (Limited)."
- No. 18. *The Wellington Waste Lands Regulation Amendment Act*. A Provincial Act of the Province of Wellington ("The Highways Act, 1871"), having authorized the Superintendent to pay rates to be made under the Act in respect of waste lands of the Crown within Highway Districts, it is conceived that purchasers of such Crown lands will derive benefits from the expenditure of the sums so paid, and the Superintendent is authorized to increase the price to be paid by purchasers of these lands. In the cases mentioned, other provisions are made for giving effect to the Act.
- No. 19. *The Gisborne Land Act 1870 Amendment Act*. "The Gisborne Land Act, 1870," had provided that a certain notice should be given within thirty days after the passing of the Act, and the time elapsed without the notice having been given. This Act enables the Governor to give the notice referred to at any time; validates grants and contracts made under the first-mentioned Act, notwithstanding any non-compliance with its provisions.
- No. 20. *The Otago Education Reserves Abandonment Act*. Certain lands in the Province of Otago have been reserved from sale and set apart for the establishment and maintenance of a University in the City of Dunedin, and of public schools in different parts of the Province, and the general advancement of education. The Provincial Council having passed a resolution to the effect that the lands referred to in the Act were no longer required for the purposes for which they were reserved, this Act has been passed to release these lands and to give effect to the resolution of the Provincial Council.
- No. 21. *The Taranaki Education Reserves Act*. This Act empowers the Governor to grant to the Board of Education, in the Province of Taranaki, one or more blocks of land not exceeding 10,000 acres, taken under the provisions of "The New Zealand Settlements Act, 1863," and "The New Zealand Settlements Act Amendment and Continuance Act, 1865." Provision is also made for the grant of other lands to the Board. The trusts upon which the lands are to be held are declared, and the application of the rents and profits is provided for.
- No. 22. *The Wellington Education Reserves Act*. By this Act the Governor is empowered to grant to the Board of Education, established under a Provincial Ordinance (called "The Wellington Education Act, 1871"), one or more block or blocks of waste lands of the Crown in the Province of Wellington, not exceeding in the whole 20,000 acres. Certain reserves granted to the Superintendent are vested in the Board. The trusts upon which the land is to be held, and the application of the rents, are respectively declared.
- No. 23. *The Wellington City Reserves Act*. This Act, after repealing a Provincial Ordinance which had provided for the management of certain reserves of land in and adjoining the Town of Wellington, provides for the management thereof, certain parts of them to be conveyed to the Superintendent, who may convey to the Governors of the Botanic Garden; and other portions of the lands dealt with are to be conveyed by the Superintendent to the Municipal Corporation of Wellington for purposes of public utility.
- No. 24. *The Wellington Reclaimed Land Act*, passed to effect the conveyance of certain lands in the City of Wellington, known as the Reclaimed Land, and of the Wharf and Store, the property of the Superintendent of the Province, to the Municipal Corporation. Provision is made by the Act for raising the necessary purchase money, and for the payment of certain principal and interest now charged on the land by way of mortgage.
- No. 25. *The Masterton and Greytown Land Management Act*. This Act repeals certain Ordinances passed by the Provincial Legislature of the Province of Wellington relating to certain lands therein mentioned, and provides for the management of lands in the Townships of Masterton and Greytown, in the said Province.
- No. 26. *The Oamaru Town Reserves Management Act*. This Act partially repeals a former Act on the same subject, and transfers certain lands in the Township of Oamaru, in the Province of Otago, to the Superintendent of that Province, to be held by him and his successors in trust for purposes of public utility.
- No. 27. *The Auckland Burial-Ground Act* provides for the establishment and regulation of public burial-grounds near the City of Auckland.
- No. 28. *The Auckland Military Reserves Act* disposes of certain land in the City and Suburbs of Auckland. The land described in the First Schedule to the Act is declared to be subject to the several Acts regulating Public Domains. The land described in the Second Schedule is vested in the Superintendent of the Province of Auckland for the purposes in the Act mentioned; and the land in the Third Schedule is vested in the Auckland Harbour Board. Certain powers are conferred upon the Governor and upon the Harbour Board.
- No. 29. *The Auckland Harbour Docks Act* enables the Auckland Harbour Board to construct

- docks, subject to certain terms and conditions specified in the Act. Provision is also made for raising money by debentures to defray the cost of construction. The Act is not to come into operation until proclaimed by the Governor.
- No. 30. *The Timaru and Gladstone Board of Works Amendment Act* repeals the 9th section of "The Timaru and Gladstone Board of Works Amendment Act, 1870," and makes other provision in lieu thereof.
- No. 31. *The Invercargill Public Gardens Reserves Alienation Act*. This Act enables the Superintendent of the Province of Otago to alienate a portion of the Public Gardens Reserves in the Town of Invercargill, in that Province.
- No. 32. *The Forest Trees Planting Encouragement Act*. In order to encourage the planting of forest trees, the Governor is empowered, on the application of the Superintendent and Provincial Council of any Province, to bring this Act into operation in such Province, or in any district being part of such Province. Grants of land are authorized to be made to persons who have planted a certain area of land with forest trees, subject to the conditions in the Act mentioned. The Governor is empowered to make regulations, and the Act contains general provisions for giving effect to it when in operation.
- No. 33. *The Bishops in New Zealand Trusts Act* authorizes Bishops of the Church of England in New Zealand, by Letters Patent, to convey certain hereditaments to trustees to be appointed in that behalf in each diocese by the Synod of such diocese. The powers of the trustees are defined in a Schedule to the Act.
- No. 34. *The Church Lands Building Leases Act* amends "The Bishop of New Zealand Trusts Act, 1858," and a similar Act of 1868; also amends "The Religious, Charitable, and Educational Trusts Act Amendment Act, 1865." Trustees of lands held under the recited Acts are empowered to grant leases for building purposes for any term not exceeding sixty years, subject to such conditions as shall be approved by the General Synod.
- No. 35. *The Diseased Cattle Act* repeals the former Acts for preventing the introduction or spread of disease among cattle, and new provision is made by this Act for that purpose.
- No. 36. *The Agricultural Produce Lien Act*, repeals a similar Act passed in 1870, but is substantially re-enacted with more extensive provisions.
- No. 37. *The Wool and Oil Securities Act Amendment Act*. This Act amends an Act passed in 1868, enabling proprietors of sheep and whaling stations to give security on future produce of wool, oil, or bone. The provisions of the former Act are considerably extended by this Act.
- No. 38. *The Limited Liability Companies Winding-up Act Amendment Act*, passed chiefly to effect alteration in the existing law relative to winding up of limited liability companies. Certain additional powers are conferred on Resident Magistrates, and other provisions made for simplifying the powers of winding up companies.
- No. 39. *The Gold Mining Districts Act*. This Act provides for the establishment and management of Gold Mining Districts, and for the administration of justice therein. The Act is very similar in its principal enactments to the existing Acts providing for the regulation and management of the gold fields; and it is provided that wherever this Act shall be proclaimed to be in operation over lands already subject to the Gold Fields Acts, then those Acts shall be thereby repealed.
- No. 40. *The Gold Mines Drainage Act*. Provision is made by this Act for enforcing contribution towards the cost of draining gold mines. The Wardens' Courts are empowered to ascertain the amount of contribution to be paid, and to enforce payment.
- No. 41. *The Sharebrokers Act*. By this Act, sharebrokers are required to take out an annual license and a fee is prescribed in respect thereof. The duties of sharebrokers in certain cases are specified, and the mode of conducting their business regulated. The Act is only to come into operation in, such parts of the Colony as the Governor shall proclaim.
- No. 42. *The Justices Protection Act*. This Act makes further provision for the protection of Justices of the Peace from vexatious actions for acts done by them in the execution of their office.
- No. 43. *The Sheriffs Act Amendment Act* renders unnecessary compliance with the provisions of 32 Geo. II., cap. 28, sec. 1, by Sheriffs or other officers; and persons arrested may be committed to prison at once. Provision is made for cases of vacancy in the office of Sheriff.
- No. 44. *The Juries Act* permits the verdict of five-sixths of any jury empanelled in any civil cause to be taken, instead of a verdict of the whole jury; but no such verdict is to be taken till the jury have retired for six hours, and have intimated to the Judge that they have considered their verdict, and there is no probability of their being unanimous.
- No. 45. *The Law Practitioners Act Amendment Act*. This Act amends the existing law as to the admission of Barristers and Solicitors of the Supreme Court, and removes certain disabilities. Provision is made regulating application to the Court for exemption from the penalties of "The Law Practitioners Act Amendment Act, 1866," in certain cases.
- No. 46. *The Prisoners Maintenance Expenses Act*. This Act makes further provision for charging the expense of maintenance of prisoners detained in public gaols for punishment or safe custody.
- No. 47. *The Naturalization Act 1870 Fees Act* fixes the fees to be taken in New Zealand under the Imperial Act of 1870, called "The Naturalization Act, 1870." (33 Vict. cap. 14.)
- No. 48. Is an Act reserved for the signification of Her Majesty's assent.
- No. 49. *The Crown Redress Act* enables subjects to sue the Crown in certain cases which may arise after 1st January, 1872. Before action brought, the consent of the Governor in writing is to be obtained, and the Act prescribes the mode of procedure to be followed. The claims which may be allowed are only those founded on contract, but do not include actions for specific relief, nor for damages for the breach of any contract for the purchase of Crown lands. The Judges of the Supreme Court are empowered to make rules of practice, &c.
- No. 50. *The Contractors Debts Act*. This Act enables workmen employed on works over which a lien cannot be acquired, and for which their employer has failed to pay them, to obtain payment from moneys due to their employer for the work they have done. The procedure to be adopted is detailed in the Act.

- No. 51. *The Vaccination Act* repeals a former Act intituled "The Vaccination Act, 1863," but the repeal is not to take effect till 1st March, 1872. The Act provides for the appointment of a Public Vaccinator, who is to attend at times and places to be fixed by the Governor, and vaccinate persons who attend without fee or reward. Other provisions are made for giving effect to the Act.
- No. 52. *The Bakers and Millers Act* regulates the sale of bread, and provides against the adulteration of meal and flour. The Act is founded on and adopts the chief provisions of the Imperial Act, 6 and 7 Will. IV. cap. 37.
- No. 53. *The Sale of Poisons Act* repeals "The Sale of Poisons Act, 1866," as from 31st December, 1871. The Act defines what are poisons; prohibits the sale of poisons by unregistered persons; provides for the appointment of Registrars, and requires all persons selling poisons to be registered. The duties of Registrars are defined, regulations are enacted to be observed in the sale of poisons, and penalties imposed for breaches of the Act.
- No. 54. *The Civil Service Act Amendment Act* repeals sections 30 to 43, both inclusive, and all provisions of "The Civil Service Act, 1866," relating to retiring allowances, with the exception of absolute or contingent rights acquired before the passing of the Act. Provision is made to have the claims of persons whose rights are preserved by the Act computed by an Actuary or other competent person, and the report of such Actuary is to be submitted to the General Assembly at its next Session. Questions of misconduct of officers may be referred to two or more persons instead of to the Civil Service Board.
- No. 55. *The Native Schools Act Amendment Act*. This Act has been passed to extend the operation of "The Native Schools Act, 1867." The Governor is empowered to grant aid to Native schools without requiring any contribution from the Native inhabitants, and he may require land to be given as an endowment for schools in cases where aid is obtained under this Act. Power is given to the Governor to appoint trustees of such lands, and the management of the lands and appropriation of the rents is provided for.
- No. 56. *The Charitable Funds Appropriation Act*. This Act makes provision for appropriating moneys raised for particular charitable purposes, in certain cases, to other charitable purposes.
- No. 57. *The Building and Land Societies Act 1866 Amendment Act* amends an Act passed in 1866, intituled "The Building and Land Societies Act, 1866." Provision is made by this Act enabling such Societies to alter their constitution and for other matters.
- No. 58. *The Otago Supreme Court Offices Act*. This Act amends the existing law as to the filing of certain instruments in the Supreme Court Offices in the Province of Otago.
- No. 59. *The Representation Act Amendment Act*. This Act has been passed for the purpose of rectifying errors in the descriptions of the boundaries of the electoral districts for the election of Members of the House of Representatives, as the same were set forth in the Schedule to an Act passed in 1870, intituled "The Representation Act, 1870." A new Schedule is given by this Act.
- No. 60. *The Regulation of Elections Act Amendment Act* repeals section 27 of "The Regulation of Elections Act, 1870," and makes other provision in lieu thereof with respect to the booths to be provided by Returning Officers at polling places.
- No. 61. *The Merchants Ships Officers Examination Act Amendment Act*. This Act is to be deemed to be incorporated with "The Merchant Ships Officers Examination Act, 1870," and prescribes the classes of certificates which may be granted to officers of merchant ships, and to engineers. Provisions contained in sections 241 and 242 of "The Merchant Shipping Act, 1854," and sections 11 and 13 of "The Merchant Shipping Act Amendment Act, 1862," are declared to apply to this Act.
- No. 62. Reserved.
- No. 63. *The Arms Act Amendment Act*. By this Act, "The Arms Act, 1860," is declared to have been in force as amended by "The Arms Act Amendment and Continuance Act, 1861," and amended and revised by "The Arms Act Amendment Act, 1869," and until altered or repealed by the General Assembly shall continue in force.
- No. 64. *The Public Stores Act* repeals an Act of a similar nature passed in 1867. This Act provides for better custody of the Public Stores of the Colony, and regulates the inspection, issue, and expenditure thereof, and the audit of the accounts of the Storekeepers.
- No. 65. *The Carrington Land Grant Act*. This Act authorizes the Governor to issue a land order to Frederick Alonzo Carrington, for the purchase of Crown lands in the Province of Taranaki to the amount of £1,500 without payment in cash. This order is granted in extinction of certain claims of Mr. Carrington to land in that Province.
- No. 66. *The Kukulai Land Grant Act* validates a grant from the Crown to one Waata Kukulai, an aboriginal native, of a parcel of land in the Parish of Pukekohe, in the Province of Auckland.
- No. 67. *The Branigan Allowance Act*. This Act provides for the grant of a sum of £1,200 out of the Consolidated Fund, to be paid to trustees and applied for the benefit of St. John Branigan, Esquire, and his family. This gentleman was lately Commissioner of Armed Constabulary, and became incapacitated by illness from attending to his duties.
- No. 68. *The Landon and Whitaker Claims Act*. This Act authorizes the Governor to appoint one of the Judges of the Supreme Court to be a Commissioner for the purpose of inquiring into and determining certain claims to compensation made by John Landon and Frederick Alexander Whitaker, for rights which they allege have been taken away by the operation of "The Native Lands Act, 1869."
- No. 69. *The Poverty Bay Grants Act Amendment Act*. This Act declares that the legal estate in lands comprised in certain grants mentioned in the Schedules shall be deemed to have vested in the grantees on the days therein set forth. Deeds executed after such dates are for the purpose of completing titles made valid.
- No. 70. *The East Coast District Land Titles Validation Act* authorizes the ante-vesting of the legal estate under certain grants of land in the East Coast District as defined in a Schedule to the Act.
- No. 71. *The City of Christchurch Loan Act*. The Municipal Corporation of the City of Christchurch is by this Act invested with special power to raise money for permanent works connected with

sewerage and drainage. The sum authorized to be raised is £35,000 in addition to the sums authorized to be raised by "The Municipal Corporations Act, 1867," and is to be borrowed on debentures secured on a special rate.

- No. 72. *The Nelson City Loan Act.* This Act authorizes the Superintendent of the Province of Nelson, within ten years from the passing of the Act, to raise a sum not exceeding £30,000 by debentures. The moneys borrowed are to be laid out in the construction of gasworks and the construction and extension of waterworks in the City of Nelson. These works are to be transferred to the Municipal Corporation of the City when established.
- No. 73. *The City of Dunedin Borrowing Act.* The Corporation of the City of Dunedin, in the Province of Otago, is by this Act invested with borrowing powers to enable them to acquire gas and waterworks. The amount authorized to be borrowed is £100,000, and is to be secured by debentures charged upon special rates, and the works which the Corporation are authorized to purchase. Power is given to existing Gas Company and Waterworks Company to sell their respective works, plant, &c., to the Corporation.
- No. 74. *The Wellington Debts Act.* This Act enables the Governor to appoint agents, with power to manage loan authorized by the Act. These agents may prescribe the mode and terms of payment. The sum to be raised is not to exceed £85,000, and is to be applied in payment of certain debts due by the Province of Wellington, and provision is made for charging the sums borrowed against the Province.
- No. 75. *The Immigration and Public Works Act Amendment Act*, passed to amend and extend the operation of an Act of 1870, intituled "The Immigration and Public Works Act, 1870." This Act is divided into several parts:—
 Part II. contains general provisions relating to Railways.
 Part III. relates to the construction of Main Railways.
 Part IV. relates to construction of Coal Field Railways.
 Part V. relates to the construction of Tramways in certain cases.
 Part VI. provides for the assessment of compensation for land taken or injuriously affected.
 Part VII. contains provisions as to the form of conveyances to be taken and agreements for giving land for Railways.
 Part VIII. provides for aiding the development of Coal Mines and other undertakings.
 Part IX. amends and extends the provisions of the Act of 1870, as to Immigration.
- No. 76. *The Railways Act* provides for the construction of certain Railways and other works under the authority of the Immigration and Public Works Acts out of moneys authorized to be raised under "The Immigration and Public Works Loan Act, 1870."
- No. 77. *The Wellington Special Settlement Act.* By this Act the Superintendent of the Province of Wellington, with the advice of his Executive Council, is empowered to set apart blocks of land for sale on deferred payments; the mode and terms of sale are defined. The same authority may also set apart blocks of land for special settlement, and provision is made for giving effect to the Act.
- No. 78. *The Public Revenues Act Amendment Act* amends "The Public Revenues Act, 1867." The power of the Colonial Treasurer to borrow moneys during the recess of Parliament is extended, and provisions are made for the preparation of accounts between the Colony and the Provinces in the cases specified.
- No. 79. *The Public Debts Sinking Fund Act Amendment Act* amends the previous Acts relating to the Public Debts Sinking Funds. The Governor is empowered to revoke former Orders in Council made under the 2nd section of an Act passed in 1869. Trustees and other persons holding securities or concerned in the management thereof are brought under the operation of "The Public Debts Sinking Funds Act, 1868," and the Commissioners appointed under that Act are authorized to give discharges to trustees.
- No. 80. *The Appropriation Act* applies a sum of money out of the Consolidated Fund, and other moneys, to the service of the year ending 30th June, 1872, and appropriates the supplies granted in the then present Session of Parliament.

Local and Personal Acts.

- No. 1. *The Auckland Gas Company's Act*, passed to authorize the Auckland Gas Company (Limited) to break up streets, &c., and to lay down pipes, conduits, and service pipes, and to make and construct other works for the purpose of supplying the City of Auckland and its vicinity with gas. The Act contains the general provisions usually inserted in such Acts.
- No. 2. *The Nelson City Gas Act*, a similar Act to the foregoing, and passed to enable the Superintendent of the Province of Nelson to construct works for supplying the City of Nelson with gas.
- No. 3. *The Wellington Waterworks Act.* This Act enables the Municipal Corporation to construct and maintain waterworks for supplying the City of Wellington with water. General powers are given for the levying of rates for the purpose of providing funds for carrying the Act into effect, and for the collection and payment of the same. The Act contains usual general powers to the Corporation to break up streets, &c., and powers are given to borrow any sum not exceeding £25,000 on the security of the rates authorized by the Act.
- No. 4. *The Dunedin Waterworks Act Amendment Act* amends "The Dunedin Waterworks Act, 1864," gives power to increase the capital of the Dunedin Waterworks Company to £65,000, and makes other provisions for the management of the Company.

No. 35.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
 Right Hon. the Earl of KIMBERLEY.

(No. 122.)

Government House, Wellington,

MY LORD,—

New Zealand, 20th December, 1871.

I have the honor to transmit herewith a letter from the Speaker of the

Legislative Council, forwarding protests by three Members of that House against an Act passed during the recent Session of the Colonial Parliament, and of which copies are sent by this month's mail with my Despatch No. 121.

2. I annex a Ministerial Memorandum on this question.

Enclosure 1.
Speaker, L.C.,
to Sir G. Bowen,
with sub-
enclosures.
Enclosure 2.
Memo. by Mr.
Fox, 4th Nov.,
1871.

I have, &c.,

The Right Hon. Earl the of Kimberley.

G. F. BOWEN.

Enclosure 1 in No. 35.

SPEAKER of the LEGISLATIVE COUNCIL to His Excellency Sir G. F. BOWEN, G.C.M.G.

SIR,—

Legislative Council, Wellington, 19th October, 1871.

I have the honor to forward to your Excellency, for transmission to Her Majesty's Secretary of State for the Colonies, in accordance with Standing Order of the Legislative Council No. 25, the enclosed Protests by certain Honorable Members of the Council upon the passing of the Bill intituled "The Carrington Land Grant Act, 1871." *Vide Journals of L.C., p. 119.*

His Excellency Sir G. F. Bowen, G.C.M.G.
Government House, Wellington.

I have, &c.,

J. RICHARDSON,
Speaker, Legislative Council.

Enclosure 2 in No. 35.

MEMORANDUM by Mr. Fox.

In reference to the protest of Messrs. Mantell and Russell on the subject of the Carrington Land Grant Act, passed by Parliament during the present Session, Ministers beg to state that that Act gives effect to an arrangement made by the Government with Mr. Carrington for the satisfaction of claims arising out of the non-fulfilment of a sale of land by the New Zealand Company more than thirty years ago. Many Acts of the General and Provincial Legislatures have dealt with analogous cases, but a few have from time to time presented features which required special action. The case of Mr. Carrington was dealt with by a Select Committee of the House of Representatives in 1868, which recommended that it should be arranged between Mr. Carrington and the Government. After long negotiation and inquiries, an arrangement has been made satisfactory to both, which it is proposed to carry into effect by this Act. The Act has been subjected, in each House, to the scrutiny of a Select Committee, and passed the House of Representatives without any, and the Legislative Council without material, opposition.

As regards the protest of the Hon. Mr. Fraser, Ministers would observe that the power to satisfy the award out of confiscated lands will only apply after those lands have become the estate of the Crown, and been dealt with by the Government as ordinary waste lands sold by it.

Wellington, 4th November, 1871.

WILLIAM FOX.

No. 36.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of Kimberley.

(No. 123.)

Government House, Wellington,

MY LORD,—

New Zealand, 21st December, 1871.

I have the honor to transmit herewith copies of two Bills, which have been reserved, by the advice of the Attorney-General of New Zealand, for the signification of Her Majesty's pleasure thereon. *Enclosures 1 and 2. Copies of Bills.*

2. I annex the report of the Attorney-General.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 3.
Report of the
Attorney-
General.

Enclosure 3 in No. 36.

SYNOPSIS of Acts passed by the General Assembly of New Zealand in 1871, and which have been reserved for the signification of the Royal Assent.

No. 48. *The Convicts Forfeitures Act.* This Act has been passed to abolish the forfeiture of lands and goods for treason and felony, and to amend the law relating thereto. The Act is founded on and adopts the provisions of the Act of the Imperial Parliament passed in 1870 for a like purpose (33 and 34 Vict. cap. 23).

No. 62. *The Coasting Trade Regulation Act* provides that foreign ships in the coasting trade are to be subject to the same rules as British ships, but are not to be subject to higher harbour rates, or other dues, &c. The Governor in Council is empowered to restrict the privileges of foreign ships in certain cases, and may impose additional duties upon them.

No. 37.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 125.)

Government House, Wellington,

MY LORD,—

New Zealand, 21st December, 1871.

Memo. by Mr.
Gisborne.

I am requested by my Responsible Advisers to transmit herewith a Ministerial Memorandum, which forwards a copy of a letter from the Coroner at Dunedin, to the Attorney-General of New Zealand, covering the evidence taken at an inquest held on the body of a Chinaman, late a passenger on board the barque "Guiding Star," from Hong Kong to Dunedin, together with the rider appended by the jury, on that occasion, to their verdict.

2. I am confident that the Government of New Zealand is desirous to co-operate, to the full extent of its powers, with the Imperial Government and with the Colonial authorities at Hong Kong, in preventing and punishing abuses in the Chinese passenger ships, such as appear to have taken place in the case now referred to.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 37.

MEMORANDUM by Mr. GISBORNE.

MINISTERS have the honor to forward to His Excellency the copy of a letter from Mr. T. M. Hocken, Coroner, Dunedin, covering the evidence taken at an inquest held on the body of a Chinaman, late a passenger on board the barque "Guiding Star," from Hong Kong to Dunedin,—together with the rider appended by the jury on that occasion to their verdict.

His Excellency is respectfully requested to forward, in accordance with the desire of the jury, these enclosures to the Right Hon. the Secretary of State for the Colonies, and to draw the attention of Lord Kimberley to that portion of Mr. Hocken's letter which refers to the large number of Chinese that lately arrived in Dunedin.

Wellington, 18th December, 1871.

W. GISBORNE.

Sub-Enclosure to Enclosure in No. 37.

Mr. T. M. HOCKEN to the Hon. the ATTORNEY-GENERAL.

SIR,—

Coroner's Department, Dunedin, 12th October, 1871.

I have the honor herewith to forward the proceedings of an inquest held by me on the body of Chang Man, late a passenger on board the barque "Guiding Star," which has recently arrived at this port from Hong Kong.

I forward them without delay, inasmuch as the jury expressed a wish that a copy of the rider appended to their verdict should be transmitted to the Imperial Government. It was extremely difficult to reduce a large portion of the evidence to writing, as the Chinese Interpreter spoke English indifferently, and therefore translated the evidence of the Chinese witnesses so badly that it was almost impossible to reproduce it. It was however quite available at the time for the jury, and abundantly showed how insufficiently—amongst other things—proper food and provision for warmth had been supplied to the ship.

I may mention that of the 266 Chinese passengers, 37 died on the passage, 10 more died within a week or thereabouts after their arrival in port, 30 are at present under treatment in the Dunedin Hospital, and of these several will pretty certainly die. Besides this, most of the others were much emaciated and half starved, and had great difficulty in tottering from the landing-place on their arrival.

I have, &c.,

The Hon. the Attorney-General, Wellington.

THOMAS MORLAND HOCKEN,
Coroner.

Otago, Dunedin,

Colony of New Zealand, to wit.

AN INQUISITION taken for our Sovereign Lady the Queen, at the Hospital at Dunedin, of Otago, in the said Colony, on the 11th day of October, in the year of our Lord one thousand eight hundred and seventy-one, before Thomas Morland Hocken, one of the Coroners of our Sovereign Lady the Queen for the said Colony, on view of the body of Chang Man, then and there lying dead, upon the oath of John Carroll, George Humphrey, Patrick McKenzie, Richard Mulvine, John Johnstone, Edwin Jennings, John Fogo, Samuel Doodeward, Charles Muir, George Forman, Thomas Waddell, George Nicoll, Thomas Carr, Alexander Sligo, and Thomas Hudson, good and lawful men of the neighbourhood, duly chosen, and who being then and there duly sworn, and charged to inquire for our Lady the Queen when, how, and by what means the said Chang Man came to his death, do upon their oaths say, that the said Chang Man did labour and languish under a grievous bodily disease, to wit bronchitis and tubercle of the lungs, of which diseases the said Chang Man then speedily died at the Dunedin Hospital, on the 9th day of October, in the year aforesaid; and so the jurors aforesaid, upon

their oath aforesaid, do say that in manner and only the manner aforesaid the said Chang Man came to his death, and not otherwise.

In witness whereof, as well the said Coroner as the said jurors aforesaid have hereunto set and subscribed their hands and seals the day and year first above written.

	(Signed) THOMAS MORLAND HOCKEN, Coroner, (L.S.)	
(Signed)	JOHN CARROLL, (L.S.), Foreman.	GEORGE FOREMAN, (L.S.)
	GEORGE HUMPHREY, (L.S.)	THOMAS WADDELL, (L.S.)
	PATRICK MCKENZIE, (L.S.)	GEORGE NICOLL, (L.S.)
	RICHARD MULVINE, (L.S.)	THOMAS CARR, (L.S.)
	JOHN JOHNSTONE, (L.S.)	ALEXANDER SLIGO, (L.S.)
	EDWIN JENNINGS, (L.S.)	his
	JOHN FOGO, (L.S.)	THOMAS + HUDSON,
	SAMUEL DOODEWARD, (L.S.)	mark.
	C. MUIR, (L.S.)	(Witness—THOMAS NEIL.)

Otago, Dunedin,
Colony of New Zealand, to wit.

INFORMATION of WITNESSES severally taken and acknowledged on behalf of our Sovereign Lady the Queen, touching the death of Chang Man, at the Hospital, Dunedin, in the Province of Otago, in the Colony above mentioned, on Wednesday, the 11th day of October, one thousand eight hundred and seventy-one, before Thomas Morland Hocken, one of the Coroners for the said Colony, on an inquisition then and there taken on view of the body of Chang Man, then and there lying dead, as follows, to wit:—

Thomas Bishop, being sworn, saith: I am a master mariner. I am captain of the "Guiding Star," and was so during her last voyage from Hong Kong to this port. We took our final departure from China on the 11th of June, with 226 Chinese passengers, and 19 other persons on board; our passage was a very long one, extending over 111 days; as we were much baffled at the first part of the passage, and as some of the water casks began to leak, I put into Timor on the 6th day of August. Up to this time, the health of the passengers was excellent, but one complaining that he had lost the use of his legs. Up to this all our provisions were salt, and in accordance with the list now produced and marked A. We had no fresh provisions on board whatever for the passengers, all being preserved in salt. This list A is more liberal than that directed by the Chinese Emigration Act.

At Timor we took in fresh water, fresh beans, and calavansas, pumpkins, and firewood. We stayed in Timor seven days, during which time the passengers lived on fresh meat, and had free access to shore. The invalid's condition did not improve; during our stay he could not go ashore. About the 27th of August this man died. I do not believe the cause of death was scurvy. A week after another passenger died, I believe from consumption. A week after two others died from the weakness and loss of use of the legs. We were in very cold weather, and the passengers kept themselves close to their berths. A great many cases of the same kind of illness then broke out—loss of power and wasting away of the legs; sixteen of these died. When off the Solander, on the 27th of September, a man died suddenly, with symptoms of mere weakness. There were then also three cases of what I believe to be scurvy, and this for the first time. Other cases occurred up to time of coming into port.

The passengers had full rations, with the exception of one day, to the time of our arrival; at least there was plenty of pork, fish, and rice. We ran out of our articles of diet a fortnight before we came in. We started with 28 gallons of lime juice, and this I distributed almost from the first. Most of them, however, refused persistently to take it; those who did take it were protected from the scurvy, and also from the other diseases I have spoken of. There were two native Chinese doctors on board, in accordance with the Act, which may provide as substitute a European doctor instead. The food on board was not of excellent quality. The pork had too much of fat—for Europeans at any rate. The beef was good, with the exception of the last cask, which was black when opened, but not otherwise bad. The fish was good, and not very salt; the first two lots of fish sent on board were condemned and sent on shore. In my opinion, the cause of the great outbreak of disease was caused by dirt and laziness, and not from the character of the food supplied; not a case of illness excepting diarrhoea or dysentery occurred amongst my crew, and they had precisely the same food as the passengers. The crew's meat was, however, better preserved, and is now quite good. From my experience, I should suggest that Chinese passengers coming to this port should have fires in stoves below stairs; they suffered much from the cold. They should also be compelled to take warmer clothing and blankets with them.

(Signed) MORLAND HOCKEN, Coroner.

(Signed) THOMAS BISHOP.

John Hennessey, being sworn, saith: I was storekeeper to the "Guiding Star" on the passage down from Hong Kong. The quantity of the food supplied was in accordance with the Chinese Emigration Act—it was all good, with the exception of the beef and fish. From the first these were not good, though they were eaten; they became worse as the passage progressed, becoming black and smelling; when put on board the beef looked pretty well, and the fish was good. I should judge that it was not very well preserved in the first instance. The pork was good. We came to the end of the vegetables about four or five days before our arrival; some of the vegetables were bad, and had to be thrown overboard. The sick passengers suffered from swelling of the feet, face, and loss of power of the legs. In my opinion, the cause of the illness on board was a want of warmth, and laziness. I think they were well fed. The beef supplied to the crew was of a better character than that supplied to the passengers.

(Signed) MORLAND HOCKEN, Coroner.

(Signed) JOHN HENNESSEY.

Lang Lee, being sworn, saith : I was a passenger by a ship from Hong Kong, which arrived here about a week ago. The gentleman present was the captain of the ship. We were about four months on the passage. There was no quarrelling from any cause ; we were all happy. The food was sometimes good, sometimes bad and stunk. Some passengers ate it, some did not. We had vegetables. The water was good. We got fresh potatoes for a fortnight nearly ; owing to the long passage the food was not enough. Some asked the Captain for rice when four days from port ; he replied that they would soon be in port, and did not give them any. According to the scale now produced, the passengers did not get the full weight of food.

(Signed) MORLAND HOCKEN, Coroner.

(Signed) (Chinese Signature.)

Ah Peng, being sworn, saith : I was a passenger on board the "Guiding Star ;" there was no fighting on board. The pork and beef were good when put on board ; they became bad and stunk, and so did the fish. The vegetables were good. I do not know what made the passengers ill ; I think the long passage. I believe the water coming through the deck to the casks spoiled the meat. The Captain was kind. There was lime juice. The decks let the water through upon me.

(Signed) MORLAND HOCKEN, Coroner.

(Signed) (Chinese Signature.)

John Robert Monson, being sworn, saith : I am an Emigration Officer to the Port of Dunedin. I produce the ship's papers of the barque "Guiding Star," from Hong Kong, by which it appears that she was cleared on the 6th of June, and sailed on the 10th of June. She is certified to be properly fitted for 225 passengers, and to have water and provisions on board for ninety days. The ship arrived here on the 2nd of October, thus making a passage of 115 days. The master immediately reported that there had been twenty-seven deaths during the voyage, and that there were several ill on the ship, as far as he could say, from scurvy and dysentery. The ship was put in quarantine, but was released by the Board of Health the following day. On this day, being alongside, and through the Interpreter, I asked how the passengers had been treated. The reply was, that the Captain was a very good man, but the ship was too long coming. The ship appeared to me to be well fitted. No complaint was made to me of the character of the food. They told me that they had had their provisions and water. I consider that ninety days' supply of provisions is too short for passenger ships from China at this time of year. I also think that further attention should be paid to the provisions for warmth and bedding supplied, and also that the lower tier of berths should be at least 6 inches from the deck. I consider the diet scale of the Chinese Emigration Act to be a most meagre one ; and that had European passengers been supplied on the same scale and under the same conditions for as long a voyage not one-half of them would have reached here. I also think if a European doctor is not appointed to those vessels, there should at any rate be a competent Chinese interpreter on board.

(Signed) MORLAND HOCKEN, Coroner.

(Signed) J. K. MONSON, E.O.

William Augustus Yates, being sworn, saith : I am a duly registered medical practitioner ; I am also house-surgeon of the Dunedin Hospital. The deceased, Chang Man, was admitted to this hospital on the 4th of October, suffering from bronchitis and tubercle of the lungs. He died from these complaints on the 9th. About sixteen Chinese are at present under treatment, many of them suffering from great debility, dropsy of the legs, and dysentery. Insufficient food and warmth would cause the complaint of which Chang Man died. All who were admitted were in a state of extreme weakness, and were quite ravenous for food ; most of them were emaciated also. I do not think the scale of diet now produced to be suitable for passengers on a long voyage, unless the meat was of excellent quality, and that lime juice was also administered.

(Signed) MORLAND HOCKEN, Coroner.

(Signed) W. A. YATES.

The jury, after hearing the foregoing evidence, returned the following verdict :—"That the said "Chang Man died at the Dunedin Hospital on the 9th day of October, from bronchitis and tubercle of the lungs.

(Signed) T. M. HOCKEN, Coroner.

All the above informations were severally taken and acknowledged on the day and year and at the place above mentioned, before me,

(Signed) T. M. HOCKEN, Coroner.

LIST of Stores for Chinese Passengers.

16 casks pork	3 jars of ginger
16 casks beef	5 jars of salt cabbage
1 cask salt fish	30 jars of turnips
25 jars of eggs	2 jars of vinegar
19 bales of salt fish	15 jars of jam
9 cases of tea	5 jars of lemon peel
25 baskets Macow potatoes	3 jars of oil
5 baskets Tong potatoes	11 bags of pears
17 jars of pickles	310 bags of rice

11th October, 1871.

THE jury further add the following rider :—That, in their opinion, the large amount of weakness and death on board the "Guiding Star," on her recent passage from China to Port Chalmers, was in a great measure caused by the want of sufficiently wholesome provisions on board, and of sufficient provision for the warmth of the passengers. They find from the evidence that the quality of the preserved meat placed on board at Hong Kong was (with perhaps the exception of the fish) poor from the first, though eatable ; it rapidly, however, became black and stank, and so unfit for food. From this, they

judge that the meat was insufficiently preserved; and this belief is confirmed by the fact that the crew, who were supplied with properly preserved meat, came into port without a single case of illness amongst them. They also find that the Chinese passengers came on board with insufficient clothing, and without sufficient means of sustaining animal heat during such a passage. A consequence of this was, that they huddled close together, thus producing, by the foul air and evacuations, another element of disease. The jury consider that the Chinese Emigration Act is deficient in several of its clauses; in their opinion the diet scale is too meagre, and the issue of 75 days' provisions is much too short for long passages, such as that from Hong Kong to Port Chalmers. In his evidence, the Emigration Officer, Mr. J. R. Monson, says—"I consider that had European passengers been supplied on the same scale, and had been placed under the same conditions for as long a voyage, not one-half of them would have reached this port. I also think that if a European doctor is not appointed to these vessels, there should at any rate be a competent Chinese interpreter on board." In the instance of the "Guiding Star," the interpreter supplied could not convey the passengers' wants to the Master.

The jury free the master, Mr. Thomas Bishop, from any imputation of blame, and believe that he performed his duties thoroughly and with kindness.

Finally, the jury understanding that the question of emigration is undergoing examination and revision in the Home Country, recommend that a copy of this rider be forwarded to the Imperial Government.

(Signed) JOHN CARROLL, Foreman.

(Signed) THOMAS MORLAND HOCKEN,
Coroner.

No. 38.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 3.)

Government House, Wellington,

MY LORD,—

New Zealand, 4th January, 1872.

Adverting to your Lordship's Despatch No. 69, of the 12th September ultimo, and to my reply No. 114, of the 25th November ultimo, respecting the selection of a station in New Zealand for the observation of the transit of Venus in 1874, I have now the honor to forward a second Ministerial Memorandum on the same subject.

2. It will be seen that the Colonial Government and the Provincial authorities of Canterbury are desirous to co-operate cordially with the Imperial authorities in this matter; that it is proposed to erect an Observatory at Christchurch, the capital of the Province of Canterbury; and that if the Astronomer Royal will state what is required to be done by the local authorities in this country, they will undertake to the utmost to carry out his wishes, in advance of the arrival from home of the necessary staff.

Memo. by Mr.
Vogel, Dec. 25,
1871.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

P.S.—19th January.—Since the above Despatch was written, I have received a letter from the Superintendent of Canterbury, informing me that the Council of that Province have voted a sum of money towards the erection and furnishing of an Observatory at Christchurch. He also transmits the enclosed Report of the meeting of the Astronomical Society of that city.

Enclosure 2.

G. F. B.

Enclosure 1 in No. 38.

MEMORANDUM by Mr. VOGEL.

ADVERTING to Memorandum No. 43 of 1871, on the subject of the selection of a station for the observation of the transit of Venus in 1874, Ministers beg to inform His Excellency that they are advised by the Superintendent of Canterbury that a society is being formed for the purpose of erecting an Observatory at Christchurch, and it is the intention of the Provincial Government to propose that a subsidy be granted to the Society, for the purpose of constructing a building for the Observatory, and towards an endowment, with the view of obtaining an Astronomer in permanence.

The Superintendent of Canterbury telegraphs that he will be obliged if the Government will write by the outgoing mail, stating the willingness of the Society and of the Provincial Government to co-operate with the Imperial Government in promoting the desired object.

Ministers have no doubt that if the Astronomer-Royal will state what is required to be done by the local authorities, they will undertake to the utmost to carry out his wishes, in advance of the arrival from Home of the necessary staff.

Wellington, 23rd December, 1871.

JULIUS VOGEL.

Enclosure 2 in No. 38.

EXTRACT from *Canterbury Press* of 10th January, 1872.

No. 39.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 4.)

Government House, Wellington,

MY LORD,—

New Zealand, 5th January, 1872.

Adverting to my Despatch No. 112, of the 24th November ultimo, and to its enclosures, respecting the Navigator (or Samoa) Islands, I have now the honor to transmit herewith another Ministerial Memorandum, intimating that it is the intention of the Colonial Government to send Mr. Seed, the Secretary and Inspector of Customs in New Zealand, to several of the South Sea Islands and to New Caledonia, with the object of acquiring information respecting the trade that is springing up between those places and this country.

2. In compliance with the request of my Responsible Advisers, I have furnished Mr. Seed with a letter of introduction to the Governor of New Caledonia.

3. I may be permitted to take this opportunity of mentioning that Mr. Webb, of New York, the owner of the steamers now carrying the mail between Australasia and San Francisco, has lately visited Wellington, and states that the excellent harbour of Pango Pango, in Tutuila (one of the Navigator Islands), would be the most convenient coaling place for those vessels.

4. I may also here observe that a good account of the above-mentioned harbour, and of the Navigator Islands generally, will be found in Chapter VII. of the Journals of the late Lieutenant the Honourable Herbert Meade, R.N., recently published by his brother.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure in No. 39.

MEMORANDUM by Mr. VOGEL.

WITH reference to the Memorandum addressed to His Excellency on the 24th ultimo, relative to the Navigator Islands, Ministers have now the honor to state that they have instructed Mr. W. Seed, Secretary and Inspector of Customs, to proceed to those Islands for the purpose of reporting on them. If circumstances should be favourable for his doing so, Mr. Seed will also visit the Fijis and New Caledonia, to acquire information in connection with the trade that is springing up between those places and New Zealand. Ministers would therefore feel obliged to His Excellency if he would be good enough to favour Mr. Seed with a letter of introduction to the Governor of New Caledonia.

Wellington, 23rd December, 1871.

JULIUS VOGEL.

No. 40.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 5.)

Government House, Wellington,

MY LORD,—

New Zealand, 6th January, 1872.

I have the honor to report that my Responsible Advisers are of opinion that the large amount of public works now undertaken by the Government of this Colony, under the sanction of the Legislature, has rendered necessary an addition to the number of the present Ministry. Accordingly, two Members of the House of Representatives, namely, Mr. John Davies Ormond and Mr. William Reeves, have been appointed to the Executive Council.

2. Mr. Ormond, who is one of the Members for Hawke's Bay, will reside in the North Island, and be styled "Minister for Public Works." Mr. Reeves, who is one of the Members for Canterbury, will continue to live, except during the Session, chiefly at Christchurch, and will be styled "Resident Minister for the "Middle Island."

3. I hope shortly to forward to your Lordship Papers specifying the railways and other public works which are already in progress, or which will be soon undertaken in New Zealand.

4. Arrangements have, moreover, been begun for the introduction of a large

number of emigrants from the United Kingdom. I expect to be, ere long, in a position to furnish full information on this subject also.

I have, &c.,
G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 41.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 6.)

Government House, Wellington,

MY LORD,—

New Zealand, 7th January, 1872.

I have the honor to report that I returned last week from an interesting excursion to the Wairarapa, a pastoral and agricultural district beginning thirty-five miles to the north-east of the City of Wellington. It will be recollected that it was originally proposed to place there the settlement of the Canterbury Association, for which its present territory in the Middle Island was afterwards preferred.

2. Mr. Weld, now Governor of Western Australia, was one of the first settlers who established themselves in the Wairarapa, rather more than twenty years ago. The population of this district now amounts to about three thousand three hundred (3,300) Europeans and nine hundred (900) Maoris. The two races are at present dwelling together on the most cordial terms. Here, as elsewhere in the North Island, a very satisfactory change of feeling has taken place during the last three years;—since the date of my first visit to the Wairarapa, of which a report will be found in my Despatch No. 23, of the 20th February, 1869. One striking proof of the improved condition of the country will be found in the fact that on my second visit last week I was entertained at a public luncheon at which the principal settlers and also the Maori chiefs of the district were present, and which was laid out in the entrenched stockade, built at the time of my first visit, three years ago, for the purpose of providing a place of refuge for the families of the colonists, at a period when a Native outbreak was considered imminent.

3. I was requested by the newly formed Pastoral and Agricultural Society of the Wairarapa to open their first Show on the 28th ultimo. I enclose a copy of the Address presented to me on this occasion, and of my reply, in which occurs the following paragraph:—

“The increase in the live stock of New Zealand during the last thirteen years, in which official statistics have been regularly collected, is very remarkable. In 1858 there were only 14,212 horses in the Colony; in 1871 there are 81,028; while in 1858 the horned cattle were 137,204 and the sheep 1,523,324, in 1871 these numbers have risen respectively to 436,592 and to 9,700,629. In other words, during the last thirteen years—years, for the most part, of war and disturbance in the North Island—horses have increased more than five-fold, cattle more than three-fold, and sheep more than six-fold.”

4. The Wairarapa is already connected with Wellington by a good carriage road, carried over the intervening range of the Rimutaka Mountains, through a pass the summit of which is 1,600 feet above the level of the sea. A railway has also been sanctioned by the Colonial Legislature, and will probably be commenced during the course of this year.

5. In my former Despatch describing my first visit to the Wairarapa (No. 23 of 1869), I mentioned that on my return thence I had visited at his *kaiinga* in the Hutt Valley, about twenty miles from Wellington, the famous Ngatiawa Chief Taringa Kuri (*i.e.*, Dog's ear), said to be the last survivor of those who had seen Captain Cook on one of his later voyages to New Zealand. He was a very old man at the time of the arrival of the first English settlers in this part of the Colony, thirty-two years ago, and his age is generally believed to have exceeded one hundred years at his death, which took place three months since. It is somewhat singular that the three chiefs, Tamati Waka Nene, Te Puni, and Taringa Kuri, all closely connected with the early colonization of New Zealand, should have passed away within a few months of each other. I mentioned the decease of Te

4. I am convinced that one of the most practical and important uses to which the recently founded University of New Zealand can be put will be the establishment of local examinations such as those referred to above. It will be recollected that education, like the police, gaols, harbours, and other departments, which in other Colonies are generally under the control of the Central Government, has hitherto in New Zealand been managed by the Provincial Governments. Hence there has been no uniform standard of efficiency. A Bill establishing a general system of education for the whole Colony was introduced by the Ministry in the last Session of the Legislature; but it was ultimately withdrawn, from want of time to discuss fully all its provisions. However, a measure of this nature will probably become law ere long in New Zealand.

5. I have taken several public opportunities, especially in my Address to the New Zealand Institute in 1870,* of urging the vital importance—above all in new countries—of technical and scientific education; and provision has been already made, in accordance with my suggestions, at the Colonial Museum at Wellington.

6. I am confident that your Lordship will also learn with pleasure that provision continues to be made by the Colonial Parliament for the maintenance of Native schools at all the centres of the Maori population. In my tours through the Native districts, I never fail to visit these schools, and to encourage the masters and scholars.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 43.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 9.)

Government House, Wellington,

MY LORD,—

New Zealand, 10th January, 1872.

With reference to your Lordship's Despatch No. 63, of the 5th August ultimo, concerning certain premises at Auckland and Wellington, which have been handed over to the Colonial Government by the War Office, I am requested by my Responsible Advisers to transmit the enclosed Ministerial Memorandum.

Memo. by Mr.
McLean, C.M.G.,
Jan. 3, 1872.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure in No. 43.

MEMORANDUM by Mr. McLEAN, C.M.G.

REFERRING to Despatch from the Secretary of State, No. 63, of the 5th August last, respecting the payment by the Colony of the following sums for land and buildings in Wellington and Auckland, recently handed over by the Imperial authorities, viz. :—

Auckland—Land	...	...	...	£1,000
Mount Cook, Wellington—Land	...	...	...	700
" " Buildings	...	...	...	1,768
				£3,468

—The Defence Minister begs to transmit to His Excellency a statement of sums due by the Imperial Government, for the maintenance of Naval and Military prisoners in the Provincial gaols in New Zealand, amounting to £1,059 6s. 1d., which will leave a balance due by the Colony of £2,408 13s. 11d., and the Agent-General for New Zealand (Dr. Featherston) will be instructed by the first mail to pay this sum to the War Department.

Defence Office, Wellington, 3rd January, 1872.

DONALD McLEAN.

* See "Transactions of New Zealand Institute," Vol. III., pages 4 to 7 (in the Library of the Colonial Office).

DESPATCHES FROM THE GOVERNOR OF

Sub-Enclosure to Enclosure in No. 43.

STATEMENT of Sums due by the Imperial Government for Maintenance of Naval and Military Prisoners in Provincial Gaols.

Provinces.	Date.	Amount.
Auckland	From July, 1865, to March, 1866	£ s. d. 172 16 5
Auckland	From November, 1870, to March, 1871*	9 4 0
Wellington	From April, 1865, to March, 1866	480 0 2
Wellington	From April, 1869, to July, 1870	68 7 8
Taranaki	From October, 1864, to March, 1866	328 17 10
		1,059 6 1

C. T. BATKIN,
Paymaster-General and Accountant.

Treasury, Wellington, 23rd December, 1871.

* A claim for £4 14s. of this amount has been sent to the Senior Naval Officer on the Station.

No. 44.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 10.) Government House, Wellington,
MY LORD,— New Zealand, 11th January, 1872.

My predecessor, Sir George Grey, with his Despatch No. 42,* of the 6th, and No. 55,† of the 27th April, 1865, transmitted a number of Papers concerning the murder at Opotiki, in the Bay of Plenty, on the 2nd March, 1865, of the Rev. C. S. Völkner, whom he described as “one of the most amiable, devoted, and “gentle missionaries that he had ever met with.” It may here be mentioned that Mr. Völkner, by birth a Prussian, was in the orders of the English Church, and employed in New Zealand by the Church Missionary Society of London.

2. A full narrative of this crime, and of the proceedings of the band of Hauhau (or Pai Marire‡) fanatics and rebels by whom it was perpetrated, will be found in the above-mentioned official documents, and in the 15th chapter of the “War in New Zealand,” by Mr. Fox, now the Prime Minister of this Colony. It will be seen that Mr. Völkner was murdered by being hanged on a willow tree close to his own church,§ with circumstances of deliberate and shocking barbarity; and that Kereopa, a pretended prophet of the Hauhau faith, was the main agent in this atrocity, tearing out the eyes of his victim, swallowing them before the people,|| and committing other outrages too horrible for description. Kereopa was (as I am informed) originally a Native policeman in the pay of the Colonial Government; he afterwards joined the rebels, and possessing (as it is stated) some knowledge of ventriloquism and mesmerism, assumed the character of a seer among the Hauhaus. In the early part of 1865 he started from Warea, near Taranaki, on the West Coast of this Island, with a large band of fanatics, carrying with them the baked head of an English officer,¶ for the purpose of exciting the Natives of Opotiki and other parts of the East Coast against the European settlers and the friendly Maoris.

3. Sir George Grey’s Despatches and Mr. Fox’s book will further show that a mixed force of the Colonial Militia and Volunteers and of the loyal Native clans

* Printed at pages 20–34 of the New Zealand Papers presented to the Imperial Parliament in February, 1866.

† Ib., pages 72–79.

‡ A succinct account of the rise of the Hauhau fanaticism will be found in Mr. Fox’s “War in New Zealand,” chap. ix.

§ On my visit to Opotiki in 1868, I inspected the scene of this murder. See my Despatch No. 52, of the 1st July, 1868, printed at page 139 of the New Zealand Papers presented to the Imperial Parliament in July, 1869.

|| Hence Kereopa was known among the Maoris by the opprobrious sobriquet of “Kai-whatu,” or the “eye-eater.” It may here be mentioned that the late Lieutenant the Honorable H. Meade, R.N., has graphically described, in the 5th chapter of his recently published journals, his narrow escape from a portion of Kereopa’s band, on its way across the centre of this Island.

¶ Probably of Captain Lloyd, of the 57th Regiment, killed in a skirmish near Taranaki. See Fox’s “War in New Zealand,” chapter ix.

was afterwards despatched to Opotiki, and, not without some sharp fighting, defeated and dispersed the rebels in that quarter. Kereopa, however, effected his escape to the almost inaccessible mountains and forests of the Urewera country, where he lurked for several years, though a reward of one thousand pounds (£1,000) was offered for his apprehension by the Colonial Ministry, during the government of my predecessor. At length, in November last, he was captured by a detachment of the loyal clan of the Ngatiporos, sent out by their chief, Ropata te Wahawaha, one of the gallant Maori leaders to whom the Queen has recently presented swords of honor.

4. Kereopa was forthwith conducted by his captors to Napier, the principal town on the East Coast of the North Island, and there given up to the officers of the Colonial Government. He was then examined in the regular course of law by the Resident Magistrate of the district, and committed to the local gaol for trial, at the next circuit of the Supreme Court, for the murder of Mr. Völkner. He made, while in prison, a desperate attempt at suicide with a knife, which was, however, wrested from him by the warders before he had time to do more than inflict a gash on his throat. The grand jury found a true bill for murder, and Kereopa was tried on the 21st December ultimo, before Mr. Justice Johnston (the Senior Puisne Judge of the Supreme Court) and a special jury.* Counsel and interpreter were provided for him at the cost of the Colony, and he had a long and patient trial, of which I annex the printed report. He was ultimately found guilty, and received sentence of death. At a meeting of the Executive Council, held on the 26th ultimo, Mr. Justice Johnston reported that the conviction was founded on the clearest evidence, and that he knew no reason why the law should not take its course in this case; in which view the Governor and the Ministers unanimously agreed, as will be seen from the enclosed copy of the Minute of Council. It will be perceived that we adhere to the decision arrived at on previous occasions, and which has been invariably acted upon during my administration, viz., “that, under the very peculiar circumstances of New Zealand, no Maori should, as a general rule, suffer death after conviction of having carried arms against the Queen, unless such high treason should have been accompanied (as in Kereopa’s case) with murder in cold blood or other atrocities.”

Enclosure 1.
Report of
Kereopa’s trial.
Hawke’s Bay
Herald, Dec. 22,
1871.

Enclosure 2.
Minute of
Council, Dec. 26,
1871.

5. Kereopa was executed on the 5th instant, within the precincts of the gaol at Napier. He was attended in prison and on the scaffold by a clergyman of the Church of England, of which he had been a member before joining the Hauhaus. He was also visited by the Bishop of Waiapu, to whom he admitted the justice of his sentence, confessing that he had given orders for the murder of Mr. Völkner, and that he had determined on that crime several weeks previously, even before he left the West Coast.

6. The opinions held generally, alike by the Colonists and by the Maoris, respecting Kereopa’s trial and execution, seem to be fairly stated in the following extract from one of the local journals:—

“The murderer of the Rev. Mr. Völkner yesterday paid the last penalty of the law. The retribution in this case, if long delayed, is not likely to lose any of its force upon the Native mind. Indeed, it is probable that the long lapse of time that has occurred since the tragedy at Opotiki, will add to the moral effect of the ultimate punishment of the chief offender. The execution of Kereopa is not a hasty act of vengeance. Had he been caught *in flagrante delicto*, and at once shot, without so much as a drum-head trial, his execution would have been divested of the calm and deliberate circumstances which impart to legal proceedings their greatest elements of impressiveness and influence. A summary execution would have failed to convey to the Natives any conception of the absolute unforgetfulness of the law, or of the certainty of retribution against its violators. Years have passed since the wretched criminal, outcast even amongst his own familiar people, committed the offence which he expiated yesterday with his own life. He might probably have been captured long ago, but although political reasons might have rendered it undesirable to hurry his arrest, justice had not slept. Driven from one hiding-place to another, half

New Zealand
Mail, Jan. 6,
1872.

* Kereopa’s counsel applied for a special jury, and the Attorney-General, who prosecuted on behalf of the Crown, did not object.

“starved, and worried by the half heartiness of each tribe with which he sought refuge, he wandered about the land, and was finally captured by one of his own race. He was calmly and deliberately tried, according to all the forms of law; counsel urged every available plea on his behalf, but he was convicted on the clearest possible testimony, and the ordinary course of law has been followed. It is impossible that this example cannot leave some serious impress on the Native mind. It must teach them that the oft-quoted accusation, that the Government of New Zealand does not execute its laws, is unfounded. It must teach them that if we choose to allow justice to slumber for a while, we are only making Time our ally, and waiting patiently for the inevitable retribution. The total absence of all passion or excitement with respect to Kereopa’s trial and execution will argue strongly for the majesty of the law. The Natives will see and understand that there is no wantonness in our actions against them; and they may perhaps discover that we are guided by some principle intelligible even to their minds. The sentence in Kereopa’s case seems to have received the approval of the Natives themselves as to its fairness and justice. He was a mischief-maker and misleader, and the crime he committed had not even the excuse of revenge for some imagined grievance. It was unprovoked and cruel even in Maori eyes, and he does not appear to have had the sympathy of any one of his own race.”

7. The apprehension of Kereopa, and his surrender to justice by his own countrymen, are undoubtedly calculated to convey an impressive warning. They show that any Maoris who may hereafter be guilty of similar crimes, though they may lurk for years in the mountains and forests of the interior, practically inaccessible to Europeans, will, sooner or later, be captured by the clans which are (in their own phrase) “in arms for the Queen and the law.” Again, the circumstances of this case are a strong proof of the influence which the Colonial Government has now acquired over our Maori allies, and of the softened manners of the Native race. As Kereopa had been concerned in the murder of many members of the loyal tribes, he would, when captured by the clansmen of his victims, until lately, have been, according to Maori custom,* forthwith shot, or hanged on the nearest tree, and with tortures and mutilations similar to those inflicted by himself. But it will be seen that the orders of the Colonial authorities to the Native contingent were strictly obeyed by the immediate surrender of Kereopa to the nearest civil magistrate, to be dealt with by the ordinary civil tribunals in due course of law.

8. It is with much pleasure that I now proceed to inform your Lordship that, since the condemnation of Kereopa, I have, with the advice of my Ministers, determined on remitting the remainder of the punishment of the fifty-eight (58) Maoris who were still (several having been previously released) in confinement at Dunedin, under the sentences passed upon them for rebellion by the Supreme Court in 1869 and 1870, as was fully reported in my Despatches Nos. 113, 141, and 153, of 1869,† and No. 91, of 1870. It will be remembered that these men were convicted of high treason, as having been taken in arms against the Queen; but that, since they were not proved to have been directly concerned in murders or other atrocities, their capital sentences were commuted, according to the measure of the guilt of each individual, to various terms of penal servitude, in no instance exceeding seven years, “on the understanding that there will be, after careful consideration of the special circumstances in each case, a further remission; and that if tranquillity is restored with a reasonable prospect of permanence, and if these prisoners behave well, a mitigation of their sentences will be recommended.”‡ The conduct of these men while in gaol has been good; and when I was last month at Wanganui, Te Kepa (Major Kemp) and the other loyal chiefs who had taken them in action, addressed me to the effect that these prisoners had been sufficiently punished, and that they (the loyal chiefs) would be responsible for their peaceable behaviour for the future if released. Mr. McLean

* The *utu* of the Maoris corresponds to the *vendetta* of the Corsicans.

† Printed in the Papers on New Zealand presented to the Imperial Parliament in April, 1870, pages 105, 157, and 175.

‡ See Governor of New Zealand to Secretary of State, No. 153, of 24th November, 1869.

and his colleagues in the Ministry were decidedly of opinion that it would be safe and politic to grant this petition, and the remaining prisoners will consequently be set at liberty forthwith. It is satisfactory to be enabled to report that at the end of this month no Maori will be under confinement for any political offence.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure 2 in No. 44.

EXTRACT of the Minutes of Proceedings of the Executive Council of New Zealand,
26th December, 1871.

At the Government House, at Wellington. Present: His Excellency the Governor in Council. His Excellency the Governor, at the instance of the Colonial Secretary, invites the attention of the Council to the Reports and Notes of Evidence taken by His Honor Mr. Justice Johnston, at the trial before the Supreme Court, on the 21st instant, of Kereopa, for the murder of the Rev. C. S. Völkner, on the 2nd March, 1865.

His Honor Mr. Justice Johnston being in attendance, is called in, and after full consideration the Council unanimously advised that, in the terms of the Judge's report, there is no reason why the law should not take its course and the sentence of death be carried out.

The Council further expressed their adherence to the advice given on former occasions; namely, that, under the very peculiar circumstances of New Zealand, no Maori should, as a general rule, suffer death after conviction of having carried arms against the Queen, unless such high treason should have been accompanied (as in Kereopa's case) with murder in cold blood, or other atrocities.

His Excellency the Governor expressed his entire concurrence in the advice given, and directed the necessary orders herein to be issued accordingly.

FOSTER GORING,
Clerk of the Executive Council.

No. 45.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 11.) Government House, Wellington,
MY LORD,— New Zealand, 12th January, 1872.

With reference to your Lordship's Circular Despatch of the 25th October ultimo, I am requested by my Responsible Advisers to state that arrangements will be made forthwith for the payment of Imperial pensions in New Zealand, on the terms agreed upon with the War Office.

I have, &c.,
The Right Hon. the Earl of Kimberley. G. F. BOWEN.

No. 46.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 12.) Government House, Wellington,
MY LORD,— New Zealand, 13th January, 1872.

With my Despatch No. 76, of the 30th August ultimo, I transmitted, with remarks, copies of several Parliamentary Papers then just presented to the Colonial Legislature, namely, "Abstracts of certain Principal Results of the Census of New Zealand, taken for the night of the 27th February, 1871;" and "Statistical Tables, in anticipation of the Annual Volume of Statistics of New Zealand for 1870."

2. I have now the honor to forward, for insertion in the Blue Book showing the condition of the Colonies, which is periodically presented to the Imperial Parliament, the Annual Report of the Registrar-General of New Zealand. This document will be found to contain valuable facts and observations respecting the results of the Census of 1871, and the general progress of this country.

3. It has been thought advisable to forward this Report by the mail of this month. I will transmit the collected volume of Statistics so soon as I receive it from the Government Printer. I am informed that there has been some unavoid-

able delay in its final completion, owing to the difficulty of procuring from the several Provinces full information respecting some minor statistical details connected with the census of last year.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 47.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 13.) Government House, Wellington,
MY LORD,— New Zealand, 14th January, 1872.

I have the honor to report that I received, by the last English mail, and have communicated to my Responsible Advisers and to the Attorney-General of this Colony, your Lordship's Despatches Nos. 75 and 76, of the 26th October ultimo, respecting the questions arising out of the case *Regina v. Barton*.

2. These Despatches will be also laid before the New Zealand Parliament at the opening of the next Session. Meanwhile, the instructions and recommendations which they contain will be faithfully carried out.

I have, &c.,
The Right Hon. the Earl of Kimberley. G. F. BOWEN.

No. 48.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 14.) Government House, Wellington,
MY LORD,— New Zealand, 15th January, 1872.

I propose in this Despatch to furnish your Lordship with information respecting the public works and the schemes of immigration undertaken or projected by the Government of New Zealand, in pursuance of several recent Acts of the Colonial Parliament.

2. In the Financial Statements of the Colonial Treasurer (Mr. Vogel) for 1870 and 1871, and in other official documents transmitted by me in due course during the last two years, will be found the general features of the policy of the present Ministry concerning public works and immigration; and in several Acts passed during recent Sessions of the Legislature will be found the specific undertakings finally authorized, including railways, roads, harbour works, and water works for the gold fields, &c. The schedules to the Act 35 Vict., No. 76, contain the lines of railway sanctioned. For the construction of several of these railways, contracts have already been made with Mr. James Brogden (a partner in the eminent English firm of Messrs. Brogden and Sons), who is now in New Zealand. An authentic statement of the arrangements with Mr. Brogden (so far as they have been hitherto completed) has been communicated to the local journals, and is enclosed herewith.

3. It is obvious that it would not be prudent to enter upon such extensive public works as those contemplated, without at the same time providing for a corresponding addition to the labour market of the Colony. Accordingly, instructions have been sent to the Agent-General in England (Mr. Featherston), to make arrangements for a continuous stream of immigration from the United Kingdom and from the Continent of Europe, to the extent stated in the annexed Memorandum.

4. I further forward a memorandum of the agreement made by the Colonial Government with Colonel the Honourable William Feilding, who recently visited New Zealand on behalf of the "Emigrant and Colonists Aid Corporation" of London, of which Society the Duke of Manchester is Chairman. It will be seen that, after personal examination, Colonel Feilding purchased for the Corporation, on the conditions explained in the enclosure, one hundred and six thousand (106,000) acres of land in the Manawatu District, on the West Coast of this Island, and about

Enclosure 1.
Extract from
*Wellington
Independent*
of Dec. 20, 1871.

Enclosure 2.
Memo. on
Immigration.
Enclosure 3.
Memo. of
agreement with
Colonel Feilding.

Enclosure 3.

100 miles from Wellington. It will be further perceived that the Corporation is bound to place on this land, within a limited period, a number of immigrants equal to not less than two thousand (2,000) statute adults. I append some notes of a recent visit to the Manawatu District, written by Mr. Fox, the Prime Minister of this Colony.

5. It will be recollected that (as I have explained in previous despatches) the opening up of the country by means of railways and other public works may be expected not only to produce the same social and material advantages in New Zealand as elsewhere, but also to confer very important political benefits, by rendering Native wars practically impossible for the future. A large number of Maoris will continue to be employed on the roads in the interior of the North Island, in the manner stated in my Despatches No. 160 of 1869 and No. 45 of 1871.

6. I will report, from time to time, the progress of the public works. Meanwhile, I will now conclude with the expression of my earnest hope that they will be conducted by the Colonial Ministers and their officers with such skill and prudence that they will ultimately realize the expectations of the Government and of the Legislature.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure 1 in No. 48.

EXTRACT.

"We understand that the question of the construction of the railways authorized by the Assembly has constantly occupied the attention of the Government since the close of the Session, and that, after considerable negotiations with Mr. James Brogden, preliminary arrangements have been made with that gentleman on behalf of his firm, and a determination was also generally arrived at respecting all the authorized railways. The arrangement come to with Mr. Brogden is to this effect: With as little delay as possible the Government will place in his hands data sufficient to enable the firm to tender for the construction of various railways. If the Government are able to make arrangements with Messrs. Brogden for railways to the extent of £700,000, then "Contract No. 2," as entered into by Mr. Vogel with the firm in England, is to be cancelled, otherwise it will remain in force. Several months must elapse before the necessary data as to all the railways can be given to Mr. Brogden, but as the data for each line is given, he is, on behalf of his firm, within one month to send in a written tender for its construction, and if the Government should not consider such tender to be reasonable, they will be at liberty to call for public tenders for the particular work. During the interval before final arrangements can be completed, the Government can give to Messrs. Brogden and Sons the construction of such portions of railways as may be resolved upon, and the works are to be executed under the direction of the Engineer-in-Chief, the firm receiving payment ten per cent. over and above the actual outlay, all expenditure being under the control, and by the direction of the Government. This provision will enable the work to be commenced without delay upon such lines in different parts of the country as the Engineer may have ready for commencement. It is provided that if the contract for railways to the amount of £700,000 is arranged, or if negotiations for that contract fail and Contract No. 2 is consequently revived, the Government may include in the works to be done under either contract, any railway or parts of railways which may meanwhile have been confided to Messrs. Brogden to be constructed under the ten per cent. arrangement, so that that arrangement really enables works to be commenced in anticipation of the contract finally to be made, without necessarily importing any additional terms of agreement. On the other hand, if the railway be not included in contracts, the Government have power at any time to end the ten per cent. arrangement, and call for public tenders.

"The following is a list of the railways concerning which it is proposed to make arrangements with the firm:—

Dunedin to Clutha. Such portions as are not being under contract.

Blenheim to Picton.

Rakaia to Ashburton.

Ashburton to Temuka.

Temuka to Washdyke.

Invercargill to Mataura.

Moeraki to Waitangi.

Auckland to Drury.

Drury to Mercer.

Wellington to Hutt Valley. (Twenty miles.)

Waitara to New Plymouth.

Napier to Pakipaki. (Twenty miles.)

Brunner to Greymouth.

Kawakawa to place of shipment.

"The last two conditional on satisfactory arrangements being made by the Government with the owners or lessees of the coal mines. In respect to the Brunner mine, arrangements have already been provisionally made with the Superintendent of Nelson. As we have said, if the £700,000 contract is arranged, the No. 2 Contract will cease to be of force; and should the No. 2 Contract be brought into operation, the railways enumerated will be railways to be constructed under that contract to the extent of half a million. In either case, the construction of lines not coming under the contract arrangements, will be let by public tender. As to the authorized railways, or works not included in the list, we have been given to understand that the Government have agreed as to the mode of procedure, which may be stated generally as follows:—Tramway from Napier to the Spit to be pushed forward expeditiously. The Waitangi Bridge works to be carried on by Government, and proceeded with expeditiously.

Kaipara to Rivershead, or to Auckland, the contract to be proceeded with, and the question of diversion to be left for future consideration. Hawke's Bay railway (continuation)—Pakipaki to Rua-tamioha—to be proceeded with leisurely, after the length, Napier to Pakipaki, has been completed; the works to be extended over four years. Hutt Valley to Masterton to be proceeded with leisurely, until the line to the Hutt Valley has been completed, and then to be pushed on expeditiously.

"Tramway, Manawatu to Wanganui, to be completed in four years; but between Rangitikei and Manawatu the work to be proceeded with quickly by local labour. Nelson to Foxhill to be commenced at once, to be proceeded with leisurely, and to be finished in three years. Rangiora to Kowai to be commenced when the line to Rangiora is completed, and then to be finished in two years. Selwyn to Rakaia, and Timaru to Washdyke, the works now in progress to be in each case proceeded with as quickly as possible. Winton to Kingston to be constructed in four years. Tokomairiro to Lawrence to be commenced next summer, and then to be completed in two years. Wanganui to New Plymouth to be commenced when the line from Waitara to New Plymouth has been finished (say a year hence), and to be proceeded with leisurely, to suit the progress of settlement. The Canterbury four branch railways (for which the funds are partly supplied by the Province) to be completed in four years. Westport to Mount Rochfort to be proceeded with expeditiously, as soon as the direction of the line has been decided."

Enclosure 2 in No. 48.

MEMORANDUM on Immigration (furnished by the Public Works Department).

THE want of labour, both to open up the country and to occupy that which is being opened up, is much felt, and materially retards the progress of the projected public works.

The Agent-General of New Zealand in England has been instructed to use every exertion to procure and send out to this Colony during the present year (1872) a number equal to eight thousand (8,000) adult emigrants, and to offer to them such terms as regards passage as he may find necessary for that purpose. Some of these emigrants it is intended to employ on the public works now in progress in both Islands; while others of them are intended for special settlements, principally in the North Island.

Letters received by the last mail from the Agent-General state that he has arranged for six thousand (6,000) adult Scandinavians and Germans to arrive during the next two years. A portion of these will go in reduction of the eight thousand (8,000) above mentioned as ordered for the present year.

The Agent-General has further been instructed to provide passages for the labour required by Messrs. Brogden and Co., railway contractors, of London, who have agreed to contract for several of the lines of railway authorized to be constructed in both Islands. This labour is to be procured by the firm, and will consist of from fifteen hundred (1,500) to two thousand (2,000) able-bodied men, with their wives and families; in all, about equal to five thousand (5,000) adults.

Enclosure 3 in No. 48.

MEMORANDUM of AGREEMENT with "The Emigrant and Colonists' Aid Corporation" (furnished by the Public Works Department).

COLONEL THE HON. W. FEILDING, of the Coldstream Guards, acting on behalf of the Association called "The Emigrant and Colonists' Aid Corporation (Limited)," arrived in New Zealand in December, 1871, when his attention was directed to the Manawatu District, on the West Coast of the Northern Island, and about 100 miles from Wellington, as a suitable field for the operations of the Association represented by him. After proceeding to the district, and personally visiting a large portion of it, Colonel Feilding selected a block of 106,000 acres, and an agreement was entered into with the Colonial Government on the 28th of December, 1871, of which the following is the purport:—

The land (less 6,000 acres, reserved for roads and other purposes) is sold to the Corporation at 15s. an acre, payable by 75 promissory notes of £1,000 each, on the following dates, viz.:—£25,000 on 1st April, 1877; £25,000 on 1st April, 1879; and £25,000 on 1st April, 1882, or earlier if the Corporation desire to do so; with interest payable at 7 per cent. for the first five years, and 7½ per cent. afterwards.

The Government will survey the boundaries of the block, but all internal surveys are to be at the expense of the Corporation.

The land so acquired is only to be sold to persons approved by the Corporation, and at such prices as the Corporation may determine. If the price is paid by the purchaser to the Corporation, Crown grants will be issued to the purchaser only as the Corporation's promissory notes to the value of 15s. an acre on the number of acres so sold are redeemed; but when the purchase money is paid by the purchaser to the Government direct, the amount so paid is to go in liquidation of promissory notes due or becoming due. And when by both these processes the whole of the promissory notes are cancelled, a Crown grant for such land as remains is to be issued to the Corporation.

The Corporation engage, under penalty, to settle on the land at least 2,000 adult immigrants prior to the 1st April, 1877; for whom the Government will provide passages; or, if the Corporation prefers to charter its own ships, the Government will credit the Corporation at the rate of £15 per adult.

The Government engage to employ able-bodied labourers for a year on public works, within ten miles of the settlement, at rates so that each labourer may earn not less than £1 by four days' labour in each week; provided the number employed at any one time be not greater than 200.

No. 49.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 15.)

Government House, Wellington,

MY LORD,—

New Zealand, 18th January, 1872.

At the instance of my Responsible Advisers, and in consequence of a resolution passed by the Legislative Council of New Zealand, I have the honor to transmit herewith a Ministerial Memorandum, covering an opinion of the Attorney-General of this Colony, and other documents.

Memo. by Mr.
Gisborne, Jan. 18,
1872.

2. It will be perceived that your Lordship is requested to obtain “the opinion of the Law Officers of the Crown in England on the question whether, in the case of a marriage between a man and the sister of his deceased wife, both being English subjects, in a Colony in which an Act authorizing such marriage had been passed, such marriage between such English subjects would in England be held to be valid.”

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 49.

MEMORANDUM by Mr. GISBORNE.

THE Colonial Secretary presents his compliments to His Excellency the Governor, and begs to transmit a printed paper containing a copy of a resolution passed by the Legislative Council during the last Session of the General Assembly, requesting that the opinion of the Law Officers of the Crown in England be obtained on the question whether, in the case of a marriage between a man and the sister of his deceased wife, both being English subjects, in a Colony in which an Act authorizing such marriage had been passed, such marriage between such English subjects would in England be held to be valid.

The printed papers also contain a copy of the opinion, obtained at the request of the Legislative Council, of the Attorney-General in New Zealand on the same question, and a copy of the Bill brought last Session by a private member before the Legislative Council, intituled “The Deceased Wife’s Sister Marriage Act, 1871.”

The printed paper is forwarded in quadruplicate.

The Colonial Secretary respectfully asks that His Excellency will be pleased to transmit the enclosed paper to the Right Hon. the Secretary of State for the Colonies, with a request that the opinion of the Law Officers of the Crown in England may be obtained on the question raised.

Wellington, 18th January, 1872.

Sub-Enclosure to Enclosure in No. 49.

A resolution having been passed by the Legislative Council in the words following:—

“That it is desirable, that the Government should obtain the opinion of the Attorney-General upon the question whether, in the case of a marriage between a man and a sister of his deceased wife, (an Act authorizing such marriage having been passed by the Legislature of the Colony) such marriage between English subjects would in England be held to be valid; and that the further opinion of the Law Officers of the Crown in England be obtained upon the same question.”—

I am called upon to give my opinion on the question proposed in the resolution. It should be observed, that though a Bill to validate and authorize marriages between a man and his deceased wife’s sister was introduced, it was not passed, and therefore the question is founded on a supposed case.

A copy of the proposed Bill is attached.

The resolution is not put so definitely as could be desired. I understand it to mean that, assuming an Act be passed in New Zealand expressly authorizing marriage between a man and his deceased wife’s sister, would that marriage be recognized as valid in England, if the parties were English subjects?

The further question might have been raised on the proposed Bill, whether, if the Colonial Legislature validates a marriage celebrated in New Zealand between a man and his deceased wife’s sister previously to the passing of the Act, has that validation an effect beyond the Colony or within it?

The question put in the resolution is not so much whether the legislation would be void as being beyond the Legislative power of the Colonial Parliament, but rather as to the operation of such legislation with regard to English subjects.

It appears to me, however, that the validity of the legislation should first be considered.

According to the decision in the case *Brook v. Brook* (9 House of Lords Cases), if a man and woman being English subjects, and at the time of the celebration of the marriage in a foreign country where marriage between a man and his deceased wife’s sister is allowed are domiciled in the foreign country, the marriage would be recognized in the Courts of law in England, but otherwise if domiciled in England. But it does not follow from this that an Act passed in New Zealand authorizing such marriage would be valid. The Legislature of New Zealand cannot pass laws which are repugnant to the laws of England (section 53, Constitution Act).

By the 28th and 29th Victoria, c. 63, section 3, no Colonial law is to be deemed to be void on the ground of repugnancy to the law of England, unless the same is repugnant to the provisions of some

Act of the Imperial Parliament extending to the Colony either by the express words or by necessary intendment of some Act of the Imperial Parliament.

The 5th and 6th William IV. c. 54 does not apply expressly to New Zealand, nor does the Act extend to New Zealand from necessary intendment of that or any other Act of the Imperial Parliament. I therefore think that such legislation would not be void or inoperative as repugnant to the law of England.

The 5th and 6th William IV. c. 54 is no doubt in force in New Zealand; but it is not so by virtue of anything contained therein, or by express enactment or necessary intendment of any Imperial legislation, but either by virtue of the Act of the Colonial Parliament called "The English Acts Act, 1858," adopting all such English laws in force in 1840 (the date of the settlement of the Colony) as were applicable to the circumstances of the Colony, or by reason of the Colony being one not acquired by conquest. Such being the case, the provisions of the Act of William, though in force in New Zealand, may, as far as it is force in New Zealand, be repealed or altered by an Act of the Colonial Legislature.

I should observe, that the Attorney-General for South Australia, in 1870, in his report on the South Australian Bill, gave his opinion that, as the Statute of William was in force in that Colony, the provisions of the Bill were repugnant to the law of England, and that therefore the Bill should be reserved for the signification of Her Majesty's pleasure.

This report was transmitted with the Bill to the Secretary of State for the Colonies, and he, in his Despatch to the Governor of South Australia in reference thereto, says, that "as the Imperial law remains unaltered, he is unable to advise that this Act should receive the Royal assent."

I have already stated my opinion that such a measure is not repugnant to the law of England in the sense attached to the expression by the 28th and 29th Vict. c. 63; and it would seem that if the true objection to the South Australian Bill was that it was repugnant to the law of England, the proper course to have taken with it was for the Governor to have refused assent to it, on the ground that it was void for such repugnancy; for a Colonial law repugnant to the law of England will not become valid or operative by receiving the Royal assent, though given by the Queen herself.

It is to be observed that the Secretary of State does not found the refusal of the Queen's assent to the South Australian Bill on the ground that the Bill is void for repugnancy to the law of England. I believe it was really on the ground of expediency; it was thought that on this subject there should be no difference between the law of England and the Colonies.

Where a doubt exists as to the validity of a Bill, it may be proper to reserve it for the Queen's assent, so that the opinion of the Law Advisers of the Crown in England, as well as those in the Colony, may be obtained; but where no doubt is entertained, there seems an impropriety in reserving the Bill. I have thought it right to observe upon this opinion of the Attorney-General of South Australia, inasmuch as the proposed measure is, in these Colonies at any rate, associated with that Colony, and because that opinion, differing as it does from mine, would, if correct, be as applicable here as in South Australia.

Still, though the legislation may not be void as repugnant to any Act of the Imperial Parliament extending expressly or by necessary intendment to the territory of New Zealand, it is evident that if, according to the law of England, any personal incapacity is attached to an English subject, wherever he is, no Colonial Act could remove that personal incapacity, even within its own territory.

Now, it has been urged that the 5th and 6th of William IV. c. 54 did create a personal incapacity, and that English subjects, wherever they went, were subject to, and could not be divested of, that incapacity.

In the opinions given by three of the law Lords in the case of *Brook v. Brook*, above cited, it was considered that the question depended upon the domicile of the parties to the marriage at the time of the marriage; but one of the four law Lords who gave their opinions on the case, agreed with the Vice-Chancellor Stuart and Sir Cresswell Cresswell, who, in the case below, expressed an opinion that the law of England in this respect created a personal incapacity, and affected English subjects, even though they should change their domicile, and be domiciled in a country where such marriages were allowed by the law of that country. The three Lords above referred to expressly dissented from this view, and considered that there was no personal incapacity.

It may therefore, perhaps, notwithstanding the difference of opinion above referred to, be safely assumed that the Statute of William would be held not to create any personal incapacity in English subjects domiciled in New Zealand or elsewhere; and therefore that any Act of the Parliament of New Zealand, permitting marriages not permitted by that Statute, would be operative everywhere with regard to all English subjects domiciled in New Zealand.

It is to be observed that the Lord Chancellor (Lord Campbell), in his opinion in the case of *Brook v. Brook*, says, with regard to the Statute, "I am bound to say that, in my opinion, the Act would not affect the law of marriage in any conquered colony in which a different law of marriage prevailed, whatever effect it might have in any other colony."

These words were used in 1861, before the Statute 28th and 29th Vict. c. 63 had been passed; and therefore it might perhaps at that time have been considered that any Act passed by a Colonial Legislature, authorizing marriages which, by an Imperial Act, had been declared contrary to the law of God, would be repugnant to the law of England and invalid.

However, I understand the Lord Chancellor here to have in his mind the rules of law that, as to conquered and ceded colonies, the laws in force in the conquered or ceded colony at the time of the conquest or cession, except so far as they are contrary to the fundamental principles of the British constitution, remain in force till altered; and that as to colonies acquired by occupation and founded by British subjects, and in which no previous laws existed, the colonists take with them so much of the English law as is applicable to their circumstances; and I think that the Chancellor must have meant that as to colonies acquired after the Statute of William by conquest or cession, the law of marriage there, though contrary to the Statute of William IV., would certainly remain and be in force; but that as to colonies acquired after the passing of the Statute of William IV. otherwise than by conquest or cession, he would not express an opinion.

However, it would seem clear that as to colonies acquired after the passing of the Statute of William by occupancy, that Statute must be deemed in force, for it cannot be open to doubt whether a law declared by the English Parliament to be contrary to the law of God is applicable to the circumstances of colonists.

I do not think that the Lord Chancellor can have intended his words to apply to colonies acquired before the passing of the Statute of William, for I apprehend that if the Statute applies to any part of the British dominions beyond England and Wales, it applies to all. Certainly there is nothing in the Statute itself to justify any interpretation which would extend its provisions to one Colony and not to another; nor am I aware of any rule of law or interpretation whereby Acts of the Imperial Parliament not expressly applying can be said to extend to colonies acquired by occupancy, and not to colonies acquired by conquest, nor would the fact of the existence or non-existence in a Colony of a marriage law contrary to the Statute of William make any difference in the case.

If the Statute of William applied to colonies acquired before its passing, it would apply whether or not there were at the time of its passing a different law in force in the colony, and the colonial law would, of course, be thereby repealed, so far as inconsistent with the Imperial Statute, and that would be so in whatever manner the colony was acquired. Although I am of opinion that an Act such as that contemplated may be passed by the Legislature of New Zealand, and that the Courts of law in England would recognize a marriage celebrated in New Zealand between English subjects domiciled in New Zealand, though marriage between the parties is prohibited by the Statute of William, yet I think that if such a law be passed, questions of difficulty are likely to arise under it.

The validity or invalidity of a marriage under such an Act will depend upon the domicile of the man and woman at the time of the marriage.

It is, as stated by Story, sometimes a matter of no small difficulty to decide in what place a person has his domicile: "His residence is often of a very equivocal nature, and his intention as to that residence is often still more obscure;" and where a question is to depend not upon the domicile of one, but of two persons, the difficulty is likely to be greater.

Moreover, it is to be borne in mind that, though the majority of the law Lords who gave their opinion in the case of *Brook v. Brook* were against the interpretation that the Statute of William created a personal incapacity on all English subjects, whosoever they might be, still the adoption of that opinion was not necessary for the decision of the case.

I observe that in South Australia a Bill has been lately passed legalizing marriage between a man and the daughter of his deceased wife's sister. This question would, from a legal point of view, be open to similar considerations as that of a marriage between a man and the sister of his deceased wife.

The proposed Bill, so far as it affects to validate previously contracted marriages, would not be within the provisions of the 28th and 29th Vict. c. 64, inasmuch as by the proviso to the first section of that Act it enacted that nothing in the said Act shall give validity to any marriage unless at the time of such marriage both of the parties were, according to the law of England, competent to contract the same, so that the validating part of the proposed Act would not, by virtue of the 28th and 29th Vict., extend beyond New Zealand. And I am of opinion that, without the sanction of an Imperial Act, Colonial legislation cannot in such a case as this extend beyond New Zealand; this is a different question to that decided in the case of Governor Eyre as to the Indemnity Act.

The necessity for Imperial legislation in this matter was pointed out by the Secretary of State for the Colonies, in his Despatch to Governor Grey, printed in *Gazette* for 1865, page 321.

I am of opinion, therefore, that if a similar measure is again brought forward, its provisions should apply only to future marriages.

I observe that the South Australian measure contained a similar provision. Though I think that the Bill would not, by reason of containing such a provision, be void as repugnant to the law of England, yet its validating effect would be inoperative beyond the Colony.

24th November, 1871.

JAMES PRENDERGAST.

DECEASED WIFE'S SISTER MARRIAGE.

Title.

A BILL intituled "An Act to legalize the Marriage of a Man with the Sister of his Deceased Wife."

Preamble.

WHEREAS it is desirable to authorize the marriage of a man with the sister of his deceased wife:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled and by authority of the same as follows:—

Short Title.

1. The Short Title of this Act shall be "The Deceased Wife's Sister Marriage Act 1871."

Marriage with deceased wife's sister valid.

2. All marriages which have been heretofore or which shall be hereafter duly solemnized within the Colony of New Zealand between any person and his deceased wife's sister shall be deemed to have been and to be and are hereby declared valid any law or custom to the contrary notwithstanding.

No. 50.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 18.) Government House, Wellington,
MY LORD,— New Zealand, 5th February, 1872.

In continuation of the numerous preceding Despatches in which I have described my official tours in various parts of New Zealand, I have now the honor to report that I returned on the 1st instant to Wellington, from a visit to the Province of Marlborough.

2. I annex an extract from one of the Colonial journals, containing a brief account of this tour, with copies of the Addresses presented to me, and of my replies.

3. An examination of any good map of New Zealand, and of the Admiralty Charts of Cook Strait, will show that the Province of Marlborough, which was separated from Nelson in 1859, occupies the north-eastern corner of the Middle Island, and is deeply indented by the sea, especially by the branches of the fine harbour of Port Underwood, and of the beautiful Queen Charlotte's and Pelorus Sounds.

4. Marlborough is chiefly a pastoral district, and contains, as yet, a population of less than six thousand (6,000) souls, including a few Maori families. There are only three small townships: Blenheim (the seat of the Provincial Government), which is situated on the fertile plain of the Wairau; and Picton and Havelock, which are situated respectively at the head of the navigation of Queen Charlotte's and of Pelorus Sounds. It is proposed to construct a railway between Picton and Blenheim, a distance of about twenty miles; this railway ultimately to form part of a general scheme for the Middle Island.

5. About half-way on the road between Picton and Blenheim, I visited the monument which has been erected over the grave of Captain Arthur Wakefield, R.N., the first agent of the New Zealand Company at Nelson, and of twenty-one (21) other Englishmen (including several of the pioneer settlers of the Colony), who fell, on the 17th of June, 1843, in the unfortunate collision (known as the "Wairau Massacre") with the Maoris under the Chief Rauparaha, so celebrated in the early annals of this country. A full account of this "melancholy catastrophe," as it was styled by the then Secretary of State for the Colonies (Lord Stanley, afterwards Earl of Derby), and of the proceedings which led to it, will be found in the Parliamentary Papers of 1843-45, and a succinct narrative in Dr. Thomson's "New Zealand," chapter vii., published in London in 1859. I may here mention that the only son and representative of Rauparaha is now one of the firmest friends of the English. Reference is made to him in my Despatch No. 53, of the 2nd of May, 1869, when I wrote as follows:—"It will be interesting to learn that several of the Maori chiefs have laid at the feet of the 'Queen's Son' (so they affectionately style the Duke of Edinburgh), as tokens of homage, the hereditary ornaments which had been treasured by their ancestors for many generations, like the famous 'Brooch of Lorn,' and other heirlooms preserved in the families of some of the chiefs of the Scotch Highlands. In particular, I annex translations of the letters in which Tamihana Te Rauparaha has described his reception on board the 'Galatea,' and his presentation to the Duke of the *kai tangata*, an ornament of jade, or greenstone, celebrated in Maori songs and traditions, for which considerable sums of money had been refused, and which had been an heirloom in his tribe for five hundred years. The father of Rauparaha was, it will be remembered, the conqueror of the Native clans in the Middle Island, and a formidable enemy of the English in the first Maori war. His son is the last of his race, having no children or near relatives. This last survivor of a long line of chieftains and warriors himself told me, with not ungraceful emotion, that, as there were none of his name and lineage to succeed him—as 'his house was gone'—like the moa—he had, as it were, bequeathed this dearly prized talisman of his fathers, as a token of love and honour, to 'the son of the Queen of England and of New Zealand.'"

6. I visited, in the Government steamer "Luna," all the principal bays and

Extract from
Wellington
Independent,
Feb. 5, 1872.

Published in
London in 1859.

Paragraph 3.

coves of Port Underwood and of Queen Charlotte's and Pelorous Sounds, anchoring for one day at Ship Cove, which Captain Cook made his principal station in these waters. These deep arms of the sea, winding round mountains and ridges clothed with dense forest, present a succession of striking pictures. In addition to the inhabitants of the townships of Picton and Havelock, small settlements of whalers, fishermen, and woodcutters, have established themselves in several of the coves. A gold field has been discovered near Havelock, at the head of the Pelorus Sound; and excellent fish and timber abound everywhere. From the precipitous nature of the country there are few acres in any one spot that could be brought under cultivation. "The soil, however," as it has been remarked by Admiral Richards,* "accords with the luxuriant mountain vegetation, being generally of the richest loam and of considerable depth; the geological feature of the points and banks of the rivers is soft clay slate, with frequent veins of quartz an inch thick; the whole country abounds in it, blocks being found on the hills; and the beach is strewn with quartz pebbles."

7. It is believed that while pastoral and agricultural settlement will continue to extend on the main land of Marlborough, it will be found desirable to place some of the Norwegian emigrants, now on their voyage to New Zealand, on the shores of these Sounds, which will remind them in so many respects of the fiords of their native land.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 51.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 20.)

Government House, Wellington,

MY LORD,—

New Zealand, 13th February, 1872.

I have the honor to report that the intelligence of the recent dangerous illness of the Prince of Wales, which reached New Zealand by the mails *viâ* Suez and *viâ* San Francisco, during the month of January last, called forth a general sympathy, which proves (if indeed any proof were wanting) the strength of the loyal attachment of all classes in this community to the Crown and to the Royal Family.

2. It has been remarked here that in the old French Monarchy the children of the Sovereign were called the "Children of France" (*Les enfants de France*); and that although the English people do not use the same graceful phrase, they feel thoroughly the sentiment which it expresses. It has been my agreeable duty to report, in several previous Despatches, the affectionate and enthusiastic respect with which the Duke of Edinburgh was received in New Zealand on his visits in 1869 and 1870; and I now assure your Lordship that it has been truly observed in the public Press that there is scarcely a household in this Colony in which the illness of the Prince of Wales was not deplored during several weeks past—almost as would be that of an honored relative.

3. The mail *viâ* San Francisco, which arrived last week, brought telegrams from London extending to the 6th of January ultimo, and announcing the convalescence of His Royal Highness. The joy is now universal and sincere. Thanksgivings were offered last Sunday in all the churches, as prayers had been offered on several previous Sundays, for the Prince's recovery.

4. I may mention as a sign of the general feeling, that on the evening of the day on which the good news reached the most populous city in New Zealand, the theatre was crowded, and before the play began the large audience rose *en masse*, and called for "God save the Queen," and "God bless the Prince of Wales," which were sung in chorus by all present. I must not forget to add that the Maoris everywhere expressed their satisfaction at the restored health of the "Son of the Queen" (*te tamaiti o te Kuini*).

5. The Colonial Parliament is not now in Session, otherwise both Houses

* In the "New Zealand Pilot."

would have joined in an address of sympathy and congratulation to the Queen ; showing that the people of this distant Province of the British Empire desire to share in the trials and sorrows as well as in the national glory and prosperity of their fellow-subjects in the Mother Country.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 52.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 24.)

Government House, Wellington,

MY LORD,—

New Zealand, 1st March, 1872.

I have the honor to report that I lost no time in directing the attention of the Colonial Government to your Lordship's Circular Despatch of the 8th August ultimo, in which it is stated that, "with the view to give a distinct recognition of the position of the Colonial forces as a portion of the Military forces of the Empire, it is proposed in future to insert in the Army List the names of all officers of the Colonial Militia and Volunteers."

2. This announcement has caused great satisfaction in this Colony ; and will, I am confident, be productive of much advantage in various ways.

3. Considerable delay has been unavoidable in making up the required lists, in consequence of the large number of officers employed in New Zealand during the recent war. For the sake of accuracy, it has been found necessary to refer to the Officers Commanding the several Militia Districts into which this Colony is divided.

4. At length the Defence Minister has been enabled to transmit to me the enclosed lists in a printed form, and to assure me that they have been compiled with the greatest care.

5. It will be observed that the majority of the Field Officers of the New Zealand Militia have served previously in the Army. The name of Te Kepa (Major Kemp), and of the other Maori chiefs holding rank in the Colonial forces, will be found in their proper places in the Militia List.

6. It will be seen that the officers of the Armed Constabulary are included in the accompanying printed returns. I do not know if the regulations will allow of their being included in the Army List ; but I am requested to state that it will be satisfactory to the Colonial Government if this force can be so recognized, as it is, practically, the standing and permanent armed force of the Colony, and performs military duties, in garrisoning forts and redoubts, and patrolling the border and districts ; duties similar, in fact, to those which were performed by the Cape Mounted Rifles, and other Colonial corps.

7. With the object of submitting the above explanations, it has appeared most convenient to forward the New Zealand lists, in the first instance, through the Colonial Office. Henceforward, they will be sent direct to the War Office, in the manner directed in your Lordship's Despatch now under acknowledgment.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 53.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 25.)

Government House, Wellington,

MY LORD,—

New Zealand, 2nd March, 1872.

Adverting to my Despatch No. 105, of the 8th November ultimo, I am now requested by my Responsible Advisers to transmit, and to recommend to favourable consideration, another Ministerial Memorandum respecting the New Zealand *Phormium*.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 53.

MEMORANDUM by Mr. GISBORNE.

REFERRING to the Memorandum addressed to His Excellency on the 4th November last, in which it was recommended that steps might be taken to cause New Zealand flax imported into Great Britain to be entered in the commercial statistics of the Board of Trade under the designation of "*Phormium*," Ministers beg to represent that what was desired was, that this staple might be known as "*New Zealand Phormium*," instead of "*New Zealand Flax*;" and as this was not clearly stated in the Memorandum referred to, they would feel obliged if His Excellency would request the Imperial authorities to give the requisite directions to insure that the words "*New Zealand*" shall be prefixed to "*Phormium*" in the Trade Returns of the United Kingdom.

Wellington, 27th February, 1872.

W. GISBORNE.

No. 54.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 30.)

Government House, Wellington,

MY LORD,— New Zealand, 14th March, 1872.

At the request of my Responsible Advisers, I have the honor to forward herewith, for transmission to the Lords of the Treasury, the enclosed Ministerial Memorandum, with an annexed statement.

Memorandum by
Mr. Gisborne,
with sub-
enclosure.

I have, &c.

The Right Hon. the Earl of Kimberley. G. F. BOWEN.

Enclosure in No. 54.

MEMORANDUM by Mr. GISBORNE.

THE annexed statement is respectfully forwarded to His Excellency for transmission to the Right Honorable the Lords of Her Majesty's Treasury, in terms of subsection 5, section 3, of "*The New Zealand Roads, &c., (Loan Act), 1870.*"

The statement is not sent with a view to any immediate action, but that the Act may be complied with, in case necessity should arise to apply any portion of the Guaranteed Loan.

This abstract only includes payments actually made in the Colony, for the services specified, to the 31st of January, 1872. It is therefore exclusive of the large liabilities incurred for works now in progress, and also of all expenditure made in England by the Agent-General, accounts of which have not yet been received here.

Treasury, Wellington, 13th March, 1872.

W. GISBORNE.

Sub-Enclosure to Enclosure in No. 54.

STATEMENT of the Total Expenditure from the Immigration and Public Works Loan, to the 31st January, 1872, for the under-mentioned services:—

Roads and Bridges	120,389	14	9
Railways	113,758	14	5
Introduction of Settlers	15,185	15	5
Total	£249,334	4	7

Treasury, Wellington, 6th March, 1872.

C. T. BATHIN,
Paymaster-General.

No. 55.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 31.)

Government House, Wellington,

MY LORD,— New Zealand, 18th March, 1872.

It is with much satisfaction that I report, by the mail leaving Wellington to-day, an event to which great importance is rightly attached in this Colony, as to a fresh and significant proof of the establishment of permanent tranquillity.

2. The influential Maori chief and formidable warrior known among the English as William King,* of Waitara, with whom the war of 1860 originated, and who has, during the last twelve years, continued in active hostility or sullen disaffection, has voluntarily come, attended by his principal clansmen and followers,

* This is his baptismal name: his Maori surname is Te Rangitake.

into the Town of New Plymouth, made peace with the Government, and renewed the friendly relations which he maintained of old with the settlers. His return took place on the 22nd of February, which is the twelfth anniversary of the proclamation of martial law at Taranaki in 1860.

3. It will be recollected that William King, together with the other leading chiefs of the clan of the Ngatiawas, was among the first to welcome to this country, in 1840, the agents of the New Zealand Company, and that he fought gallantly on the side of the English in the first Maori war (1845–48). The circumstances connected with his refusal to consent to the sale of a small block of land at Waitara, in the Province of Taranaki, and out of which the second Maori war arose, in 1860, are detailed at great length in the official correspondence and Parliamentary Papers of the years 1859–1863, and have been the theme of much controversy both here and in England. After the cessation of active warfare at Taranaki, William King and his followers retired to the forests and mountains of the interior, where they remained for several years, steadily declining all communication with the Government and with the colonists. He had always waged a fair and honorable warfare, and had never been concerned, like Te Kooti and Kereopa, in the murder of unarmed men, or of women and children; so he was given to understand that no notice would be taken of his past conduct. On my first visit to Taranaki, in 1869,* when several other Maori chiefs lately in arms against the Crown, came to welcome me, and renewed their allegiance, William King also sent a message of a submissive and respectful character. It was then intimated to him by the Government that some land had been reserved for him near New Plymouth, to which he could return and live in peace.

4. I am confident that your Lordship will read with interest the enclosed report from the Minister for Native Affairs (Mr. McLean), describing the reception of William King at the Town of New Plymouth. It will be seen that the officers of Government and large numbers of the colonists assembled to give a hearty welcome, on his return among them, to the aged chief whom they had learned, during the last thirty years, to respect both as a staunch ally and as a gallant enemy. Mr. McLean observes further, that the settlers with whom William King had formerly been acquainted, brought their sons and daughters to see and be seen by him. One of the local newspapers adds as follows:—"It was interesting to watch the curiosity of the children, who were allowed to enter the room in the Native Office where William King was sitting. The old chief seemed to enjoy the levee, for as each batch of children came in he laughed with delight as he took their tiny hands in his, and kindly shook them." Scenes like these reflect credit on all parties concerned, and are a happy augury for the future.

5. No chief or clan in arms against the Government during the war, which continued with little intermission from 1860 until 1870, now remains in hostility. Te Kooti, like Kereopa, was not a man of rank or importance, and owed his temporary influence among the Hauhau fanatics to his pretended supernatural powers. He is now a mere brigand, with only a handful of followers, and will probably, sooner or later, be captured, like Kereopa, by his own countrymen, and given up by them to justice.

6. The communications addressed to myself and to the Minister for Native Affairs, from all parts of this Island, give very satisfactory assurances of the establishment of permanent tranquillity.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 55.

MEMORANDUM by Mr. McLEAN, C.M.G.

THE Minister for Native Affairs is certain that His Excellency will be glad to hear that during a late visit to Whanganui and Taranaki he has been enabled to adjust various points in dispute in connection with land boundaries and other matters which had for some time been a cause of irritation among Native tribes.

The boundaries of the Native reserves made in the Rangitikei-Manawatu Block have been definitely fixed to the entire satisfaction of the Natives concerned. Arrangements have also been entered into

* See my Despatch No. 134, of 1869, printed at pages 129–139 of the Papers on New Zealand presented to Parliament on 8th April, 1870.

with a view to a more accurate definition of Native rights within the confiscated territory, and for the acquisition by purchase, with the good-will of the Natives, of such portions of land as they hold within it, but do not require for their own use, and which appear desirable for European settlements.

During the Native Minister's stay in Taranaki, William King, the chief with whom originated the war of 1860, emerged for the first time since that period from his strict seclusion in the forest ranges lying between Waitara and Whanganui.

The reappearance of this chief and his followers, after an absence of twelve years, has inspired great confidence among both the Europeans and the Natives of the Province, who unite in regarding his presence in their midst as the most significant indication and greatest assurance of future peace which has yet been manifested in the West Coast district of the Northern Island. The entry into the town was made in a most orderly manner, the Natives, to the number of about 400, marching in ranks through the streets to their destination at the Native Office, where, in accordance with Maori custom, they were welcomed, and invited to partake of food. Every spot in the vicinity was crowded with Europeans, many of whom had known William King years ago, and all anxious to see the old chief whom they had heard so much.

His Excellency will notice in the speeches allusions made to an ancient Maori custom, in accordance with which the march of a chief actuated by friendly intentions along paths hitherto trodden by war-parties only, was a sign of the extinction of all hostile feelings, and of the abandonment of all thoughts of revenge for the dead who had fallen during the war. [A report is appended of the proceedings at the meeting.]

During their stay at New Plymouth, the conduct of the visitors was all that could be desired, and William King himself became a centre of attraction, the old settlers whom he remembered bringing their children for him to see, and the chief evincing great delight at the notice thus taken of him.

The party set out from New Plymouth on the 26th instant, leaving behind them the impression among the settlers that no better augury could be found of a future state of quiet than the present resumption of amicable relations by tribes for so long a time estranged from both Europeans and friendly Natives residing within the settled districts.

Wellington, 29th February, 1872.

DONALD McLEAN.

No. 56.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 32.)

Government House, Wellington,

MY LORD,—

New Zealand, 21st March, 1872.

Adverting to my Despatch No. 111, of the 24th November ultimo, and to other correspondence respecting the labour traffic in the South Sea Islands, I have the honor to report that I recently received letters from the Earl of Belmore, the late Governor of New South Wales, stating that, from information which had reached Sydney, there appeared some reason to suspect the schooner "Helen," of Auckland, of illegal proceedings in that trade.

2. I lost no time in again directing the attention of the Colonial Ministers to this subject; and, after taking the opinion of the Attorney-General, they caused a strict inquiry to be instituted at Auckland. From the official reports addressed to them, it appears that the schooner "Helen" left that port on the 27th May, 1871, for Naumea, in New Caledonia, with a cargo consisting principally of sawn timber, and that she has not since been seen in New Zealand. I am assured that nothing tangible in the shape of legal evidence can be procured in this country respecting the recent deplorable outrages in the South Seas. In fact, as your Lordship is already aware, the naval officers, the authorities at Sydney and Brisbane, and the Consuls at the Fijis and the Navigator Islands, are alone in a position to ascertain the facts of these cases.

3. The Addresses to the Queen from both Houses of the New Zealand Parliament, transmitted with my Despatch referred to above, show the earnest desire of the Government and Legislature of this Colony to co-operate, to the utmost of their power, with Her Majesty's Government in the suppression of all illegal practices in the South Seas. Every possible watchfulness will continue to be maintained by myself and by the Colonial authorities.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

P.S.—In a later letter, Lord Belmore further stated that he had heard that a man named "Crossley," said to be living at Auckland, was accused of complicity in some of the irregularities of the labour trade; but the police report that, after full search, they were satisfied that no person of that name is now, or has recently been, resident in New Zealand.

G. F. B.

No. 57.

Enclosure 1.
Consul March to
Governor of N.Z.,
Dec. 11, 1871.

Enclosure 2.
Governor of N.Z.
to Consul March,
Jan. 22, 1872.

Enclosure 3.
Opinion of the
Attorney-General
of N.Z., Feb. 12,
1872.

Enclosure 4.
Police Report,
March 15, 1872.

Enclosure 5.
Governor of N.Z.
to Consul March,
March 27, 1872.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 33.)

Government House, Wellington,

New Zealand, 27th March, 1872.

MY LORD,—

I have the honor to transmit herewith, for your Lordship's information, copies of correspondence which has passed with Her Majesty's Consul in the Fiji Islands, in consequence of that gentleman having alleged that men were being enlisted in New Zealand for military service in Fiji.

2. I caused strict inquiry to be made, with the advice of the Attorney-General, and it will be perceived, from the official report (Enclosure 4), that there is no foundation for the rumours referred to by Consul March.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure 1 in No. 57.

Consul MARCH to the GOVERNOR of NEW ZEALAND.

SIR,—

H.B.M. Consulate, Fiji and Tonga, Overlau, 11th December, 1871.

From what has come to my knowledge, I have reason to believe that the so-styled Government of Fiji are endeavouring to raise, among Her Majesty's colonial subjects, a body of men for military service under Thakombau, one of the kings or chiefs of Fiji. Each volunteer is to receive a grant of land in return for his services.

It is stated that several recruits have already been made at the Thames and in Auckland, and that a member of the staff of the "Thames Volunteers" is taking a leading part in the enlistment.

Your Excellency is doubtless aware of the movement initiated for the establishment of a Government in these islands. The group has always been under the control of several independent chiefs; and although Thakombau's advisers have lately proclaimed him "King of Fiji," his right to that title is disputed. It is to compel these independent chiefs to submit to him that an army is being raised.

I deem it my duty to report this circumstance to your Excellency, as I believe it involves a breach of the Foreign Enlistment Act.

I have, &c.,

His Excellency Sir George F. Bowen, G.C.M.G.,
Governor of New Zealand.

EDWARD MARCH,

H.M. Consul.

Enclosure 2 in No. 57.

The GOVERNOR of NEW ZEALAND to Consul MARCH.

SIR,—

Government House, Wellington, New Zealand, 22nd January, 1872.

I have the honor to acknowledge the receipt, on this day, of your letter of the 11th December ultimo, stating that you have been informed that several recruits have been made in this Colony, at the Thames and at Auckland, for the service of Thakombau, of Fiji; and that a member of the staff of the "Thames Volunteers" is taking a leading part in the enlistment.

The Colonial Government will cause inquiry to be made as to these alleged facts, and will take the opinion of the Attorney-General on the questions of law involved.

I have, &c.,

Edward March, Esq., H.B.M.'s Consul, Fiji.

G. F. BOWEN.

Enclosure 3 in No. 57.

OPINION OF ATTORNEY-GENERAL.

Wellington, 12th February, 1872.

I THINK the alleged enlistment, if without the consent of Her Majesty, is a breach of "The Foreign Enlistment Act, 1870."

"The Act provides that if any person without the license of Her Majesty, and being a British subject, accepts, any engagement, in the military service of any "Foreign State" at war with any "Foreign State" at peace with Her Majesty, or, whether a British subject or not, induces others to enter such service, he shall be guilty of an offence.

The term "Foreign State" includes any "Foreign Prince" or any part of any Province or people, or any person exercising or assuming to exercise powers of Government in any foreign country or over any part of any Province or people.

These words seem sufficient to include the state of things existing in the Fiji Islands. I think, therefore, that inquiry should be made, and if it be found to be true that any such enlistment has been practised, that a notice should be issued, warning the public against it, and the officer of Volunteers referred to, if found out, should be warned against proceeding in such a matter; if, notwithstanding the warning, the practice is continued, I think that a prosecution should be instituted.

If on inquiry the allegations contained in this letter are not borne out, it will be unnecessary to take any steps. I think the writer should be informed of what is intended to be done, and thanked for his information.

The Hon. the Colonial Secretary.

J. PRENDERGAST.

Enclosure 4 in No. 57.

Detective Inspector THOMSON to the ACTING UNDER SECRETARY for DEFENCE, Wellington.

SIR,— Armed Constabulary (Detective Branch), Auckland, 15th March, 1872.

Referring to your letter of the 21st ultimo, No. 23 (*re* alleged enlistments here for military service at the Fiji Islands), which reached my office during my temporary absence on duty in the Bay of Plenty District, I have the honor to report that since my return I have caused careful inquiries to be made in the matter, and have ascertained that the rumour mentioned in your letter, and embodied in a paragraph which went the round of the Press about two months ago (taken from the *Thames Advertiser*), has no better foundation than the following facts:—

About the middle of January last, one "Crichton" or "Creighton," formerly connected with the Volunteer movement as a Sergeant-Major and Drill Instructor at the Thames, returned to Auckland after a short absence at Levuka, and informed some of his friends that he was empowered by the Fijian Government to enrol men for military service at Fiji; and his friends speaking of the matter at the Thames, the statement eventually found its way into the columns of the local Press.

Creighton, who is spoken of as a reputed liar, and of very intemperate habits, left the Thames considerably in debt, and has only spent one day there since his return from Fiji. He has neither sufficient personal influence nor social status to induce people here to look upon him as a duly appointed agent of the Fiji Government or any other Government. As the result of the inquiries made in the matter, I am in a position to state advisedly that not a single man has been enrolled either here or at the Thames for the service in question, and in this opinion Major Gordon fully concurs with me. Such enlistments (on however small a scale) could no more take place at the Thames than here, without the knowledge of Major Cooper or Sub-Inspector Bullen, of the Constabulary, to both of whom I have spoken on the subject. Creighton has not been seen here for some time past, but I am having further inquiries made, and should any information be obtained relative to this matter (worth reporting), will duly report same.

I have, &c.,

G. S. Cooper, Esq., Under Secretary.

J. BELL THOMSON, Inspector, A.C.

Enclosure 5 in No. 57.

The GOVERNOR of NEW ZEALAND to Consul MARCH.

SIR,—

Government House, Wellington, New Zealand, 27th March, 1872.

Adverting to your letter of the 11th December ultimo, and to my reply of the 22nd January ultimo, I have now further to inform you that the Colonial Government, acting with the advice of the Attorney-General, have caused strict inquiry to be made; and that you will perceive, from the enclosed police report, that there is no foundation for the rumour to which you refer, of men having been enlisted in this Colony for military service in Fiji.

I have, &c.,

Edward March, Esq., H.B.M.'s Consul, Fiji.

G. F. BOWEN.

No. 58.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 35.)

Government House, Wellington,

MY LORD,—

New Zealand, 30th March, 1872.

In my Despatch No. 109, of the 20th November ultimo, I reported that, towards the end of the last Session of the New Zealand Parliament, a difference arose between the Legislative Council and the House of Representatives concerning certain points of law and privilege. Finally, however, an amicable arrangement was effected, on the understanding that the questions involved in the dispute should be referred for the opinion of the Law Officers of the Crown in England. Accordingly, a case has been prepared by the Managers of both Houses in the terms of Article 405 of the Colonial Regulations.

2. I have this day received the enclosed Ministerial Memorandum, in which my Responsible Advisers request me to transmit the annexed documents, forwarded in quadruplicate, as is required by the Regulations.

Memo. by Mr. Gisborne, March 30, 1872.

I am, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 58.

MEMORANDUM by Mr. GISBORNE.

MR. GISBORNE has the honor to transmit to His Excellency the enclosed papers, including a Case stating facts agreed upon for reference to the Law Officers of the Crown, in accordance with the Resolutions of the Legislative Council and House of Representatives, relating to a question of privilege between both Houses last Session.

His Excellency is respectfully requested to forward these papers to the Right Hon. the Secretary of State for the Colonies, in order that the opinion of the Law Officers of the Crown may be obtained on the questions at issue.

Wellington, 30th March, 1872.

W. GISBORNE.

Sub-Enclosure to Enclosure in No. 58.

Legislative Council Chamber, Wellington, 18th March, 1872.

THE Managers of the Legislative Council and of the House of Representatives transmit to the Colonial Secretary herewith a case, stating the facts upon which they are agreed, for reference to the Law Officers of the Crown, in accordance with the Resolutions of both Houses, relating to the difference on a question of privilege which arose between both Houses last Session.

Appended to the case are stated at full length the reasons submitted by the Managers of the Legislative Council in support of the view urged by the Legislative Council.

The Managers of the House of Representatives do not deem it necessary to submit any further statement beyond the statement of facts contained in the case.

It is requested that the Colonial Secretary will move His Excellency the Governor to transmit the accompanying papers to the Secretary of State, by the outgoing mail.

W. B. D. MANTELL,	}	For the Managers of the Legislative Council.
HENRY SEWELL,		
F. D. BELL,	}	For the Managers of the House of Representatives.
A. DE B. BRANDON,		

A QUESTION has arisen between the Legislative Council and the House of Representatives of New Zealand, upon which the opinion of the Law Officers of the Crown in England is sought to be obtained. The Legislative Council amended a Bill by striking out a clause. The House of Representatives insisted that the Bill was of that class in which the Legislative Council is, by constitutional usage, debarred from making amendments.

The facts of the case are as follows:—Under various Acts for regulating the Public Revenues of New Zealand, certain principal branches of Revenue, viz., the Duties of Customs, Post Office, Stamps, &c., are thrown together and form the Consolidated Revenue of the Colony, out of which the annual supplies for the Public Service are appropriated.

By "The Payments to Provinces Act, 1870," (of which a copy is herewith,) certain capitation allowances, determined according to the population of each Province, were made payable to the respective Provinces of New Zealand out of the Consolidated Revenue for a period of seven years, the amount payable to each Province being fixed on a gradually descending scale, varying in amount, according to the population in the respective Provinces, each year. In the current year, the rate per head of the population payable under such Act would have been 38s.

In the same Act was also contained a provision that, in every year during the same period of seven years, a sum of £50,000 should be paid out of the Consolidated Revenue to the Provinces, in the ratio of their respective population, for distribution amongst the various Road Boards within such Provinces, according to a scale fixed by the Act.

In the same Session (1870) another Act was passed, intituled "The Immigration and Public Works Act, 1870," (a copy of which is herewith,) whereby provision was made for various subjects viz.:—The Construction of Railways; Immigration; The Construction of Water-races on Gold Fields; The Purchase of Lands from the Natives; The Extension of Telegraphs; The Formation of Roads in the North Island.

And by another Act of the same Session (1870), intituled "The Immigration and Public Works Loan Act, 1870," (a copy of which is herewith,) authority was given to the Governor to raise by loan £4,000,000, to be applied in the way prescribed by the Schedule to the Act, viz.:—

For Railways	...	...	...	...	...	£2,000,000
Immigration	...	...	...	...	...	1,000,000
Construction of Roads in North Island	...	...	...	...	...	400,000
Waterworks on Gold Fields	...	...	...	...	...	300,000
Purchase of Land in North Island	...	...	...	...	...	200,000
Extension of Telegraph	...	...	...	...	...	60,000
Unapportioned	...	...	...	...	...	40,000
						£4,000,000

The amount was authorized to be raised by issue of debentures,—the charge for interest and sinking fund not to exceed 6 per cent,—and the same were to be a charge upon the Consolidated Revenue.

The 14th section provided that the "moneys raised under the authority thereinbefore contained should and might, subject to the provisions thereafter contained, and to the provisions contained in 'The Immigration and Public Works Act, 1870,' be issued and applied to the purposes mentioned in the Act and no other; and as to purposes mentioned in the said Schedule, should be issued and applied in sums not exceeding the amounts in the said Schedule respectively provided."

It was further provided by the 19th section, that in the event of the Imperial Parliament passing an Act to guarantee any loan raised by the Colony of New Zealand for all or any of the purposes for which the loan thereby authorized might be applied, the Governor, or any such Agents as might be appointed under the Act, might raise any portion of the loan, with such guarantee, upon and subject to all or any of the terms, conditions, and stipulations expressed in such Act of the Imperial Parliament; and the Governor or such Agents as aforesaid was further empowered to enter into any such contract or arrangement as he might think fit, with the Lords Commissioners of Her Majesty's Treasury in England, with regard to any portion of the loan, and the guarantee thereof, and in and by any such arrangement or contract, the Governor or such Agent as aforesaid might fix the order of priority of charge on the Consolidated Fund of New Zealand, which the loan so guaranteed, or any part or parts thereof, should take with relation to any other part or parts of the loan; and in and by such arrangement might provide for the transmission to England and investment of the Sinking Fund (if any) of

the loan so guaranteed, provided that such contract or arrangement was not inconsistent with the purposes for which such loan was authorized to be raised.

In the Session of the General Assembly just passed (1871), the Government introduced in the House of Representatives a Bill intituled "The Payments to Provinces Bill, 1871," (a copy of which is herewith,) the object of which was to alter the financial arrangements between the Colony and the Provinces; to reduce the amount of capitation allowance payable out of the Consolidated Revenue from 38s. per head to 15s. per head; and in lieu of the £50,000 per annum payable, under the Act of last year, *out of the Consolidated Revenue* to the Provinces for the service of the Road Boards, to apply £100,000 *out of the moneys authorized* to be raised by the loan under "The Immigration and Public Works Loan Act," and which are referred to in the Bill as "The Public Works Fund," to the Provinces for distribution amongst the Road Boards, to be expended by them in the construction of new roads, bridges, and culverts, and, in the maintenance thereof, for one year, and the completion of such works commenced last year as were not yet finished." And there was added in the Bill as sent up to the Legislative Council from the House of Representatives, a clause which has given rise to the question now raised, upon which the opinion of the Law Officers of the Crown in England is requested. The clause was as follows:—

28. "Notwithstanding anything herein contained, it shall be lawful for the Minister of Public Works, if he think fit, on the application of the Superintendent of any Province, to expend any sum not exceeding one-half of the money to be allotted to such Province for the year ending the thirtieth day of June, one thousand eight hundred and seventy-two, under section eleven of this Act, in payment of or in repayment to such Province of the cost of permanent public works in such Province; provided, however, that except in the County of Westland such works shall have been authorized by any Act of the Superintendent and Provincial Council of the Province now in force."

The Legislative Council objected to this clause. Accordingly they expunged the clause, and the Bill in this amended form (and with some other unimportant amendments) was returned to the House of Representatives.

The House of Representatives returned the Bill, with reasons for disagreeing from the amendments of the Legislative Council in clauses 14, 15, 28, and 29, as follows:—

"That the above clauses relate to the appropriation and management of money, and that the Legislative Council has not power to alter or expunge such clauses."

The Legislative Council replied as follows:—

"At this late period of the Session it would be impossible for the two branches of the Legislature to discuss, with the requisite deliberation, the important question of privilege raised by the House of Representatives. But the Council desires briefly to state its views of the question thus raised:—

"The present Bill, so far at least as concerns the application of the Immigration and Public Works Loan, authorized to be raised last year, is not, in their opinion, a Bill of Aid or Supply. It imposes no new burden on the people, nor alters any existing burden, nor is it a grant of money by way of Supply.

"The Colonial Parliament last year authorized a very large loan to be raised on the credit of the Colony, to be expended strictly and exclusively on immigration, railways, and other public works and undertakings specified in the Act.

"It is proposed by the present Bill to divert a part of the money so to be raised to other objects of a cognate character, and to that extent the Legislative Council is prepared to concur in the proposed measure. But it is proposed, further, to authorize the Governor to pay over one-half of the amount so to be diverted, to the Provinces.

"Such an application of the Immigration and Public Works Loan authorized to be raised last year is not, in the opinion of the Council, right or consistent with the engagements upon the faith of which Parliament last year consented to raise the loan.

"The Legislative Council claims the right to exercise its own judgment upon that point. The concession of that right would so narrow as practically to destroy its proper functions as a Legislative body in dealing with questions of a similar character which come before them in a great variety of forms. For the foregoing reasons, the Legislative Council earnestly trusts that the House of Representatives will accept the Bill as amended by the Legislative Council."

To this the House of Representatives made a rejoinder as follows:—

"That it is beyond the power of the Legislative Council to vary or alter the management or distribution of any money as prescribed by the House of Representatives: that it is within the power of the House of Representatives by Act of one Session, to vary the appropriation or management of money prescribed by Act of a previous Session."

To which the Legislative Council replied by the following message:—

"This Council cannot assent to the reasons adduced by the House of Representatives for disagreeing to its amendments in the Payments to Provinces Bill, and maintains that the amendments to which the House of Representatives objects, are strictly within the powers and privileges of the Council to make.

"The Council considers the clauses in the Bill, in their original and unamended shape, to be objectionable in principle and in manifest violation of the spirit and intention of the Public Works Act of 1870. The Council recognizes, however, that the Bill is a portion of the general financial policy of the Government, and that its rejection at this stage might be attended with great public inconvenience.

"While, therefore, still maintaining its constitutional right to make the amendments in question, it consents to abstain from the exercise of this right on the House of Representatives agreeing:—

"1. To amend the Bill so as to restrict its operation to the present financial year.

"2. To refer the point in dispute between the two Houses to the Law Officers of the Crown in England, upon a case to be prepared by Managers appointed by each House.

"Subject to these conditions the Council will, on being made acquainted with the names of the Managers appointed by the House of Representatives to draw up the case for reference, cease to insist upon its amendments."

Whereupon the House of Representatives accepted the terms proposed by the Legislative Council, and transmitted the following message to the Legislative Council:—

“The House of Representatives have considered the reasons adduced by the Legislative Council for refusing to concur in the reasons of the House of Representatives for objecting to the amendments of the Council in the Bill intituled ‘The Payments to Provinces Act, 1871.’”

“The House have concurred in the first proposition of the Legislative Council, respecting the operation of the Bill, and have agreed to the following clause, to stand last clause of the Bill:—

“‘This Act shall continue in operation until the first day of July next, and no longer.’”

“On consideration of the second proposal of the Legislative Council, the House of Representatives have agreed to the following Resolution:—

“‘That this House will concur in the proposition of the Legislative Council, that the opinion of the Law Officers of the Crown be obtained on the question whether, in accordance with the practice of the Imperial Parliament, the amendments made by the Council are within its functions, having regard to constitutional usage and to the powers conferred on the Council by ‘The Privileges Act, 1865,’ and that Mr. Speaker, Mr. Brandon, and the Hon. W. Fox be appointed Managers to meet Managers on the part of the Legislative Council to prepare a case for the purpose. Such opinion to be taken with a view to assisting the Legislature in future action, but not to be binding on either House.’”

To this the Legislative Council replied by the following message:—

“The Legislative Council have waived their amendments in the Bill intituled ‘The Payments to Provinces Act, 1871,’ and have agreed to the following clause, to stand as the last clause of the Bill:—

“‘This Act shall continue in operation until the first day of July next, and no longer.’”

“Also, the Legislative Council have appointed the Hon. the Speaker, the Hon. Mr. Sewell, and the Hon. Mr. Mantell as their Managers to meet the Managers appointed by the House of Representatives, to prepare a case in accordance with the Resolutions agreed to by the House of Representatives, in accordance with the suggestions of the Legislative Council, contained in Message No. 84, of November 13.”

Another distinct question has been raised as to the constitutional powers of the Legislative Council under an Act passed in the year 1865, intituled the Parliamentary Privileges Act (a copy of which is herewith).

By the 4th section of the Act of 1865, it is enacted that “the Legislative Council or House of Representatives of New Zealand respectively shall hold, enjoy, and exercise such and the like privileges, immunities, and powers as, on the 1st January, 1865, were held, enjoyed, and exercised by the Commons House of Parliament of Great Britain and Ireland, and by the Committees and Members thereof, so far as the same are not inconsistent with or repugnant to such and so many of the sections and provisions of the Constitution Act as at the time of the coming into operation of this Act are unrepealed, whether such privileges, immunities, or powers were so held, possessed, or enjoyed by custom, statute, or otherwise; and such privileges, immunities, and powers shall be deemed to be and shall be part of the general and public law of the Colony; and it shall not be necessary to plead the same, and the same shall, in all Courts and by and before all Judges, be judicially taken notice of.”

The only unrepealed clause in the Constitution Act which touches this question is the 54th, by which it is enacted that “It shall not be lawful for the House of Representatives or the Legislative Council to pass, or for the Governor to assent to, any Bill appropriating to the Public Service any sum of money from or out of Her Majesty’s Revenue within New Zealand, unless the Governor, on Her Majesty’s behalf, shall first have recommended to the House of Representatives to make provision for the specific Public Service towards which such money is to be appropriated.”

The opinion of the Law Officers of the Crown in England is requested upon the following points:—

- I. Whether, independently of “The Parliamentary Privileges Act, 1865,” the Legislative Council was constitutionally justified in amending “The Payments to Provinces Bill, 1871,” by striking out the disputed clause (clause 28)?
- II. Whether “The Parliamentary Privileges Act, 1865,” confers on it any larger powers in this respect than it would otherwise have possessed?
- III. Whether the claims asserted by the House of Representatives in their messages to the Legislative Council are well grounded, or what are the proper limitations thereof?

HENRY SEWELL, F. D. BELL,
W. B. D. MANTELL, A. DE B. BRANDON.

Reasons submitted by the Managers for the Legislative Council in support of the view of the Legislative Council.

A QUESTION has arisen between the Legislative Council and the House of Representatives of New Zealand, upon which the opinion of the Law Officers of the Crown in England is sought to be obtained. The Legislative Council amended a Bill by striking out a clause. The House of Representatives, insisted that the Bill was of that class in which the Legislative Council is, by constitutional usage debarred from making amendments.

The facts of the case are as follows:—

Under various Acts for regulating the Public Revenues of New Zealand, certain principal branches of Revenue, namely, the Duties of Customs, Post Office, Stamps, &c., are thrown together, and form the Consolidated Revenue of the Colony, out of which the annual supplies for the Public Service are appropriated.

By “The Payments to Provinces Act, 1870,” (of which a copy is herewith,) certain capitation allowances, determined according to the population of each Province, were made payable to the respective Provinces of New Zealand out of the Consolidated Revenue for a period of seven years, the

amount payable to each Province being fixed on a gradually descending scale, varying in amount according to the population in the respective Provinces each year. In the current year, the rate per head of the population payable under such Act would have been 38s.

In the same Act was also contained a provision that, in every year during the same period of seven years, a sum of £50,000 should be paid out of the Consolidated Revenue to the Provinces, in the ratio of their respective population, for distribution amongst the various Road Boards within such Provinces, according to a scale fixed by the Act.

In the same Session (1870) another Act was passed, intituled "The Immigration and Public Works Act, 1870," (a copy of which is herewith,) whereby provision was made for various objects, viz., The Construction of Railways; Immigration; the Construction of Water-races on Gold Fields; the Purchase of Lands from the Natives; the Extension of Telegraphs; the Formation of Roads in the North Island.

And by another Act of the same Session (1870), intituled "The Immigration and Public Works Loan Act, 1870," (a copy of which is herewith,) authority was given to the Governor to raise by loan four million pounds (£4,000,000), to be applied in the way prescribed by the Schedule to the Act, namely,—

For Railways	...	...	...	...	£2,000,000
Immigration	...	...	...	...	1,000,000
Construction of Roads in North Island	...	...	...	...	400,000
Waterworks on Gold Fields	...	...	...	...	300,000
Purchase of Land in North Island	...	...	...	...	200,000
Extension of Telegraph	...	...	...	...	60,000
Unapportioned	...	...	...	...	40,000
					<hr/> £4,000,000

This amount was authorized to be raised by issue of debentures,—the interest and sinking fund not to exceed 6 per cent.,—and the same were to be a charge upon the Consolidated Revenue. The 14th section provided that "the moneys raised under the authority thereinbefore contained, should and might, subject to the provisions thereafter contained, and to the provisions contained in 'The Immigration and Public Works Act, 1870,' be issued and applied to the purposes mentioned in the Act and no other, and as to purposes mentioned in the said Schedule, should be issued and applied in sums not exceeding the amounts in the said Schedule respectively provided."

It was further provided by the 19th section, that in the event of the Imperial Parliament passing an Act to guarantee any loan raised by the Colony of New Zealand for all or any of the purposes for which the loan thereby authorized might be applied, the Governor, or any such Agents as might be appointed under the Act, might raise any portion of the loan, with such guarantee, upon and subject to all or any of the terms, conditions, and stipulations expressed in such Act of the Imperial Parliament, and the Governor or such Agents as aforesaid was further empowered to enter into any such contract or arrangement as he might think fit, with the Lords Commissioners of Her Majesty's Treasury in England, with regard to any portion of the loan, and the guarantee thereof, and in and by any such arrangement or contract, the Governor or such Agent as aforesaid might fix the order of priority of charge on the Consolidated Fund of New Zealand, which the loan so guaranteed, or any part or parts thereof, should take with relation to any other part or parts of the loan; and in and by such arrangement might provide for the transmission to England and investment of the Sinking Fund (if any) of the loan so guaranteed, provided that such contract or arrangement was not inconsistent with the purposes for which such loan was authorized to be raised.

In the Session of the General Assembly just passed (1871), the Government introduced in the House of Representatives a Bill intituled "The Payments to Provinces Bill, 1871," (a copy of which is herewith,) the object of which was to alter the financial arrangements between the Colony and the Provinces; to reduce the amount of capitation allowance payable out of the Consolidated Revenue from 38s. per head to 15s. per head; and in lieu of the £50,000 per annum payable, under the Act of last year, out of the Consolidated Revenue, to the Provinces for the service of the Road Boards, to apply £100,000 out of the moneys authorized to be raised by loan under "The Immigration and Public Works Loan Act," and which are referred to in the Bill as "The Public Works Fund," to the Provinces for distribution amongst the Road Boards, "to be expended by them in the construction of new roads, bridges, and culverts, and in the maintenance thereof for one year, and the completion of such works commenced last year as were not finished." And there was added in the Bill as sent up to the Legislative Council from the House of Representatives, a clause which has given rise to the question now raised, upon which the opinion of the Law Officers of the Crown in England is requested. The clause was as follows:—

28. "Notwithstanding anything herein contained, it shall be lawful for the Minister of Public Works, if he think fit, on the application of the Superintendent of any Province, to expend any sum not exceeding one-half of the money to be allotted to such Province for the year ending the thirtieth of June, one thousand eight hundred and seventy-two, under section eleven of this Act, in payment of or in repayment to such Province of the cost of permanent works in such Province; provided however, that except in the County of Westland such works shall have been authorized by any Act of the Superintendent and Provincial Council of the Province now in force."

The object of this clause, as it appeared to the Legislative Council, was, under colour of a repayment to the Provinces of former outlay on public works, really to place in the Provincial Treasuries additional funds for Provincial appropriation.

The Legislative Council objected to this clause. Though ready to give effect to the financial arrangements of the Government so far as they properly could, they considered that to divert £50,000 of the money authorized to be raised by loan last year for new public works specifically defined by the Act, to other services of a wholly different kind, namely, to replace in the Provincial

Treasuries moneys already expended, was objectionable in principle and in manifest violation of the spirit and intention of the Act authorizing the loan to be raised. Accordingly, they expunged the clause, and the Bill in this amended form (and with some other unimportant amendments) was returned to the House of Representatives.

The House of Representatives returned the Bill, with reasons for disagreeing from the amendments of the Legislative Council in clauses 14, 15, 28, and 29, as follows:—

“That the above clauses relate to the appropriation and management of money, and that the Legislative Council has not power to alter or expunge such clauses.”

The Legislative Council replied as follows:—

“At this late period of the Session it would be impossible for the two branches of the Legislature to discuss, with the requisite deliberation, the important question of privilege raised by the House of Representatives. But the Council desires briefly to state its views of the question thus raised:—

“The present Bill, so far at least as concerns the application of the Immigration and Public Works Loan, authorized to be raised last year, is not, in their opinion, a Bill of Aid or Supply. It imposes no new burden on the people, nor alters any existing burden, nor is it a grant of money by way of Supply.

“The Colonial Parliament last year authorized a very large loan to be raised on the credit of the Colony, to be expended strictly and exclusively on immigration, railways, and other public works and undertakings specified in the Act. It is proposed by the present Bill to divert a part of the money so to be raised to other objects of a cognate character, and to that extent the Legislative Council is prepared to concur in the proposed measure. But it is proposed, further, to authorize the Governor to pay over one-half of the amount so to be diverted, to the Provinces. Such an application of the Immigration and Public Works Loan authorized to be raised last year is not, in the opinion of the Council, right or consistent with the engagements upon the faith of which Parliament last year consented to raise the loan.

“The Legislative Council claims the right to exercise its own judgment upon that point. The concession of that right would so narrow as practically to destroy its proper functions as a Legislative body in dealing with questions of a similar character which come before them in a great variety of forms. For the foregoing reasons, the Legislative Council earnestly trusts that the House of Representatives will accept the Bill as amended by the Legislative Council.”

To this the House of Representatives made a rejoinder as follows:—

“That it is beyond the power of the Legislative Council to vary or alter the management or distribution of any money as prescribed by the House of Representatives: that it is within the power of the House of Representatives by Act of one Session, to vary the appropriation or management of money prescribed by Act of a previous Session.”

To which the Legislative Council replied by the following message:—

“This Council cannot assent to the reasons adduced by the House of Representatives for disagreeing to its amendments in the Payments to Provinces Bill, and maintains that the amendments to which the House of Representatives objects, are strictly within the powers and privileges of the Council to make.

“The Council considers the clauses in the Bill, in their original and unamended shape, to be objectionable in principle and in manifest violation of the spirit and intention of the Public Works Act of 1870. The Council recognizes, however, that the Bill is a portion of the general financial policy of the Government, and that its rejection at this stage might be attended with great public inconvenience.

“While, therefore, still maintaining its constitutional right to make the amendments in question, it consents to abstain from the exercise of this right, on the House of Representatives agreeing,—

“1. To amend the Bill so as to restrict its operation to the present financial year.

“2. To refer the point in dispute between the two Houses to the Law Officers of the Crown in England, upon a case to be prepared by Managers appointed by each House.

“Subject to these conditions, the Council will, on being made acquainted with the names of the Managers appointed by the House of Representatives to draw up the case for reference, cease to insist upon its amendments.”

Whereupon the House of Representatives transmitted the following message:—

“The House of Representatives have considered the reasons adduced by the Legislative Council for refusing to concur in the reasons of the House of Representatives for objecting to the amendments of the Council in the Bill intituled ‘The Payments to Provinces Act, 1871.’ The House have concurred in the first proposition of the Legislative Council, respecting the operation of the Bill, and have agreed to the following clause, to stand the last clause of the Bill:—

“‘This Act shall continue in operation until the first day of July next, and no longer.’

“On consideration of the second proposal of the Legislative Council, the House of Representatives have agreed to the following Resolution:—

“‘That this House will concur in the proposition of the Legislative Council, that the opinion of the Law Officers of the Crown be obtained on the question whether, in accordance with the practice of the Imperial Parliament, the amendments made by the Council are within its functions, having regard to constitutional usage and to the powers conferred on the Council by ‘The Privileges Act, 1865,’ and that Mr. Speaker, Mr. Brandon, and the Hon. Mr. Fox be appointed Managers to meet Managers on the part of the Legislative Council to prepare a case for the purpose. Such opinion to be taken with a view to assisting the Legislature in future action, but not to be binding on either House.’”

To this the Legislative Council replied by the following message:—

“The Legislative Council have waived their amendments in the Bill intituled ‘The Payments to Provinces Act, 1871,’ and have agreed to the following clause, to stand as the last clause of the Bill:—

“‘This Act shall continue in operation until the first day of July next, and no longer.’

“Also, the Legislative Council have appointed the Hon. the Speaker, the Hon. Mr. Sewell, and the Hon. Mr. Mantell as their Managers to meet the Managers appointed by the House of Repre-

sentatives, to prepare a case in accordance with the Resolutions agreed to by the House of Representatives, in accordance with the suggestions of the Legislative Council, contained in Message No. 84, of November 13, 1871."

Thus the difference between the two Houses was terminated. The Bill was passed in the form agreed to, and the present statement (prepared on behalf of the Legislative Council) is submitted to the Law Officers of the Crown in England, in accordance with the arrangement come to between the two Houses.

A case will, it is understood, be also submitted to the Law Officers of the Crown, embodying the views taken by the House of Representatives in support of their reasons. This mode of submitting the question to the Law Officers of the Crown has been adopted by the Managers on either side as most convenient.

The broad denial by the House of Representatives of the power of the Legislative Council "*to vary or alter the management or distribution of any money as prescribed by the House of Representatives*," and the assertion of their sole right "*by Act of one Session to vary the appropriation or management of money prescribed by Act of a previous Session*," obliges the Legislative Council to examine the principles which ought to govern the two branches of the Legislature in dealing with money questions.

The leading Resolution of the House of Commons on this point is that of the 3rd July, 1678, referred to by Mr. May as that "upon which all proceedings between the two Houses in matters of Supply are founded," and is as follows:—

"That all aids and supplies and aids to His Majesty in Parliament are the sole gift of the Commons: and all Bills for the granting of any such aids and supplies ought to begin with the Commons: and that it is the undoubted and sole right of the Commons to direct, limit, and appoint, in such Bills, the ends, purposes, considerations, conditions, limitations, and qualifications of such grants: which ought not to be changed or altered by the House of Lords."

Further, Mr. May says:—

"In Bills not confined to matters of aid or taxation, but in which pecuniary burdens are imposed upon the people, the Lords may make any amendments provided they do not alter the intention of the Commons with regard to the amount of the rate or charge whether by increase or reduction; its duration, its mode of assessment, levy, collection, appropriation, or management: or the persons who shall pay, receive, manage, or control it or the limits within which it is proposed to be levied. All Bills of this class must originate with the Commons, as the House of Commons will not agree to any provisions which impose a charge of any description upon the people, if sent down from the Lords, but will order the Bills containing them to be laid aside. Neither will they permit the Lords to insert any provisions of that nature in Bills sent up from the Commons, but will disagree to the amendments, and insist in their disagreement, or will lay the Bill aside."

As regards the legal right of the House of Lords to reject money Bills, their power "as a co-ordinate branch of the Legislature to withhold their assent from any Bill whatever to which their concurrence is desired," is unquestionable. It is a power, however, rarely exercised. The last memorable instance was that of the Paper Duties Repeal Bill. Under what circumstances such a power may constitutionally be exerted, cannot, it would seem, be exactly defined. "The constitutional power of the Commons to grant supplies without interference on the part of the Lords has," as Mr. May points out, "been occasionally abused by tacking to Bills of Supply enactments which, in another Bill, would have been rejected by the Lords, but which, being contained in a Bill which their Lordships had no right to amend, must either have been suffered to pass unnoticed, or have caused the rejection of a measure highly necessary for the public service. Such a proceeding is as great an infringement of the privileges of the Lords, as the interference of their Lordships in matters of Supply is of the privileges of the Commons, and has been resisted by protest, by conference, and by the rejection of Bills."

Such appear to be the leading principles governing the two branches of the Imperial Legislature in respect of money Bills; and they do not appear to justify the propositions maintained by the House of Representatives.

The question in the particular case is, whether the Legislative Council has a right to amend the Bill for altering the capitation allowance to Provinces, and applying part of the Public Works Loan to the service of Road Boards, by striking out a clause, the effect of which will be to apply part of such loan to the aid of the Provincial Treasuries.

Is such a Bill a Bill of Aid or Supply? What is a Bill of Aid or Supply?

The answer may, it is conceived, be given by referring to the character and functions of "The Committee of Supply." Whatever is within the province of the Committee of Supply must form the subject-matter of a Bill of Supply: whatever is outside the functions of that Committee cannot, it is presumed, have that character. The functions of the Committee of Supply are stated by Mr. May (at pp. 556 and 557, *Treatise on Law, &c., of Parliament*) as follows:—

"The Committee of Supply votes every sum which is granted annually for the public service, the army, the navy, and the several civil and revenue departments. But the fact already explained should be constantly borne in mind,—that in addition to these particular services, which are voted in detail, there are permanent charges upon the public revenue secured by Acts of Parliament, which the Treasury are bound to defray as directed by law. In this class are included the interest of the national funded debt, the civil list of Her Majesty, the annuities of the Royal Family, and the salaries and pensions of the judges and some other public officers. These are annual charges upon the Consolidated Fund; but the specific appropriation of the respective sums necessary to defray those charges having been permanently authorized by statutes, is independent of annual grants, and is beyond the control of the Committee of Supply."

Mr. May then proceeds to consider the functions of the Committee of Ways and Means.

"The Committee of Ways and Means votes general grants from time to time out of the *Consolidated Fund* 'towards making good the Supply granted to Her Majesty'; and Bills are founded upon these Resolutions of the Committee, by which the Treasury receives authority to issue the necessary amounts from the Consolidated Fund for the service of the year."

Bills of this class are, it is presumed, properly Bills of Supply, which it is against parliamentary usage for the upper branch of the Legislature to alter.

But as regards Bills not of this class, but affecting charges more or less permanent, already created by law on the Consolidated Revenue, and which are beyond the control of the Committee of Supply, the Legislative Council insists that there is no rule debarring it from exercising its ordinary legislative functions. Were it otherwise, it might be compelled to submit to, without the power of varying, changes of a fundamental character in the Civil List, or to reductions in the salaries of judges, with a condition altering their tenure of office, or, as in the present case, to the diversion of money authorized to be raised by loan for specific services, to a wholly different purpose.

The parliamentary precedent which appears to be most in point is that of the West India Bishoprics Bill in 1868, reported in *Hansard* (Lords, July 7, 13; Commons, July 27, 28). In that case a charge had been made, on the Consolidated Fund, by way of endowment for bishoprics in the West Indies, to the amount of £20,300 a year. It was proposed to rescind such grant, and a Bill for that purpose was sent up to the House of Lords from the House of Commons. An amendment was proposed in the House of Lords, the effect of which was to extend the saving of vested interests to a case not provided for by the Bill, and so to diminish the saving to the Consolidated Fund. The Bill so amended was returned to the Lower House, where the Lords' amendment was taken into consideration, and an amendment was proposed upon the Lords' amendment, the effect of which, if carried, would have been to diminish still further the saving to the Consolidated Fund. Upon this the question was raised, whether such proposed amendment ought not to have been previously sanctioned by resolution of the House. A double question, therefore, seems to have presented itself, namely, as to the power of the Upper House to amend the Bill, and the power of the Lower House to amend the Lords' amendment in the way proposed; the effect of which would, it was argued, be practically to make a new grant out of the Consolidated Fund. The Speaker ruled as follows:—

"It appears to me, as far as the privileges of the House are concerned, the question turns upon *whether there is any new charge upon the Consolidated Fund*; and while the Bill proposes to relieve the Consolidated Fund of £20,000, this amendment would relieve it of £18,000 only. The question of the merits of the Bill is a matter for the consideration of the House. The Hon. Member for Edinburgh (Mr. McLaren) has asked me whether, in point of form, this amendment can be put. The question is, whether it is relevant; and it appears to me that it is relevant to the amendment of the Lords. I do not mean to say it is not a somewhat complicated question. I adhere to the substance of the opinion I gave last night: that as there is no new charge upon the Consolidated Fund, therefore I think it is a matter more to be decided by the House on its merits, than by any opinion from the Chair."

The Lords' amendment was agreed to.

There is a special ground in the present case for maintaining the right of the Legislative Council to amend the Bill as they did. It has been pointed out that, by "The Immigration and Public Works Loan Act, 1870," it was provided that in the event of the Imperial Parliament passing an Act to guarantee any loan raised by the Colony of New Zealand, for all or any of the purposes for which the loan thereby authorized might be applied, the Governor or his Agents might raise any portion of the loan so authorized, with such guarantee, upon and subject to all or any of the terms, conditions, and stipulations expressed in such Act of the Imperial Parliament. He was also authorized to fix the order of priority which such guaranteed portion of the loan should have over other parts of the loan. By an Act of the Imperial Parliament (1870, chap. 40), the Imperial Treasury was authorized to guarantee, in such manner and form as they might think fit, payment of the principal of all or any part of any loan, not exceeding £1,000,000, raised by the Government of New Zealand, for the purpose of the construction of roads, bridges, and communications in that country, and of the introduction of settlers into that country, and payment of the interest of any such loan, at a rate not exceeding 4 per cent.

The Treasury was directed not to give any such guarantee unless and until provision had been made by an Act of the Legislature of New Zealand, or otherwise to the satisfaction of the Treasury:—

1. For raising the loan and appropriating the same to the purposes mentioned in the Act.
2. For charging the Consolidated Revenue of New Zealand with the principal and interest of the loan, immediately after the charges on that fund existing at the time of the passing of the Act.
3. For providing a sinking fund of 2 per cent.
4. For charging the Consolidated Revenue of New Zealand with any sum issued out of the Consolidated Fund of the United Kingdom, under the Act, with interest at 5 per cent., immediately after the sinking fund of the said loan.
5. For rendering an annual abstract of accounts of expenditure of the money raised by means of the said loan, under such heads as the Treasury from time to time desire.
6. For remitting to the Treasury half-yearly the sinking fund, and for its investment and accumulation.

The Treasury were restricted, by the terms of the Act, from guaranteeing more than £200,000 in any one year; and were bound, before guaranteeing any portion other than the first, to satisfy themselves that the portion already guaranteed had been or was being spent for the purposes mentioned in the Act.

It was further provided that every Act passed by the Legislature of New Zealand, which in any way impaired the priority of the charge upon the Consolidated Revenue of New Zealand, created by that Legislature in respect of the loan, and the interest and sinking fund thereof, should, so far as affecting such priority, be void unless reserved for Her Majesty's pleasure; and that the Treasury should cause to be prepared and laid before both Houses of Parliament a statement of any guarantee given under the Act, a copy of any accounts received by them respecting the expenditure of the said loan, and an account of all sums issued out of the Consolidated Fund of the United Kingdom for the purposes of the Act.

On the 19th April, 1871, Messrs. Vogel and Julyan, Agents appointed by the Governor for the purpose, intimated to the Treasury the acceptance by the Colony of the guarantee offered by the Imperial Government upon the terms stipulated in the Imperial Act.

The Treasury assented by letter of the 20th May, 1871, and under the arrangement so made, debentures to the value of £200,000 have been issued with the Imperial guarantee, and are now held at the disposal of the Colonial Government.

But the claim now made by the House of Representatives, of the right of its sole authority "by Act of one Session to vary the appropriation or management of money prescribed by Act of a previous Session," and by virtue of such right to divert at pleasure the moneys raised under the Loan Act of 1870 to other purposes than those prescribed by such Act, if admitted, might possibly have the effect of subverting the objects of the loan, and might conflict with the conditions imposed by the Imperial Act.

Another distinct question has been raised as to the constitutional powers of the Legislative Council under an Act passed in the year 1865, entitled "The Parliamentary Privileges Act," a copy of which is herewith. The object of this Act was to define more exactly by Statute the powers and privileges of the two Houses of the Legislature, and the respective members thereof, which had been partially defined by a former Act of 1856, a copy of which is herewith.

By the 4th section of the Act of 1865, it is enacted that "the Legislative Council or House of Representatives of New Zealand respectively shall hold, enjoy, and exercise such and the like privileges, immunities, and powers, as, on the 1st January, 1865, were held, enjoyed, and exercised by the Commons House of Parliament of Great Britain and Ireland, and by the Committees and Members thereof, so far as the same are not inconsistent with or repugnant to such and so many of the sections and provisions of the Constitution Act as, at the time of the coming into operation of this Act, are unrepealed, whether such privileges, immunities, or powers were so held, possessed, or enjoyed by custom, "statute, or otherwise; and such privileges, immunities, and powers shall be deemed to be and shall be part of the general and public law of the Colony; and it shall not be necessary to plead the same, and the same shall in all Courts, and by and before all Judges, be judicially taken notice of."

It has, ever since the passing of this Act, been maintained and insisted on by the Legislative Council, that its effect is to invest that body with all the constitutional authority of the House of Commons, and so to place it on an equal footing with the House of Representatives as regards the power of dealing with money Bills.

The only unrepealed clause in "The Constitution Act" which touches this question, is the 54th, by which it is enacted that "It shall not be lawful for the House of Representatives or the Legislative Council to pass, or for the Governor to assent to, any Bill appropriating to the public service any sum of money from or out of Her Majesty's Revenue within New Zealand, unless the Governor, on Her Majesty's behalf, shall first have recommended to the House of Representatives to make provision for the specific public service towards which such money is to be appropriated."

All supplies for the public service are, or are presumed to be, recommended by the Governor to the House of Representatives, either by message or by the mouth of a Minister.

Practically the Legislative Council, though it has from time to time claimed co-ordinate power with the House of Representatives in the matter of money Bills, under "The Parliamentary Privileges Act, 1865," has governed itself by the usage of the House of Peers in the Imperial Parliament.

Under the foregoing circumstances, the opinion of the Law Officers of the Crown in England is requested upon the following points:—

- I. Whether, independently of "The Parliamentary Privileges Act, 1865," the Legislative Council was constitutionally justified in amending "The Payments to Provinces Bill, 1871," by striking out the disputed clause (clause 28)?
- II. Whether "The Parliamentary Privileges Act, 1865," confers on it any larger powers in this respect than it would otherwise have possessed?
- III. Whether the claims asserted by the House of Representatives in their messages to the Legislative Council are well grounded, or what are the proper limitations thereof?

HENRY SEWELL,
W. B. D. MANTELL.

No. 59.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 36.)

Government House, Wellington,

MY LORD,—

New Zealand, 1st April, 1872.

In continuation of many previous Despatches describing my official tours in various parts of New Zealand, I have now the honor to report that, during the past months of February and March, I visited the Kaikoura Mountains,* in the Province of Marlborough; the District of Amuri, in the Province of Nelson; and the northern districts of the Province of Canterbury; which had not previously been visited by myself nor by any of my predecessors.

2. Leaving Wellington by sea, I landed at the small port of Kaikoura, in the north-eastern portion of the South (or Middle) Island, and under the magnificent mountains of the same name, the highest peaks of which, crowned with perpetual snow, rise to nearly ten thousand (10,000) feet above the shore. Riding inland,

* Any good map of New Zealand will show all the places mentioned in this Despatch.

explored some of the fine Swiss-like scenery of the gorges and valleys, and then struck south towards Christchurch; when, after visiting Lakes Coleridge and Ellesmere, I returned by sea to Wellington.

3. I fully satisfied myself on this, as on my previous tours, of the large extent of country available for settlement in nearly all parts of New Zealand.

4. I was everywhere most hospitably entertained at the houses of the leading settlers, many of whom have acquired very large estates in freehold;* and although colonization in this part of the country dates from only twelve or fifteen years back, they already live in good houses, surrounded by all the comforts and nearly all the luxuries enjoyed by country gentlemen in England. Not only have the best breeds of cattle and sheep been imported on the principal stations, but the acclimatization of English deer, pheasants, partridges, and other game, together with thrushes, blackbirds, and other singing birds, is also rapidly progressing. It will be recollected that the Native difficulty does not exist in the Middle Island.

5. I intend to start in a few days on another tour of a very different character from that shadowed forth above. I propose to ride across the centre of the North Island, from Wellington to Auckland, by Napier, the great central lake of Taupo, the Hot Lakes, and the Waikato. This journey will probably occupy from a fortnight to three weeks, and much of it will necessarily be of a very rough nature, as lying beyond the limits to which colonization has hitherto extended. But it is expected by those who know the Maoris best, that a visit from the Representative of the Queen to the Native tribes of the central interior will be productive of much political advantage; while confidence in England as to the permanent tranquillity of New Zealand will be confirmed when it is known that the Governor has himself crossed in safety so many of the recently hostile and disaffected districts.

6. I hope that I shall be able to address your Lordship from Auckland by the May mail, and then to report the result of my journey.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 60.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 37.)

Lake of Taupo,

MY LORD,—

New Zealand, 9th April, 1872.

It is with great satisfaction that I now address your Lordship from the shores of the great Lake of Taupo, the centre of the North Island of New Zealand, and the heart of the Native districts.

2. In my Despatch No. 36, of the 1st instant, written from Wellington, I stated that it was my intention to ride overland to Auckland, as much public advantage is expected to result from the Governor visiting the Maori clans of the interior. Accordingly, I left Wellington on the 2nd instant, and yesterday reached Tapuaeharuru,† the Native pa at the north end of the Lake of Taupo, where I was received with the most cordial respect, and with shouts and chants of welcome.

3. It will be recollected that until within the last few months the chiefs and clans of these central districts (with the single exception of the loyal Chief Pohipi Tukairangi and his followers) were devoted to the so-called Maori King, and were bitterly hostile to the sovereignty of the Queen, and to the Colonial Government. In 1869 they joined Te Kooti, when there was much sharp fighting at Tokano and at other points around the Lake with the Colonial forces, and with the loyal Natives from Wanganui, led by the gallant Te Kepa (Major Kemp).‡ The night before last I slept at Opepe, ten miles from my present quarters, where, in June 1869, a detachment of the Colonial Militia was surprised and cut to pieces by Te Kooti. To-morrow I propose to cross the Lake to Tokano,

* I stayed with one gentleman whose freehold estate exceeds 160 square miles, or 100,000 acres of good land.

† This name signifies "echoing footsteps," and alludes to the hollow sound of the earth from the volcanic caverns and fires below. Hot springs and geysers abound.

‡ See my Despatches of 1869 and 1870.

the scene of the fiercely-contested battle of October, 1869, but where our late enemies are now assembled to give me an enthusiastic greeting. In the speeches addressed to me this day by the Maori chiefs of Taupo, they assured me that they are entirely satisfied with the policy pursued towards them by myself and by the Colonial Government; and that they are now fully convinced that their true interest is to live in peace and friendship with the Colonists. They are desirous to sell and lease large portions of their lands to the settlers, whom they are inviting to live among them, so that they, like their countrymen at Hawke's Bay and elsewhere, may live in comfort on the rents and purchase money. They further expressed their anxiety to have English schools established in their villages, so that their children may learn our language, and enjoy the same advantages of education with the children of the Maoris resident in the settled districts. Moreover, they made it a special request that a township should be founded on the shores of their lake, and called after my name. Above all, perhaps, they are eager to be employed in working on the roads, which are gradually but surely creeping up from the coast into their mountain fastnesses, and which will ere long render future wars and rebellions impossible. Several of the local chiefs have already contracted with the Government to make, by the labour of their clansmen, the road, ninety miles in length, which is to connect the seaport of Napier with the Lake of Taupo, and which is to cost about eight thousand pounds (£8,000). Nearly half of this road is already finished, and (strange and almost incredible as such a statement would have seemed, if made only two years ago,) a coach subsidized by the Government will then run regularly upon it, carrying mails and passengers into the heart of the recently hostile country.

4. The Lake of Taupo is of about the same extent (covering two hundred (200) square miles of water) with the Lake of Geneva, which it much resembles in climate and scenery. From the place in which I am now writing, there is a glorious view across its waters of the great volcano of Tongariro,* and of the snowy peaks of Ruapehu.† Much of the country between the lake and the sea at Napier reminded me of the Apennines and of the Italian slopes of the Alps; but the semi-tropical luxuriance of the New Zealand forests far surpasses the vegetation of Europe.

5. On my return from Tokano, I shall visit the Falls of the Waikato at Huka, four miles from the spot where that river issues from the north end of the Lake, and other striking natural phenomena in this neighbourhood, which are still almost as little known to the settlers in the seaport towns of New Zealand as are the great lakes in the interior of Africa to the Europeans at Algiers and at the Cape of Good Hope. Afterwards I shall proceed on my journey overland to Auckland, expecting to reach that city before the end of this month. Thence I hope to address to your Lordship by the mail of next month (May) a full report of my expedition, together with the substance of the speeches addressed to me by the Maori chiefs, and of my replies to them.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

No. 61.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 38.)

Government House, Auckland,

MY LORD,—

New Zealand, 26th April, 1872.

I have the honor to forward herewith a Congratulatory Address from the Inhabitants of Wanganui, in New Zealand, to the Queen, on the recovery of His Royal Highness the Prince of Wales.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

(Enclosure sent in original.)

* 6,500 feet high.

† 9,195 feet high.

DESPATCHES FROM THE GOVERNOR OF

No. 62.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 40.)
MY LORD,—
Government House, Auckland,
New Zealand, 1st May, 1871.

Adverting to my Despatch No. 62, of 22nd June, 1870, and to other correspondence on the same subject, I am now requested by my Responsible Advisers to transmit the enclosed Ministerial Memorandum, with the annexed papers, respecting the claims of certain discharged soldiers settled in the Province of Taranaki.

Memo. by
Mr. Gisborne,
April 9, 1872.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 62.

MEMORANDUM by Mr. GISBORNE.

MINISTERS transmit to His Excellency the copy of a further letter from the Superintendent of Taranaki with its enclosures, relative to the claim put forth by certain discharged soldiers settled in that Province to gratuities to assist them in settling.

It appears to Ministers, from the letter from the Under Secretary of State for War, dated 25th February, 1871, that the Department did not exactly apprehend the nature of the claim set up by the petitioners, which is—(1.) to the gratuity mentioned at page 6 of the Soldiers Small Account Book for 1838, and at page 7 of the similar book for 1858; (2.) to a gratuity of sixpence a day for three months, renewable for any period not exceeding twelve months, payable after being settled for three months on their land; and (3.) to the Queen's bounty of one pound (£1) each, payable on their discharge, but which they have not yet received; whereas Ministers understand the letter of Sir Edward Lugard to refer to sums to which the men named in its enclosure were entitled on their discharge, and which the men themselves allege to be entirely distinct from the payments for which they are applying.

Ministers would feel obliged if His Excellency would transmit the enclosed additional correspondence to Lord Kimberley, with a request that his Lordship would move the War Department to furnish a full and exact reply upon all the points raised by the discharged soldiers, and, in case there be any money really due to these men on account of their claims, to authorize the Colonial Treasurer to discharge the same, and recover the amount from the Imperial Government.

Wellington, 9th April, 1872.

W. GISBORNE.

Sub-Enclosure to Enclosure in No. 62.

His Honor F. A. CARRINGTON to the Hon. W. GISBORNE.

Superintendent's Office, New Plymouth,
Taranaki, 28th February, 1872.

SIR,—

309, of 30th
June, 1871.

Referring to my letter of the 23rd June, 1870, and its enclosures, and your letter of the number and date quoted in the margin, and its enclosures, in reference to claims made by discharged soldiers who are settled in this Province, I have now the honor to submit the copy of a letter which has been addressed to me by the Secretary of "The Discharged Soldiers' Association," together with certain documents showing, under rules laid down in Her Majesty's service, the name and sum claimed by each man.

The documents which accompany this letter are as follows, namely:—

No. 1. Letter from the Secretary of "The Discharged Soldiers' Association" to the Superintendent of Taranaki, requesting him to forward to His Excellency the Governor the documents herewith sent, numbered 2, 3, 4, and 5.

No. 2. Memorial to His Excellency the Governor, stating that they (the discharged soldiers) are entitled to 6d.* per day, for three months, the same to be continued for twelve months, if so approved by His Excellency. They have offered, if the claim be granted, to surrender it to the Provincial Government of Taranaki, for the purpose of opening out and developing the resources of the forest land they have selected, by making roads in their district, and have placed their autograph to the memorial in testimony thereof.

No. 3. A document from long-service men, asking for the sum stated opposite each name, which amount is claimed as a gratuity under rules in the service. Two extracts from "The Soldiers' Account Book" of 1838 and 1858 are appended to this (No. 3) document in support of the claim made.

No. 4. A document from short-service men, asking for the amount stated opposite each name, which they claim as a gratuity under rules in the service. An extract from "The Soldier's Account Book, 1858," is attached to the document in support of the claim.

No. 5. List of discharged soldiers who claim the Queen's bounty of £1, to which they were entitled on being discharged, but have not yet received it.

In forwarding the above-named claims, I beg leave to state that, from my own knowledge and observation, the discharged soldiers who are settled in this Province are worthy of every award made to good-conduct men. I therefore strongly recommend their memorial and statement of claims for the most favourable consideration of His Excellency the Governor.

The Hon. the Colonial Secretary,
Wellington.

I have, &c.,
FRED. A. CARRINGTON,
Superintendent.

No. 1.

Mr. G. H. HERBERT to His Honor F. A. CARRINGTON.

SIR,—

New Plymouth, 14th February, 1872.

Reverting to the Colonial Secretary's letter to your Honor, dated Wellington, 30th June, 1871, and copy of Despatch from Secretary of State forwarded therewith, I am directed by the Discharged Soldiers' Association to inform you that the gratuity referred to in Sir E. Lugard's letter is not the gratuity for which they applied, and therefore does not meet the expectations or claims of the memorialists.

The gratuity applied for by the discharged soldiers, in their memorial of June, 1870, is that mentioned at page 6 of the Soldier's Account Book for 1838, and at page 7 of the Soldier's Account Book for 1858, extracts from which are attached to the enclosed applications, which we hope your Honor will be pleased to forward for the recommendation and approval of His Excellency the Governor, and transmitted to the Secretary of State.

I have, &c.,

His Honor the Superintendent, Taranaki,
New Zealand.

G. H. HERBERT, Secretary,
Discharged Soldiers' Association.

No. 2.

To His Excellency Sir GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of New Zealand, &c., &c., &c.

The Memorial of the undersigned,

HUMBLY SHEWETH,—

That your Memorialists are discharged soldiers from Her Majesty's service, and have selected the land to which they were entitled under "The Waste Lands Act, 1858," in the Hua and Waiwakaio and Tarururangi Districts.

That they are entitled, as appears by the small book issued to each soldier on his joining his regiment, to a gratuity of 6d. a day for three months, to be increased to twelve months at the discretion of your Excellency, provided that they are settled and industriously employed on their land.

That your Memorialists are unable to settle on their land for want of roads, and are therefore deprived of the gratuity to which they are entitled.

That your Memorialists, in November, 1869, offered to surrender to the Provincial Government of Taranaki their claim to the above gratuity for the purpose of getting roads made to their land.

Your Memorialists, therefore, humbly solicit your Excellency to recommend the Right Honourable the Secretary of State for War to authorize the payment of the gratuity, we hereby agreeing to devote the same for the purpose of opening the roads to our lands.

And your Memorialists, as in duty bound, will ever pray.

Corps.	Regimental No.	Rank.	Signature.
65th Regiment ...	1814 ...	Sergeant ...	Nicholas Golding.
65th " ...	3135 ...	Corporal ...	William Bennett.
65th " ...	1193 ...	Sergeant ...	Hugh Earley.
65th " ...	1277 ...	Private ...	John Dunn.
65th " ...	2811 ...	" ...	John Doherty.
65th " ...	3015 ...	" ...	Thomas Geddes, his x mark.
65th " ...	2992 ...	" ...	Jeremiah Healey, his x mark.
57th " ...	1644 ...	Hospital Sergeant ...	James Hill.
57th " ...	2504 ...	Private ...	M. O'Donnell.
57th " ...	2496 ...	" ...	C. Ansford.
57th " ...	2546 ...	" ...	Patrick Houlahan, his x mark.
57th " ...	2189 ...	" ...	Bartholm Stagpool, his x mark.
57th " ...	2538 ...	" ...	John Hardgrave.
58th " ...	2212 ...	" ...	George Williams, his x mark.
Royal Artillery, No. 2 Co., 6 Batt.	...	Sergeant ...	William Stockley.
70th Regiment ...	57 ...	" ...	Edmund Dover.
70th " ...	2222 ...	" ...	W. Appleyard.
43rd " ...	408 ...	Orderly-room Clerk ...	John Ellis.
57th " ...	357 ...	Sergeant ...	P. Hall.
57th " ...	2412 ...	Private ...	Patrick Ryan, his x mark.
57th " ...	3112 ...	" ...	Martin Mulloy, his x mark.
65th " ...	2847 ...	" ...	S. Esther.
57th " ...	2478 ...	" ...	R. Bales.
57th " ...	2469 ...	" ...	John Daffin.
57th " ...	2441 ...	" ...	George Robinson, his x mark.
65th " ...	3160 ...	" ...	Peter Christie.
70th " ...	3232 ...	" ...	Charles Gleeson, his x mark.
65th " ...	2826 ...	" ...	Michael Murphy.
65th " ...	2750 ...	" ...	William Wallace, his x mark.
65th " ...	3368 ...	Sergeant ...	John Knight.
65th " ...	3701 ...	Private ...	James Fiddes.
43rd " ...	2958 ...	" ...	Edmund Walsh, his x mark.
65th " ...	2231 ...	" ...	William Gallagher, his x mark.
43rd " ...	506 ...	" ...	Robert Wood.
65th " ...	2915 ...	Corporal ...	Michael Kelly.

* An extract from "The Soldier's Account Book, 1858," p. 7, is attached to the Memorial in support of the claim.

Corps.	Regimental No.	Rank.	Signature.
57th Regiment	2283	Private	John Magee.
57th	2807	"	Edward Buckley.
65th	2785	"	William James Farrenden.
65th	2798	"	John Ahern, his x mark.
57th	3162	"	M. Watson.
70th	2517	"	Jeremiah Donovan, his x mark.
65th	2427	"	George Wilkinson, his x mark.
58th	2706	Sergeant	C. McGahey.
57th	374	"	Thomas Lister.
43rd	804	Private	James Quigley.
43rd	1070	"	S. Wachurst.
57th	2433	"	Thomas Furlong.
50th	4484	Corporal	P. J. O'Toole.
65th	2816	Sergeant	M. Meara.
57th	1816	"	James Batten.
43rd	666	Private	H. Lambert.
70th	2504	"	Stephen Maddin.
70th	73	"	John Rielly.
65th	2786	"	Walter Harris.
65th	3785	"	J. Swan.
58th	2305	"	James McEvoy.
Royal Sappers and Miners		"	Joseph Hobson.
Royal Artillery	301-1509	Gunner	George McCann, his x mark.
Royal Engineers	2293	Corporal	George Henry Herbert.
"	526	Sergeant	James Hall.
65th Regiment	2381	Private	James Spoor.
57th	2562	Sergeant	William Bosworth.

EXTRACT.—Soldier's Account Book, 1858, page 7.

* * * * * To the discharged soldier, who has been settled three months, and is actually residing on his grant, and industriously employed in clearing it, the Governor, under authority from the Secretary-at-War, may order the issue of a quarter's pension at 6d. a day, and may from time to time renew such issue, but not to an extent exceeding one year in the whole.

No. 3.

WE the under-named, who have obtained free discharges to settle in the Colony of New Zealand, request to be allowed the gratuity stated opposite our names, in accordance with page 6, paragraph 1, and page 7, paragraph 2 (see extracts), of the small books issued to soldiers enlisted under the Unlimited Service Act.

Regimental No.	Rank and Name.	Corps.	Service.	Claim.
				£ s. d.
2222	Sergeant William Appleyard	70th	21 years	32 0 0
1644	Sergeant James Hill	57th	21	32 0 0
	Sergeant William Stockley	Royal Artillery	25	36 0 0
1193	Sergeant Hugh Earley	65th	21	32 0 0
1814	Sergeant Nicholas Golding	65th	21	32 0 0
2496	Private Charles Ansford	57th	23	20 0 0
2231	Private William Gallagher	65th	20	24 0 0
3368	Sergeant John Knight	65th	17	36 0 0
3232	Private Charles Gleeson	70th	14	12 0 0
3701	Private James Fiddes	65th	17	18 0 0
2427	Private George Wilkinson	65th	19	24 0 0
2517	Private Jeremiah Donovan	70th	18	20 0 0
1316	Sergeant James Batten	57th	24	48 0 0
666	Private H. Lambert	43rd	15	16 0 0
3785	Private Joseph Swan	65th	22	18 0 0
2504	Private Stephen Maddin	70th	19	24 0 0
2305	Private James McEvoy	58th	17	18 0 0
526	Sergeant James Hall	Royal Engineers	25	36 0 0
2562	Sergeant William Bosworth	57th	23	48 0 0

EXTRACT.—Soldier's Account Book, 1838, page 6.

When it is the intention of a soldier, who has obtained a free discharge at his own request, to settle in any of Her Majesty's colonies, he may be allowed, in furtherance of such object, a gratuity, to be paid to him only in the Colony in which he proposes to settle, according to the following scale :—

Cavalry.	Infantry.	Private.	Corporal.	Sergeant.
		£	£	£
After 21 years' service	18 years' service	10	15	20
" 22 "	19 "	12	18	24
" 23 "	20 "	14	20	28
" 24 "	21 "	16	24	32
" 25 "	22 "	18	27	36
" 26 "	23 "	20	30	40
" 27 "	24 "	24	36	48

EXTRACT.—Soldier's Account Book, 1858, page 7.

When a soldier, enlisted subsequently to 1st March, 1833, obtains a free discharge at his own request, with permission to settle in any of Her Majesty's colonies, under instructions issued by the Secretary of State, he may be allowed by the Secretary-at-War a gratuity according to the following scale, to be paid to him only in the Colony in which he proposes to settle, and in such manner and at such times, within eighteen months after his arrival, as shall be deemed best for his interests by the General Officer in Command of the station, or by the Governor of the Colony, after service in the :—

Cavalry.	Infantry.	Private.	Corporal.	Sergeant.
		£	£	£
After 15 years' service	12 years' service	10	15	20
" 17 "	14 "	12	18	24
" 18 "	15 "	14	20	28
" 19 "	16 "	16	24	32
" 20 "	17 "	18	27	36
" 22 "	19 "	24	36	48

No. 4.

WE the undersigned, who have obtained free discharges to settle in the Colony of New Zealand, request to be allowed the gratuity stated opposite our names, in accordance with page 7 of the small book issued to soldiers enlisted under the Limited Service Act.

No.	Rank and Names.	Corps.	Service.	Claim.	Regimental No.
				£	
1	Corporal William Bennett...	65th	12 years	15	3135
	Private Patrick Houlahan...	57th	13 "	10	2546
	Private John Doherty ...	65th	12 "	10	2811
	Private John Hardgrave ...	57th	12 "	10	2538
5	Private John Dunn ...	65th	12 "	10*	1277
	Private Thomas Geddes ...	65th	12 "	10	3015
	Private Jeremiah Healey ...	65th	12 "	10	2992
	Private Barthomew Stagpool ...	57th	19 "	24	2189
	Private George Williams ...	58th	13 "	10	2212
10	Private Michael O'Donnell ...	57th	16 "	16	2504
	Private Patrick Gaule ...	57th	12 "	10	2772
	Corporal Michael Kelly ...	65th	19 "	36	2915
	Private Patrick Esther ...	65th	12 "	10	2847
	Private William Wallace ...	65th	12 "	10†	2750
15	Private Charles Gleeson ...	70th	14 "	12	3232
	Private Richard Hart ...	43rd	19 "	24	2362
	Private Thomas Brooks ...	65th	12 "	10	2824
	Sergeant Owen Murphy ...	65th	12 "	20	2810
	Private Martin Mulloy ...	57th	12 "	10	3112
20	Private Peter Christie ...	65th	12 "	10	3160
	Private John Duffin ...	57th	12 "	10	2469
	Private Patrick Ryan ...	57th	12 "	10	2412
	Private Michael Murphy ...	65th	12 "	10	2826
	Private Edward Bales ...	57th	12 "	10	2478
25	Private Patrick Duddy ...	2-18th	12 "	10	90
	Private Richard Bridle ...	40th	12 "	10	2612
	Private Edmund Walsh ...	43rd	13 "	10	2958
	Private John Magee ...	57th	16 "	16	2283
30	Private George Robinson ...	57th	12 "	10	2441
	Private Edward Buckley ...	57th	12 "	10	2807
	Private W. J. Farrenden ...	65th	12 "	10	2785
	Private John Ahern, his x mark ...	65th	12 "	10	2798
	Private Matthew Watson ...	57th	12 "	10	3162
35	Sergeant Christopher McGahey ...	58th	12 $\frac{1}{2}$ years	20	2706
	Private James Quigley ...	43rd	13 years	10	804
	Private Thomas Furlong ...	57th	12 "	10	2433
	Corporal P. J. O'Toole ...	50th	12 "	15	4484
40	Sergeant M. Meara ...	65th	14 years, 249 days	24	2816
	Private Walter Harris ...	65th	12 "	10	2786
	Corporal G. H. Herbert ...	Royal Engineers	13 $\frac{1}{2}$ years	15	2293
	Private J. Spoor ...	65th	12 years	10	2881

* Eleven years 306 days actual service, and the remainder on furlough.

† Also claims £9 2s. 6d.

DESPATCHES FROM THE GOVERNOR OF

EXTRACT.—Soldier's Account Book, 1858, page 7.

When a soldier, enlisted subsequently to 1st March, 1833, obtains a free discharge at his own request, with permission to settle in any of Her Majesty's Colonies, under instructions issued by the Secretary of State, he may be allowed, by the Secretary-at-War, a gratuity according to the following scale, to be paid to him only in the Colony in which he proposes to settle, and in such manner, and at such times, within eighteen months after his arrival, as shall be deemed best for his interests by the General Officer in Command of the station, or by the Governor of the Colony, after service in the :—

Cavalry.				Infantry.				Private.	Corporal.	Sergeant.
								£	£	£
After 15 years' service				12 years' service				10	15	20
" 17 "				14 "				12	18	24
" 18 "				15 "				14	20	28
" 19 "				16 "				16	24	32
" 20 "				17 "				18	27	36
" 21 "				18 "				20	30	40
" 22 "				19 "				24	36	48

No. 5.

WE the undersigned do hereby claim the Queen's Bounty of £1, to which we were entitled on discharge, in accordance with W.O. Regulations, page 24, paragraph 44.

No.	Company.	Regimental No.		Regiment.		Rank and Names.
1	6	3232	...	70th	...	Private Charles Gleeson.
	H	1277	...	65th	...	Private John Dunn.
	1	2811	...	65th	...	Private John Doherty.
5	10	2538	...	57th	...	Private John Hardgrave.
	4	3015	...	65th	...	Private Thomas Geddes.
	4	2992	...	65th	...	Private Jeremiah Healey.
	4	2212	...	58th	...	Private George Williams.
	4	57	...	70th	...	Sergeant Edmund Dover.
10	1	2546	...	57th	...	Private Patrick Houlahan.
	2	2504	...	57th	...	Private Michael O'Donnell.
	10	2915	...	65th	...	Corporal Michael Kelly.
	2	2847	...	65th	...	Private Patrick Esther.
	4	2750	...	65th	...	Private William Wallace.
15	2	2824	...	65th	...	Private Thomas Brooks.
	5	3112	...	57th	...	Private Martin Mulloy.
	1	2469	...	57th	...	Private John Duffin.
	6	3160	...	65th	...	Private Peter Christie.
	9	90	...	2-18th	...	Private Patrick Duddy.
20	4	2612	...	40th	...	Private Richard Bridle.
	5	3462	...	57th	...	Private Andrew Halpin.
	10	2412	...	57th	...	Private Patrick Ryan.
	4	2478	...	57th	...	Private Edward Bales.
	E	2958	...	43rd	...	Private Edmund Walsh.
25	4	3701	...	65th	...	Private James Fiddes.
	4	2826	...	65th	...	Private Michael Murphy.
	2	2231	...	65th	...	Private William Gallagher.
	5	2441	...	57th	...	Private George Robinson.
	10	2807	...	57th	...	Private Edward Buckley.
30	4	2785	...	65th	...	Private William James Farrenden.
	1	2789	...	65th	...	Private John Ahern, his x mark.
	10	3162	...	57th	...	Private Matthew Watson.
	...	2517	...	70th	...	Private Jeremiah Donovan, his x mark.
	...	2427	...	65th	...	Private George Wilkinson.
35	5	2706	...	58th	...	Sergeant C. McGahey.
	10	374	...	57th	...	Sergeant Thomas Lister.
	B	804	...	43rd	...	Private James Quigley.
	6	3135	...	65th	...	Corporal F. Bennett.
	6	2433	...	57th	...	Private J. Furlong.
40	9	4484	...	50th	...	Corporal P. J. O'Toole.
	6	2816	...	65th	...	Sergeant M. Meara.
	K	618	...	2-18th	...	Sergeant Charles McDervitt.
	5	2810	...	65th	...	Sergeant Owen Murphy.
	3	73	...	70th	...	Private John Reilly.
45	1	2786	...	65th	...	Private Walter Harris.
	6	2293	...	Royal Engineers	...	Corporal G. H. Herbert.

No. 63.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 41.)

Government House, Auckland;

MY LORD,—

New Zealand, 2nd May, 1872.

At the request of my Responsible Advisers, I have the honor to transmit the enclosed Ministerial Memorandum respecting the extradition of criminals in certain cases.

Memo. by Mr.
Gisborne,
April 9, 1872.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 63.

MEMORANDUM by Mr. GISBORNE.

THE attention of Ministers has been drawn to the fact that the facilities offered by the establishment of a line of steamers between New Zealand and the United States of America have been availed of by persons in order to escape to the United States from New Zealand, after having committed forgery, embezzlement, and other grave offences.

This has led to the consideration of the Extradition Treaty between Great Britain and the United States, and the Acts of the Imperial Parliament relating thereto, so far as the same affect New Zealand.

It appears that the Treaty and the Act do apply to New Zealand, unless the same has been expressly excepted by order of the Queen in Council.

No information has been sent to this Colony of any such Order in Council having been passed.

So far as Ministers have been able to ascertain, no information relative to this Treaty, or the law relating thereto, has been sent by Her Majesty's Government to this Colony.

Ministers would therefore respectfully represent the necessity there is for keeping the Government of this Colony informed of the treaties which exist between Her Majesty and foreign countries relating to the extradition of criminals, and of the state of the foreign law relating to the mode in which extradition of criminals from such countries to New Zealand may be obtained.

Ministers would also request that the Secretary of State should be asked to consider whether some instructions could not advantageously be given to the Governor of this Colony, with a view to his guidance in the discharge of any duties devolving on him in relation to this subject, not only when the matter is the extradition to New Zealand, but also the extradition from New Zealand.

Ministers have not been able to ascertain whether it is necessary for the prosecutor of the charge against the alleged offender to obtain a requisition from your Excellency in order that the extradition of the offender may be obtained from the United States, or whether Her Majesty's Diplomatic Representative in the United States will act on the requisition of the prosecutor or the police officer sent with the warrant. Ministers therefore desire to obtain information on this matter.

Ministers also respectfully request that the Secretary of State should be asked to consider whether it is necessary that any communication should be made by Her Majesty's Government to that of the United States, in order to facilitate the extradition of criminals to New Zealand, as the Treaty does not appear to provide that the extradition shall be to that part of the British dominions in which the alleged offence was committed. For instance, should an offender escape from New Zealand to San Francisco, and thence to New York, will the extradition necessarily be to New Zealand, or may it not be to England?

Wellington, 9th April, 1872.

W. GISBORNE.

No. 64.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 45.)

Government House, Auckland,

MY LORD,—

New Zealand, 13th May, 1872.

In my Despatch No 20, of the 13th February ultimo, I reported that the intelligence of the recent dangerous illness of the Prince of Wales had called forth throughout New Zealand a general sympathy, which proves (if indeed any proof were wanting) the strength of the loyal attachment of all classes in this community to the Crown and to the Royal Family.

2. The news of the recovery of His Royal Highness caused universal joy; and when it became known here that a Thanksgiving Day had been appointed in the United Kingdom and in other parts of the Empire, it was felt that the example should be followed in this country. Accordingly, I issued, with the advice of my Ministers, a Proclamation (of which I annex a copy) appointing the 9th instant to be observed as "a General Holiday and Day for a Public Thanksgiving."

3. I learn by telegrams from all parts of New Zealand that this Proclamation was entirely in harmony with public feeling; that the Thanksgiving Day was

Enclosure 1.
N.Z. Gazette, No.
20, April 26, 1872.

everywhere kept as a close holiday; and that appropriate services were held in the churches of all the religious communions, and attended by crowded congregations.

Enclosure 2.
Daily Southern Cross, 9th May, 1872.

4. The general sentiment of the people of this Colony is accurately stated in the annexed leading article of one of the principal newspapers.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure 1 in No. 64.

(L.S.)

G. F. BOWEN, Governor.

A PROCLAMATION.

WHEREAS it has pleased Almighty God to restore to health His Royal Highness the Prince of Wales from dangerous sickness, and it is fitting that Her Majesty's dutiful and loyal subjects in the Colony of New Zealand should manifest their sympathy with Her Majesty and the Royal Family, and should unite with the rest of Her Majesty's subjects in testifying their thankfulness to the Almighty for His merciful interposition in sparing the life of His Royal Highness:

Now therefore, I, the Governor of New Zealand, in exercise of all and every the powers vested in me in this behalf, do, by this my Proclamation, appoint Thursday, the ninth day of May next, as a General Holiday and Day for a Public Thanksgiving; and do hereby invite the Clergy and Ministers of religion of all denominations, and all other Her Majesty's subjects in New Zealand, to observe Thursday aforesaid as a Day of Special Thanksgiving to Almighty God accordingly.

Given under the hand of His Excellency Sir George Ferguson Bowen, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this twenty-fifth day of April, in the year of our Lord one thousand eight hundred and seventy-two.

W. GISBORNE.

GOD SAVE THE QUEEN!

Enclosure 2 in No. 64.

EXTRACT from *Daily Southern Cross*, of 9th May, 1872.

TO-DAY the people of New Zealand unitedly record their gratitude to the Disposer of all events for the mercy vouchsafed to the nation in the recovery of His Royal Highness the Prince of Wales. In common with all other portions of the Empire, the tidings of the convalescence of the royal sufferer were received by the people of this Province with unmingled satisfaction; and we believe the sentiment uppermost in every breast was one of thankfulness to the Giver of all good, that the hope of the nation had been rescued from peril and death, and that he was spared to his family, and to the people over whom he is destined to reign in the future, we trust, for many a year. We may hope that this event will be overruled for the best and wisest ends to all sections of the Empire, and to all classes of the people, from the Queen on the Throne to the meanest of Her subjects. As a family, the Royal House of England has been visited with a heavy affliction—as a nation, we have been threatened with a great calamity. The people of New Zealand are this day called upon to recognize the obligation for deliverance from the late impending evil, and it is to be hoped that the chastisement and the mercy following so closely upon it will not be without their salutary practical effect on all concerned. In this part of the world, and with our limited means and population, our rejoicings for the recovery of the Prince of Wales from his recent dangerous illness may not be so loud and ostentatious as in older and larger communities; nevertheless, the expression of our thankfulness on this occasion is nothing the less sincere. Under the benign reign of the Monarch now sitting upon the throne, and the Family under which for generations the people have lived in peace and security, the Empire has extended its influence for good to the remotest corners of the earth. These are legitimate grounds for pride and exultation to every true lover of his race and country. They can be understood by every one, and must be appreciated by all. As for the Queen herself, we are sure there is not a person in all her dominions who will refuse to rejoice with her at a time like this. The "Letter" Her Majesty addressed to the nation under her own hand on the occasion of the recovery of her son from his recent illness, and which we here subjoin as a fitting conclusion to our remarks, though in substance it has before appeared in our columns, speaks more loudly for her as a mother, a woman, and a Queen, than anything we could write:—

"Windsor Castle, 26th December.

"The Queen is very anxious to express her deep sense of the touching sympathy of the whole nation on the occasion of the alarming illness of her dear son the Prince of Wales. The universal feeling shown by her people during those painful terrible days, and the sympathy evinced by them with herself and her beloved daughter the Princess of Wales, as well as the general joy at the improvement in the Prince of Wales's state, have made a deep and lasting impression on her heart, which can never be effaced. It was, indeed, nothing new to her, for the Queen had met with the same sympathy when, just ten years ago, a similar illness removed from her side the mainstay of her life, the best, wisest, and kindest of husbands.

“ The Queen wishes to express at the same time, on the part of the Princess of Wales, her feelings of heartfelt gratitude, for she has been as deeply touched as the Queen by the great and universal manifestations of loyalty and sympathy.

“ The Queen cannot conclude without expressing her hope that her faithful subjects will continue their prayers to God for the complete recovery of her dear son to health and strength.”

No. 65.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 46.)

Government House, Auckland,

MY LORD,—

New Zealand, 14th May, 1872.

I have the honor to report that the Governor of Queensland (the Marquis of Normanby) has informed me that Captain Moresby, of H.M.S. “ Basilisk,” recently boarded, off Cardwell, in that Colony, a water-logged schooner, supposed to be the “ Peri ” of Auckland, and to have been “ employed in the “ kidnapping trade.”

2. The Government of New Zealand, at my instance, caused inquiry to be made by the proper authorities respecting this matter. It has been ascertained that a vessel named the “ Peri ” formerly belonged to the Port of Auckland, but was transferred more than a year ago, under a bill of sale or mortgage, to a person resident in the Fiji Islands.

3. The allegations made in Australia as to certain persons resident in New Zealand, and certain ships stated to belong to this Colony, having been connected with crimes and irregularities committed in the South Sea Islands, seem to have hitherto failed to bear the test of inquiry. However, my Responsible Advisers assure me that constant vigilance will continue to be maintained by the authorities of New Zealand.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 66.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 47.)

Government House, Auckland,

MY LORD,—

New Zealand, 15th May, 1872.

In my Despatch No. 37, of the 9th ultimo, I reported my setting forth on my journey overland from Wellington to Auckland, through the central and recently hostile districts of this Island; my arrival at the great Lake (or “ Sea,” as it is called by the Natives,) of Taupo,* in the heart of the Native districts; and the cordial and respectful welcome given to me by the Maori clans,—alike by those which had remained loyal throughout the war, and by those which had lately been in arms against the Queen.

2. I have now the satisfaction of reporting that the second half was as prosperous as the first half of my expedition; and that I reached Auckland on the 24th ultimo, at the end of what has been truly called “ an important and “ memorable journey.” All those who are best acquainted with the Maoris and with this country generally agree with the opinions expressed in the annexed leading article of one of the principal journals of New Zealand:—

Southern Cross,
1st May, 1872.

“ The tour overland through an extensive tract of country chiefly owned and “ occupied by the Native tribes of New Zealand, which has just been accomplished “ so successfully by His Excellency Governor Sir G. F. Bowen, will go farther to “ reassure the people of England with respect to the satisfactory settlement of the “ Native difficulty than a thousand arguments and *ex parte* statements on the “ subject. Throughout the entire distance traversed by His Excellency and the “ few attendants who accompanied him from Napier northward till they reached “ the Upper Waikato, the most cheerful demonstrations of welcome and good-will “ were everywhere accorded to the Queen’s representative. Not only by the

* The Maoris call Taupo “ Moana,” i.e. sea, not “ roto,” i.e. lake.

“ numerous influential chiefs who remained firm in their allegiance to the European cause in days gone by, when the Colony stood so much in need of their assistance, but by many who were at one time prominent leaders among the most determined of our enemies, the same hearty desire was expressed that the past should be forgotten, and that all occasion for differences between the races should be carefully guarded against for the future.

“ We look upon this as a most encouraging feature in the prospects of the country at the present time. It speaks volumes for the foresight and wisdom of our Native policy, which, while it aims at bringing the Natives under the dominion of the law as far as practicable, leaves them, in other respects, to the free exercise of their own free-will and judgment. The Colony is now reaping the advantage of this course of treatment. On every hand the Native people are manifesting a desire to return to habits of peace and industry. They are beginning to appreciate the unmistakable benefit to themselves from the opening up of the country to trade and settlement. In this respect, their general concurrence in, and approval of, the great colonizing policy of the country is something remarkable. Only three years ago they would have unitedly resisted any attempt on the part of the Government to encroach upon their territory, in districts where last month Sir George Bowen was received most loyally, and where the principal desire of the resident Native chiefs was to be ‘instructed in all the laws, thoughts, and works of the Europeans.’ The general anxiety of the Natives on the subject of education is particularly deserving of commendation. This more especially, we would fain believe, betokens a favourable turning-point in the history of the Maori people. The desire evinced by them to be employed upon public works is of itself also an indication of a fixed determination to return to more settled habits, if only the opportunity for doing so is afforded them. Altogether this visit of the Governor of the Colony to the Native tribes has proved most opportune, and it cannot fail to produce a good effect on the general prospects of the country. His Excellency and party were both surprised and delighted with the magnificence of the scenery they witnessed throughout the entire route, as well as with the flattering reception they everywhere met with, and we shall not be surprised if the results of their journey should in many respects prove even more beneficial to the Colony than was at first anticipated.

3. I enclose a brief summary of my recent tour, containing also the substance of the speeches addressed to me by the Native chiefs, and of my replies to them. Full reliance may be placed on the accuracy of this account, for it was drawn up from notes taken at the time by one of the officers of Government who accompanied me. I should, perhaps, explain that, to produce a favourable impression on the Maoris of the present day (as on the Scotch Highlanders of a hundred and fifty years ago), a speaker must imitate to some extent their own poetical and allegorical style, and must show some acquaintance with their annals and legends. The advice and exhortations contained in my speeches were everywhere received by the assembled chiefs and clansmen with shouts of assent and applause.

4. From Auckland, I shall revisit Kaipara, the Waikato, and the other Native districts of the North, returning to Wellington before the opening of the annual Session of the Colonial Parliament, which will take place in July. Mr. McLean, the Minister for Native Affairs, and several of the most influential Maori chiefs from all parts of the country, are now with me.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 66.

NOTES of the JOURNEY of Sir GEORGE F. BOWEN, G.C.M.G., in April, 1872, from Wellington to Auckland, across the Centre of the North Island of New Zealand.

GOVERNOR SIR GEORGE BOWEN had for some time determined to travel overland across the central and recently hostile districts of New Zealand, for all those best qualified to judge were of opinion that a visit from the representative of the Queen to the Maori clans of the interior would be productive of great public advantage to the Colony. In the first place, it would powerfully help to confirm in their loyalty the well-affected Natives, and also to bring back to their allegiance those recently in arms against the Queen; in the second place, the fact of the Governor having himself traversed in safety and confidence

districts lately inaccessible to Europeans would be considered in England a proof of the restored tranquillity of the country, and would thus exercise a favourable influence in promoting emigration to New Zealand.

The overland route between Wellington and Auckland is by Napier (the chief town of the Province of Hawke's Bay), and by the great inland lake of Taupo. The country between Wellington and Napier has now for several years been occupied by pastoral and agricultural settlers; and the few Maoris resident among them, belonging chiefly to the clans of the Ngatiawa and Ngatikahungunu, are well affected to the Government, and live on the most friendly terms with their white neighbours.

A good carriage road has already been completed northwards from Wellington to Masterton, a distance of some seventy miles, and from Napier southwards to Porangahau, about eighty miles, and coaches carrying mails and passengers run regularly to and from those places. The gap between Masterton and Porangahau does not exceed ninety miles, and will be filled up ere long, as roads are being pushed on steadily in all the settled districts, in accordance with a well-considered plan.

As the Governor had already seen much of the country between Wellington and Napier, and as there was no public object to be gained by travelling overland in this part of his journey, he proceeded by sea in the Government steamer "Luna," leaving Wellington on the 2nd April, and, after a stormy passage, reaching Napier on the evening of the 3rd.

His Excellency remained here during the 4th and 5th, visiting the public institutions in the town and the neighbouring *kaingas* or villages, of Pakowhai and Waiohiki. The large sums paid to the Natives as rents by the pastoral settlers (amounting lately to £26,000 a year), as well as the produce of land sales (all divided among about 200 Maori families), have enabled the Native chiefs near Napier to build good houses in the English style, and to live in English comfort. They have good carriages, horses, cattle, and well-cultivated farms. One very interesting fact is the establishment by the Natives at Pakowhai of a school, where the children are now going through all the usual course of an English education, and show remarkable proficiency.

While on the subject of Native schools, it may be observed that this branch of civilization has been warmly taken up by the Colonial Government; an annual subsidy extending over a course of years has been voted by Parliament, and devoted strictly to the object it was intended to attain; and it is a pleasing fact that a wide-spread disposition exists among the Natives to impart to their children the benefits of education. It has been found by experience that the readiest method of instilling European habits into the Natives is by teaching them the English language, and enlarging their understandings by acquainting them with the nature and geography of other countries, in addition to the usual routine of daily school life. In many cases the result has exceeded all anticipation, the children being excessively quick at picking up the language of the pakeha, and very apt at figures and penmanship.

Napier until lately was the outpost of colonization towards the interior. In 1866 a sharply contested battle was fought by the Colonial forces with the insurgents at Omaranui, eight miles from the town; and it is within only the last two years that the neighbourhood has been safe from hostile incursions. The Colonial Government are rapidly pushing on a road from Napier to Taupo, the geographical and strategical centre of the Island. This road is being made chiefly by Native labour, and is protected by five small detachments of the Colonial forces, placed in stockaded posts, connected together by the electric telegraph, at Te Haroto, Tarawera, Runanga, Opepe, and Tapuaeharuru (at the northern end of Lake Taupo).

On the 6th April the Governor left Napier for Taupo, accompanied by one A.D.C.; by Mr. Locke, the Civil Commissioner of the district; and by the Master of Blantyre, who has been for some time travelling in the Australasian Colonies. The coach road has already been finished to the Mohaka River, about thirty miles from Napier; and now that permanent tranquillity has been established, the country through which it passes will soon be occupied by settlers. The Governor and his party slept this night at the post at Te Haroto, occupied by the Colonial forces, thirty-five miles from Napier. It occupies a strong position, 2,200 feet above the sea, on a summit of a high hill commanding a magnificent view of the sea and of the coast, as well as of the wild mountains and forests of the Urewera country to the eastward.

On the 7th the Governor started on horseback at 7 a.m., and after a ride of forty-two miles reached Opepe at 7 p.m., another post of the Colonial forces, where he again slept. The party had been joined at Te Haroto by Major Scannell, commanding the district, and had stopped for breakfast and lunch respectively at the posts of Tarawera and Runanga. The carriage road has not yet been completed throughout the distance travelled this day, but there is already a good bridle track. Much of the land is rich, and the mountain and forest scenery is very beautiful, reminding the European traveller of the Italian slopes of the Alps. Contracts for the completion of the road have been taken by the Maoris of Taupo, and it will be finished in the course of the present year, when a coach will run regularly from Napier to the lake, carrying mails and passengers to the heart of the island. A tri-weekly coach service already exists from Auckland to Cambridge, in the Waikato, a distance of about one hundred and twenty miles; and the break between Cambridge and Taupo is only some seventy miles. Of this gap a considerable portion has already been filled up by Native labour, and the carriage road throughout will probably be completed in the course of a twelvemonth; when coaches will be enabled to travel from Napier (and soon from Wellington also) to Auckland in about four days, stopping each night at the inns already finished, or in process of erection. A statement asserting the possibility of such a fact would have appeared incredible three years ago, when the Natives of the central districts were for the most part in active or sullen hostility. On the 8th the Governor left Opepe, at a distance from which of some ten miles, an hour's ride along a good road, lies the great lake of Taupo, 1,250 feet above the sea, and resembling in its extent (about two hundred square miles of water), and in scenery, the Lake of Geneva. On his arrival at Tapuaeharuru, the native settlement at the north end of the Lake, and near the point where the River Waikato issues from it, the Governor was enthusiastically received by the well-known chief Poihipi Tukairangi, one of the signers of the Treaty of Waitangi, and by his people, with whom was held a *korero*, or conference. The following is a brief summary of the speeches delivered:—

POIHIPI TUKAIRANGI said: Welcome, O Governor, to Taupo! We have been long desiring to see you. For many years past we have been in great trouble. We were nearly destroyed; still a few of us have always remained firm to the Queen, and like the Horomatangi (sea-god) that dwelt of yore in Lake Taupo, and in former days swallowed the evil monsters of the deep, we have now destroyed our enemies; but our joy at welcoming you to Taupo recompenses us for the past troubles. Taupo is yours, the lake and all the lands around, and all the people. Take them all. You come as the sign of peace. Welcome! for you are our father. We desire to commemorate your arrival amongst us by naming some place after you. We should like that the town to be founded here should be called after you. We feel now as if new life were given us, when we see the Governor in our midst. We know that we are not forgotten. The people now here represent the feeling of the whole tribe. Welcome! Welcome! (Then followed a song of welcome, in the chorus of which all joined.)

REWETI TE KUME said: Welcome, O Governor, to Taupo! Come and instruct us in all the laws, thoughts, and works of the Europeans. Taupo is yours, the lake, the people, and the land; yours to carry out the works of the Europeans—to make roads and other works, and to have schools to teach our children English. There have been Hauhaus amongst us, but all are yours now. Whatever your plans may be respecting this country, we are waiting to carry them out. (Another song of welcome followed.)

PAORA RAUHIHI said: Welcome, O Governor, to Taupo! We have been long wishing to see you. We have often heard of you by name, but we thought we should never see your face here. Welcome to Taupo! (Another song of welcome.) I never saw a Governor before. We are but a remnant of what we once were. Welcome!

HIS EXCELLENCY then spoke nearly as follows:—O my friends, chiefs and people of Ngatitu-wharetoa, salutations to you all! You in particular, O Poihipi Tukairangi, I salute, for you have ever been loyal to the Queen and a firm friend to the English, nor is this the first time that you have welcomed me. When I first arrived in New Zealand, four years ago, you wrote me a letter of welcome. That letter, together with other letters from loyal Maori chiefs, was sent to the Queen's Ministers in England, and it was afterwards printed, with other documents respecting this country, for the information of the great Parliament of the Empire at London; so the name of Poihipi Tukairangi is now spread far and wide. The English naval officer, Lieutenant Meade, who came to Taupo in 1865, and was so hospitably entertained by you here, has also written a book, in which your loyalty, and the beauty of your lakes and mountains, are celebrated. In the wars and troubles of the last few years, Poihipi has stood firm to the Queen, even as the rocky isle of Motu Taiko, now before us, stands firm as ever amid the winds and waves of the great lake. When evil times came on, and the sky was dark and lowering, the friends of law and order took refuge with him, even as canoes caught by a storm take refuge under the lee of Motu Taiko. Now the storm is passing away; the sun shines forth again; and the tribes lately disaffected are returning to their allegiance, and are following his good example. In a word, the influence of Poihipi (as he himself said just now) has driven away the demons of war and murder which were devastating this fair land, even as the sea-god Horomatangi, celebrated in the old Maori legends, destroyed the *taniwhas* (sea monsters) which once infested the shores of the Lake of Taupo. And now, my friends, I rejoice that you are industrious in peace as you have been brave in war. You were the first to join the Government in making the roads through your district, those roads which confer such great benefits on all alike—on the Maoris and on the Pakehas. I trust you will also join the Government in founding schools, as your countrymen have already done at Pakowhai, Maketu, and elsewhere. Thus your children will grow up in good nurture, well-educated, and able to cultivate the arts of peace, and live in friendship and harmony with the English. Then the two nations, the white skin and the brown, which inhabit this Island, will grow up into one people, with common laws and institutions. O, my friends, I pray that God, the Giver of all good, may pour His choicest gifts upon you all. (The Governor's speech was greeted with loud cheers by the Natives.)

The name *Tapuaeharuru* signifies "resounding footsteps," and has reference to the hollow sound of the earth from the volcanic action which extends throughout the zone reaching from the great burning mountain of Tongariro, south of Taupo, to Whakari, or White Island, also an active volcano, in the Bay of Plenty, a distance of 120 miles. Hot springs and geysers abound throughout this region, one of the most interesting and wonderful in the whole world. Good descriptions of it will be found in Hochstetter's "New Zealand," and in "A Ride through New Zealand," by Lieutenant the Hon. H. Meade, R.N. Hitherto these grand natural phenomena have remained almost unknown; but now that tranquillity has been established, and that access to them will soon be rendered safe and easy by the completion of the roads, good inns will doubtless be erected, and New Zealand will become for the Australasian group of colonies what Switzerland and the German baths are for Europe. The valuable medicinal qualities of these hot lakes and springs are well known to the Maoris, who resort to them from all parts of the Island for the cure of various diseases.

At the *koreros* which the Governor held with the Natives in the interior, the chief requests were, first, for Queen's flags, *i.e.* union jacks, to be hoisted at their pas, instead of the old Hauhau or rebel flags, which have been everywhere destroyed by themselves; secondly, that the Colonial Government should employ them in making roads through their own territories. It may here be mentioned that hundreds of Maoris lately in rebellion are now so employed. In short the policy pursued for the pacification of the Highlands of New Zealand is (as Sir G. F. Bowen has often pointed out in his published Despatches) the same with that adopted in the last century for the pacification of the Highlands of Scotland. The true weapons of conquest have been in both cases the spade and the pickaxe. The third request of the Natives everywhere was that the Government should assist them in founding and endowing schools where their children might learn the language and arts of the English. As has been above observed, liberal provision has been made by the Colonial Parliament for this vital object.

The Taupo Natives preferred an especial request to the Governor that a European town should be founded on the shores of the Great Lake, and named "Bowen," and that a steamer should be placed on the lake. The Government will carry out all the above-mentioned requests, which are themselves proofs of the great change which has lately taken place in the sentiments of the Maoris.

On the 9th the Governor started in a whaleboat, manned by men of the Armed Constabulary, for Tokano, the chief Native settlement at the south end of the lake. The distance by water is about twenty-six miles, and by land, along the eastern shore, about thirty-six miles. The morning was clear and bright, and the great volcano of Tongariro (6,200 feet high), with smoke and steam ascending from its crater, and the lofty ridge of Ruapehu (9,200 feet above the sea), covered with perpetual snow, presented glorious features in the panorama of the mountains surrounding the lake. About noon, a strong contrary gale set in, so the Governor landed at Motutere, on the eastern shore, whither horses had been sent in anticipation of one of these sudden storms, and rode the rest of the way to Tokano, a distance of about sixteen miles; the boat did not reach that place till the following morning. The Governor was again received with great respect and regard by Hare Tautaka, Herekietie, and the other chiefs and people of the clan of the Ngatituwharetoa, to whom belong Taupo and its neighbourhood. The party were lodged in Maori whares, and food was liberally provided in the absence of the supplies shipped on board the whaleboat.

Subjoined is the substance of the speeches at the *korero* :—

HARE TAUTEKA: Welcome, O Governor, to Taupo! It is with great joy we welcome you. We look upon you as our father, the father of the Maori people. Our number is now but few, but we welcome you with none the less sincerity. You have often shown your love for us during the past few years. We have often been told that the Governor would always be our friend, and we have found it so with you. We are rejoiced to welcome you after the troubles we have gone through, and we look to you to keep us from further trouble. (A song of welcome followed.) It gives us much pleasure, it rejoices us, to have this opportunity of welcoming you here, so that we may speak to you as a father who takes care of us and gives us counsel and instruction. Taupo is yours; Tongariro is yours; they are in your hands. The Ngatituwharetoa, living on the west shore of the lake, have come in to you. They will require constant attention; it is only thus you will keep those people right. Do not neglect them. Do not neglect Taupo. Raise us up. The country is yours; open it up. Governor Grey told us to take care that Taupo was properly managed. He said, "Keep Taupo together." We are now waiting to hear what this Governor will say.

KINGI HEREKIEKIE: Welcome, O Governor, to Taupo! Be stedfast to lead us right. Matuahua has not long surrendered to you. We require constant guidance, for we have but just commenced to be wholly in the hands of the Government. Be careful about buying land at Taupo, so that all may hear whose land is bought, so that all may get their fair share of the price given. Welcome, O Governor!

TOPIA TUROA: Welcome, O Governor! I belong to Taupo as well as to Whanganui. Men and land have been the cause of my troubles—Tawhiao and the boundaries of our land. I was a stray sheep that went astray, and more joy was shown at my return than for the ninety-and-nine that had remained in the fold. I look upon Taupo with a jealous eye; I observe all that has been done up to the present time, and it is all good. All that has been done here has tended to raise the people; all has been done for the good of the people.

WAAKA TAMAIRA: Welcome, O Governor, to Taupo! Come and visit Hare Tauteka and Te Heuheu. Welcome! Taupo and Tongariro are yours. Welcome, O friend of the people and of the country—the friend of the people of Taupo!

HATARAKA TE WHETU: Welcome, O Governor, to Taupo and Tongariro! You have come a long and toilsome journey to visit us. Welcome to the sea of Taupo! Go and visit your home and other places, but hasten back and visit us again at Taupo.

APERAHAMA TE WHETU: Welcome, O my father! We have only heard of you before; now we see you with our eyes. Look around at the land and at the lake; they are yours. Open up the country; assist us to make roads; look around and see if you can improve our condition; see what you can do to open up the country. We look to you to give us proper counsel.

KEREI TE TANOURU: Welcome, O Governor! You will here see the result of what has been done of late. Matuahua and the others are now with us. Matuahua would have been here if he had known the exact day you were coming. We all see the benefit of this way of treating the people. You have allowed all the people of the west shore of the lake to come in. They are now firmly yours. We hope your thoughts are still for the same way of acting; if so, all are yours. We thank you for sending assistance to us when troubles came over Taupo; we will not forget your sending help when we needed it. We are all now true to the Government.

His Excellency Sir G. BOWEN then addressed the meeting mainly as follows:—O, my friends, Hare Tauteka, Herekietie, and all of you who have remained staunch during the late troubles, salutations to you all! I know that you have gone through great trials, and have shown all the gallantry of your ancestors in war. I, as the Governor and representative of the Queen, thank you, and have now come to visit you at your own homes. The desire of the Queen is that her Maori and Pakeha children should grow together into one people. The Queen also is glad that the Maoris who were lately opposed to each other are now friends, and that all are living in peace and harmony with the Government and the colonists. I rejoice also to salute Topia Turoa, the stray sheep who has returned to the fold, and who lately fought so bravely for the Queen. I rejoice that the Ngatituwharetoa Tribe is now again united, through Te Heuheu, Matuahua, and others having submitted to the Government. Thus all the Maoris who dwell round the great Lake of Taupo now understand the blessings of peace, law, and order. You are already beginning to reap the advantages of peace by selling the produce of your labour, and thus procuring the clothes and the other comforts of the Europeans. To carry these benefits still further, it will be well to make roads, like your countrymen elsewhere, and as you propose to do yourselves. The Government will assist you with money and tools; but, mark well my words, the roads are a benefit to the Maori as well as to the Pakeha, and the Government will not press the making of roads through the Native districts if the inhabitants of those districts object. The laws protect the land and other rights of the Maori and of the Pakehas alike. No man need lease or sell his land unless he wishes it himself; the ownership (*mana*) of the land remains, as it has always remained, with the Maoris themselves. And now, my friends, I thank you

for the hearty welcome which you have given me, and for your loyal speeches. Hare Tauteka has said that Governor Grey told him "to keep Taupo together." This is correct. I say to you the same. Keep Taupo and the Ngatituwharetoa in peace and harmony with the Government and with the other Maori tribes. What Te Herekiele said on this point was very good. Before selling any land, let the titles be well ascertained, so that no disputes may arise afterwards. Do as the Pakehas do. When disputes arise among you about land or any other matter, resort to the Courts, and not to fighting. There was a time, while your ancestors were living at Hawaiki, when the ancestors of the English lived much as the Maoris now live; but wise and able men arose, and taught their countrymen the arts of peace, to make roads and railways, to build ships and to found schools. You can learn all these arts from the English among you. I recommend you, therefore, to co-operate with the Government in founding schools for your children, so that they may be taught the language and the learning of the English. In this, as in all other matters, you can always apply with confidence for the aid of the Government. And now, my friends, farewell, and may all happiness attend you. Be sober and industrious, and all will be well with you.

After bathing in one of the hot springs which abound in and near Tokano, and in some of which the cooking of the people is carried on, the party started on the 10th for Rotoaira, the beautiful lake at the foot of Tongariro, about ten miles south of Taupo. Nothing can be more romantic than the scenery of this part of the Island. From under Ruapehu and Tongariro stretch away east, west, and south, rich and well-watered valleys lying between mountain ridges, covered with the luxuriant and semi-tropical foliage of the New Zealand forests. There is no sign of human habitation in this magnificent country, but the Native chiefs are already in treaty to lease large portions of it to some of the great runholders of the South Island; and before many years have elapsed, it will probably be covered, like the plains of Australia, with vast herds of cattle and flocks of sheep. In 1869 and 1870 there was much fighting, near Tokano and Rotoaira, between the Colonial forces and the loyal clans on one side, and, on the other, the rebels under Te Kooti. In the afternoon the Governor rode back to Tokano, where he was again the guest of the Maori chiefs, with whom he had another *korero*.

On the 11th the Governor started at 9 a.m. by the boat on his return to the north end of the lake. A small river leads from the lake to Tokano, through the alluvial plain surrounding the village, on which the Natives grow a large quantity of wheat, maize, potatoes, &c. This creek must not be confounded with the Waikato River, which, rising near the foot of Ruapehu, not far from the sources of the Whanganui River (which flows to the south), enters the Taupo Lake at its southern extremity, and issues from it again at Tapuaeharuru on the northern shore. From this, after a course of nearly two hundred miles, it falls into the sea on the western coast of the North Island. After entering the lake from the Tokano Creek, the Governor passed Te Rapa, the *kainga* of Te Heuheu, whose father, a great chief of the olden time, was, with sixty of his clansmen, overwhelmed in 1847 by an avalanche of boiling mud from the hot springs on the mountain above. His son, the present chief, joined the rebellion in 1869, but has now returned to his allegiance. A little further to the west is the mission station of Pukawa, formerly the residence of the Rev. T. S. Grace, who was obliged to fly during the rebellion. The wind being contrary, the Governor again landed near Motutere, and rode thence in three hours to Tapuaeharuru, where there is already a small inn near the post of the Colonial forces, and the pa of the loyal chief Poihipi.

On the morning of the 12th the Governor held another *korero* with the Natives, of which the following is a summary:—

POIHIPI TUKAIRANGI: This is a welcome and a farewell to you, O Governor. This is an occasion on which all should speak out their minds, and I call on all to speak out and hide nothing from the Governor. Let the Governor go away with a full knowledge of our thoughts and our wants. Salutations to you, O Governor, who have come to cheer us after all our troubles! I have desired to see Europeans settled at Taupo ever since I first saw them in the Bay of Islands, when I signed the Treaty of Waitangi; but five Governors have come and gone, and it is only now that my hopes are being realized. We look upon this as a great blessing. Welcome, O Governor, to Taupo, and return in peace to your home!

RAWIRI KAHIA: Welcome, O Governor, to Taupo! Come and see for yourself the thoughts of your people, and judge of them for yourself. We are all very much rejoiced at your coming among us. I shall ever remain steadfast. We will be the same behind your back as before your face. Go home in peace. Fear not for our loyalty.

PERENAHU TAMAHIKI (Ngatiraukawa): Welcome, O father and Governor! Here are Ngatituwharetoa and Ngatiraukawa. We are now for the Government. The tribes from all parts came and troubled and tempted us, and many left for a time; only very few remained with the Government through the troubles that have passed, but those few have gained the victory; the many are now returning. We will ever remain loyal.

MANIHERA: Welcome, O Governor! Come to Taupo. Come and visit the people in the interior of the Island; they are now all with you.

HORI TAURI: Welcome, O Governor! Come and see Ngatituwharetoa and Ngatiraukawa. Come to Taupo. It cheers us up to see you at Taupo.

HAMI: Come, O Governor, to Taupo and Tongariro! Come and see Tongariro Mountain, Taupo Lake, and Ngatituwharetoa Tribe. Heuheu in former times was our chief, but he has long been dead. We look now to you as our chief and Governor. All those chiefs of former days that you may have heard of are dead. Poihipi and Hare Tauteka are now our elder chiefs, but you are our chief and father; you now possess all the *mana*.

RUTENE (Ngatiraukawa): Come, O Governor, and see your people living inland—Ngatituwharetoa, and Ngatiraukawa. We now all come to Taupo as a centre, and so learn what to do, and we are now come to Taupo to meet you, and to hear from you what we should do.

TUKUREHU MAMAO: Come, O Governor! (Song of welcome.) Come, O father, for you are our guide! Come to Taupo. This tribe are now all with you.

PAURINI KARAMU: Come to Taupo. We are but few. During the past years nearly all left you: now all have returned to you. Taupo and Tongariro are yours.

POIHIPI TUKAIRANGI: The Ngatituwharetoa chiefs will take care of their people, and see that no mischief arises within their boundaries. The boundaries of Taupo district are these: Commencing at Horohoro; thence to Arawhena (near Titirapunga), Maraeroa Tuhua, round by the back of the mountains to Ruapehu, on to Ruahine and Titikura; thence to Herewiwi, and back to Horohoro. Let chiefs of other tribes be responsible for the good conduct of their own people: they must not interfere with us.

His Excellency Sir G. F. BOWEN then spoke to the following effect:—O, my friends, chiefs and people of the Ngatituwharetoa, I have already addressed you in the pa of that loyal subject of the Queen, and firm friend of the Pakeha, Poihipi Tukairangi. He deserves the title of Horomatangi, because he has been an enemy to all crime and evil in this district, even as in the legend the Horomatangi destroyed the cruel monsters (*taniwhas*) of the Lake of Taupo. Poihipi is one of the few survivors of the chiefs who signed the Treaty of Waitangi, when the sovereignty of these Islands was ceded to the Queen, who on her part engaged to protect the lands, the fisheries, and all the other rights of the Maoris. This treaty remains inviolate. The law protects the property of the Maoris as it protects the property of the Pakehas. The Government fully recognize the merits and services of Poihipi and of the other loyal chiefs, and will assist them in making the roads, building the mills, and in the other good works which they contemplate. I am glad also to meet here to-day so many of the great tribe of the Ngatiraukawas. Matene Te Whiwhi, and many of that tribe, have welcomed me at Otaki; and now Hori Ngawhare is waiting to welcome me at Orakei-Korako. I rejoice that so many of the chiefs of the old times—the old trees of the forest—are still standing; and that a noble growth of young trees is rising around them. I trust that you will join with the Government in founding schools here, such as those already established at Pakowhai, Maketu, and elsewhere, in which the youth of the Maori race learn the language and arts of the English. As I said at Tokano the other day, there was once a time when the ancestors of the English were little more advanced in civilization than the Maoris are now; but wise and good men arose among them, and taught them to make roads, and to build ships and houses. About the time that Hongi, the Ngapuhi chief, went to England, a Scotchman, McAdam, discovered how best to make roads, and his is the system now in use both in England and in New Zealand. You have not to make new discoveries for yourselves, but only to adopt the useful discoveries of your Pakeha friends. What Poihipi said in his speech just now was correct. Each tribe can do what it likes within its own boundaries. For example: Whenever a tribe wishes to make roads, the Government will assist with money and tools; and no other tribe has any right to interfere. The Government has no desire to make roads, or other useful works, except in those districts where the Maoris willingly co-operate. You already understand the advantage of roads. A horse does not cost so much to feed as a man, and yet it is eight times as strong. When you have got roads, one man with a horse and cart can carry as much corn or potatoes as eight men could carry. As there are no other points on which you wish to address me, I will now conclude. I thank you once more for the hearty welcome you have given me, and pray that peace and prosperity may flourish among you, like the everlasting green of your native forests.

At the conclusion of His Excellency's speech, which was received with cheers by the Natives assembled, the Natives danced *hakas* and other Maori dances.

Afterwards His Excellency visited the Falls of the Waikato, situated amidst fine scenery, about four miles from the point at which the river issues from the northern end of the lake. There are fine rapids above and below the falls, which resemble in height and volume of water those of the Rhine at Schaffhausen. After visiting the falls, the party bathed in one of the natural hot baths in the neighbourhood, where a cascade of tepid water falls into a rocky basin.

April 13.—The Governor and suite, leaving with regret the shores of the great lake, or sea (*moana*, not *roto*, as the Natives call it) of Taupo, and, after four hours' easy riding over fern-clad hills for about twenty-five miles, reached Orakei-Korako, a Native kainga on the left bank of the Waikato, belonging to the clan of the Ngatiraukawa. Here the Governor was welcomed by the influential chief Hori Ngawhare, who, though in extreme old age and infirmity, had travelled more than fifty miles to meet His Excellency. This portion of the Ngatiraukawa had been, in former years, engaged in rebellion. Several chiefs, however, had gone to meet the Governor at Taupo to invite him to their country; and he was received by the assembled clan with the most hearty respect.

The substance of the speeches delivered at Orakei-Korako is as follows:—

HOHEPA TAUPIRI: Come, O Governor, come and see us, your people! You are the father of the people. (Song of welcome.) Salutations to you, O Governor! We have been swimming, as it were, in the ocean, and knew not where to go. We feel that we are now touching the shore, and you have come to help and guide us to land. Salutations to you, O Governor!

TUIRI RANGIHORO: Salutations, O Governor! Come and see us. We hand over all the roads in this district to you; they are in your hands. It is for you to direct what should be done here. Salutations!

HERE MATENGA: Salutations! Come, O Governor, and visit us. We rejoice to see you here. We shall ever remain faithful to the Government. The people and the land are all yours; we cannot say more.

ARANUI: Welcome, O Governor! Come and clear away the doubts and darkness that surround us. Come and see Hori Ngawhare. We have long been searching for a proper course to take, so as to save the people. We are now beginning to think we have found out the right way. You have now arrived, and we will listen to you, in hope that our troubles may now end. All the Ngatiraukawa, and the followers of the King will hear what you say to-day. Salutations to you.

HORI NGAWHARE: Come, O Governor, and search for yourself what is required for us. We are searching, we, the Maoris, for a proper course. We wish you, O Governor, to point out to us what to do.

His Excellency Sir G. F. BOWEN then addressed the meeting to the following effect:—O my friends, Hori Ngawhare, and chiefs of Ngatiraukawa, salutations to you all! I thank you for your loyal speeches, and am very glad to visit you in your own country. I also rejoice to meet your cele-

brated chief Hori Ngawhare, and am sorry to find him suffering in body, though his mind is as clear as ever. I thank him for having travelled fifty miles to meet me here, and for his invitation to escort me through your country from Taupo to Cambridge, in the Waikato. I am glad that the Ngatiraukawas desire to see the Governor crossing their district. There are two roads from here to Auckland. Next time I will go by your road, but this time I will go by Rotorua and Tauranga, where I have promised to meet your friend, Mr. McLean, to consult with him how best to promote the interest of the Maoris. One of your chiefs (Tuiri) said, in his speech, that the Ngatiraukawas place the question of roads entirely in the hands of the Governor; but, my friends, this is a question principally for yourselves. Each tribe should say whether it will assist the Government in making roads in its own district, and no other tribe has any right to interfere, as I have explained at Taupo and elsewhere. The benefits of roads are great, and affect the Maoris equally with the Pakehas; indeed, there are as yet but few Pakehas in these inland districts. I am very glad to find that the Ngatiraukawas wish for roads, and the Government will assist you with money and tools, as it is assisting other tribes. Remember that roads do not affect the *mana* of the chiefs or the ownership of the land. This is quite clear. Let no man deceive you on this point. The telegraph is also a great use to the Maoris. Formerly if a Maori wanted a bag of flour from Napier or Tauranga he had to send a messenger for it, and to incur much delay and expense. Now, he can send for it by the wire, and it comes up by the coach at once. In addition to the roads and the telegraph, I recommend to you the foundation of schools for your children; the Government will assist you also in this matter. As there are no other points on which you wish me to address you, I will conclude by again thanking you for the hearty welcome which you have given me.

After the *korero* was over, His Excellency bathed in the warm baths on the bank of the Waikato River.

From this point, two routes to Auckland were open to the Governor. He could proceed in two days' ride to Cambridge, in the Waikato delta, whence there is (as has already been said) a carriage road to Auckland, which city could be reached in this way in three or four days. The Ngatiraukawas urged His Excellency to adopt this route, which lies for the most part through their territory, and offered to escort him to Cambridge. But the Governor preferred the other and longer, though more interesting, road by the hot lakes and Tauranga, at which latter place he had, before leaving Napier, arranged to meet Mr. McLean, the Minister for Native Affairs, who, while the Governor was crossing the central districts, had been doing good service by visiting in the Government steamer the Natives scattered along the East Coast of the Island, especially those of the loyal clan of the Ngatiporou.

Accordingly, on the 14th, at 8 a.m., the Governor crossed the Waikato in a canoe, and visited the magnificent alum cave on its right bank, together with the neighbouring geysers. At 9.30 a.m. the party started on horseback for Kaiteiriria (25 miles), which was reached at 5 p.m., after a halt of two hours at a hot stream about half-way, where the entire party enjoyed a delicious swim in the tepid water.

Kaiteiriria is a small pa on the picturesque Lake Rotokakahi, and is one of the posts held by a detachment of the Native Militia, commanded here by Captain Mair. The Arawas composing the force are fine young men, well drilled according to English discipline, who have done good service in the war against their rebel countrymen. Kaiteiriria is a convenient head-quarters from which to visit Rotomahana (the hot lake *par excellence*) and other parts of the wondrous lake district, of which no description will be attempted here. The reader of these notes is referred to the books of Dr. Hochstetter and Lieutenant Meade, and to several papers in the Transactions of the New Zealand Institute. On the 15th the Governor started at 8.30 a.m., and in three hours rode over the hills by a rugged path of fourteen miles to Lake Rotomahana, while others of the party proceeded thither by a canoe across Lake Tarawera. As the Governor had on previous occasions, eighteen months ago, stayed for two days at Rotomahana when accompanying thither H.R.H. the Duke of Edinburgh, he now remained there only a few hours, revisiting the famous white and pink terraces, and then returned on horseback to Kaiteiriria.

On the 16th the party started at 10 a.m., and, after a delightful ride of twelve miles along the shores of the beautiful Lakes Rotokakahi and Tikitapu, and afterwards along the margin of Lake Rotorua, reached Ohinemutu, the principal inland settlement of the great clan of the Arawa. The afternoon was spent in swimming in the tepid waters of the lake, and in visiting the geysers of this wonderful place, so renowned in Maori song and legend. A strong contrary wind rendered impossible a visit to the island of Mokoia, the scene of the story of Hine Moa, the Hero, and of her lover Tutanekai, the Leander, of Polynesian mythology. In the evening the Governor held a *korero* with several of the Arawa chiefs, who, like their countrymen elsewhere, were all eager for the extension of roads and schools.

Having visited on former occasions Maketu, the chief Arawa settlement on the sea coast, the Governor on the 17th determined to proceed from Ohinemutu to Tauranga by a new and direct road now nearly completed by Native labour. It was a ride of thirty-eight miles, of which eighteen were through the forest, and the road reflects great credit on the officers in charge of this difficult work. We may take the opportunity of mentioning that, as we are informed, the Governor has expressed much satisfaction at the tact and ability displayed by the civil officers immediately charged with the management of Native affairs and of public works in the interior of New Zealand, and with the good discipline and soldierlike appearance of the officers and men of the Colonial forces.

At Mangarewa, in the heart of the forest, the Governor found triumphal arches erected in his honor by the Maoris employed on the road, who received him with shouts and chants of welcome. The party engaged in blasting rocks saluted his approach by firing several charges, which echoed like cannon-shots through the grand primeval forest. One of the working parties was headed by Ngatote, a brother of Kereopa, who was executed in January last for murder and rebellion.

Five miles from Tauranga the Governor was met by the Volunteer Cavalry of that town and district, who escorted him past the famous Gate Pa to the wharf, where the "Luna" lay at anchor, and where he was received by Mr. McLean and a guard of honor of the Rifle Volunteers. It may be remarked that the Volunteers of Tauranga comprise one-fifth of the entire population of the district—men, women, and children. This is as if the Volunteers in the United Kingdom numbered six millions instead of two hundred thousand.

April 18.—The morning was spent in visiting the cemetery, where the officers and men of the Imperial forces killed at the Gate Pa in 1864 were interred, and in transacting business with several Maori chiefs. The Ngaiterangis, who fought so bravely against the English in the late war, are now the firm friends and allies of the Government. Two of their chiefs volunteered to escort the Governor overland to Ohinemuri by the difficult Katikati Pass, so long closed to Europeans. Accordingly the "Luna," leaving Tauranga at 2 p.m., landed the Governor and his Native guides at 4.30 p.m. at Katikati, where they passed the night in a small house belonging to Mr. Faulkner.

On the following morning, the 19th, the party started on horseback amid a deluge of rain, which lasted the whole day. This was the first bad weather which the Governor had met with throughout the whole journey from Napier. The streams and rivers to be forded were very much swollen, and the path through the forest, in the latter part of the ride of twenty-eight miles, was positively dangerous. However, the Governor reached Ohinemuri safely before dark, and on the next morning, the 20th, was received by Mr. McLean on board the "Luna," which had come round Cape Colville and up the River Thames. A large meeting of Natives was being held at Ohinemuri, for a *tangi* on account of the death of the celebrated chief Taraia. Several leading chiefs from various parts of the Island had accompanied Mr. McLean in the "Luna," and now joined in the *tangi*. When it was over, a *korero* was held, at which the Governor and the Minister for Native Affairs addressed the assembled tribes. We annex the substance of the speeches delivered:—

WIKIRIWHI rose and welcomed the visitors as follows:—Welcome, Governor, welcome, Mr. McLean, to the place of Taraia's death! Come and see the death of Taraia, and express your regret to the people who last saw him. His soul has gone, taken hence by the strong hand of death! Welcome, O people! Welcome, Ngatiraukawa and Ngatikahungunu! Come and express your sorrow at the departure of the Taraia of New Zealand; himself selected the day for his departure. Welcome, Ngaiterangi! Had he been bound with chains it had not been possible to detain him. Though his spirit has fled, his voice still lives, and bids you all welcome.

MOWATI KIHAROA: Farewell! The forms of death are varied: some fall from trees and die; others die in their houses; others, again, fall in battle; but these are all ways in which chiefs may die. It is a broad and open road, and you can see them go—and sorrow at their departure. We come hither to show our affection. The men of great name whom you knew, Taraia, have gone. You have gone to them; and now, farewell! Other people of yours have disappeared, whose canoes you commanded. (Song.) Farewell, farewell! I greet you, the people who last saw his face.

ROPATA TE ARAKAI: Welcome, Governor and Mr. McLean! Come and see the death—the death of Taraia. It is right to show grief on this occasion—to come to the death of Taraia. What can we do? Who can avoid the stroke of death? Welcome, people, who have come in accordance with the usages of our ancestors! Welcome to Hauraki! Bring hither those griefs, and lay them in the spot where Taraia died. Nothing can be done now beyond bidding you welcome.

TAREHA: Bid us welcome! Welcome your friends, the Governor and Mr. McLean; and bid us welcome, also, according to our usual custom. The voices now are not like the old voices; it is a different voice now. We come; we come to see the death of Taraia. The grief now displayed by the Governor is not only now shown for the first time—it has been already seen at the other deaths which have occurred in this land. Taraia is dead, and here is the Governor, come to mingle his tears with yours, and to mourn with Te Hira. Welcome your friend the Governor, and your man, Mr. McLean. These are the chiefs, showing love to the people of the land. Your old chief, as well as ours, has gone; but here is your old friend come to see you. Wherever grief is felt, there are the Governor and Mr. McLean, to alleviate the distress. When troubles arise, there they are, to put them down and restore order and tranquillity. There is now only one thing wanting; that is, a Maori chief, to accompany the Governor and your friend, Mr. McLean, wherever they go. (Song.)

APANUI: Why is it you mention Ngatiraukawa, as if that were the only tribe connected with Taraia? Bid us welcome. Here we come. We are all related to Taraia. Why do not you mention Ngaiterangi, Ngatiawa, Ngatikahungunu, and other tribes, all of whom are also related to Taraia? We have come to the spot where Taraia's body lay. When the sun comes near to setting, he sinks rapidly. What can we do? The road is broad and open; it has been travelled by our ancestors from olden time. (Song.) Farewell, farewell, my father!

MOANANUI: Welcome, welcome, people of the land! Welcome! There are few to welcome you. Come to Hauraki. Welcome to Jordan; leave Egypt behind you. Come to Jordan, my friends. Welcome, each and all of you! Welcome, you, my friends, who have come to the death of Taraia, come in order that we may speak mouth-to-mouth at Jordan. Because of others not holding similar views to those which we hold, they fled away. However, you will not be able to reply to my remarks. I shall touch to-day upon all those matters. I do not go to this place and that place to collect my knowledge, but you will not be able to reply to me. Welcome, my friends—come as you have come, well disposed, to see my face; do not think I am not glad to see you. Come and see your brother Taraia. Whatever precautions people may take, they cannot avert death. Come to see the foolishness of Hauraki; there is no knowledge in Hauraki; come and see it. Welcome, my father: bring the people of the land to see us; they would not have come had it not been for you. Welcome, my father: bring hither your guests to see the foolishness of the people of this place. Come hither, my father, from the place where you have been laying down life-giving principles of action.

MR. MCLEAN made a few remarks, which were listened to attentively by the Natives. We understood him to refer to the visit of the Governor and the several chiefs who accompanied him from different parts of the Island. In reference to Taraia, he said that he had departed in the usual course from old age on the road from which no traveller ever returns. The Hauhau prophets said that their dead would come to life to repeople the Island; if they were able to bring Taraia to life again he would believe them—but if not, they must see it was full time to cast off their silly delusions. In no instance had they seen people who had trodden the paths of death return again to repeople the earth. Idle rumours were in circulation that an attack was to be made on the Ohinemuri natives by Major Ropata, of Ngatiporou. Such a report was without any foundation. The present visit was merely

paid to exchange friendly sentiments; and as the Governor was so seldom a visitor to Ohinemuri, he expected to hear Te Hira, who was present, give expression to his views and feelings.

The GOVERNOR then spoke to the following effect:—Salutations to you, my friends! I thank you for the welcome you have given me. This is my second visit to Ohinemuri, and I have received a hearty welcome on each occasion. My first visit was made four years ago; and your celebrated chief Taraia then welcomed me in person. He was a great chief in war, and a great friend to the Pakeha in peace. He was known to all the tribes throughout the Island as the principal chief of Hauraki. I heard with great pain of his death, and am now come to join you in lamenting him. I have arrived, accompanied by chiefs from different parts of the Island, who, like me, have heard of his death and regret it. I have now been through all the Native districts from Wellington northwards. I have seen the Ngatikahungunu at Napier, the Ngatituwaretoa at Taupo, the Ngatiraukawa at Orakei-Korako, the Arawa at Ohinemutu, the Ngaiterangi at Tauranga; and I have now come here among you, the Ngatimaru and Ngaitamatera. Everywhere I have found the death of Taraia regretted. However, if the old chiefs, the aged trees of the forest, are falling, I am glad to see such a fine growth of young men to take their place. I have not much to say to you on this occasion, except to thank you for the welcome you have given me, to tell you I shall be glad to come again to see you, and to wish you all happiness and prosperity.

TE HIRA: Welcome, Governor! All I can do is to greet you. I cannot make myself one with you, so thoroughly as your friends around you have, because our thoughts are not yet the same; but when I find that I can dwell quietly and without being disturbed at my own place, then perhaps I shall see my way clear to do as the others have done. Although your friend Taraia is dead, he is but one man. It were better that the position of the land were made clear. My hands are quite clean. As soon as I hear your word that my land shall be mine, then I shall be clear. Welcome, O people! I do not know your thoughts. There is no course of action decided upon here. Come when you like. Unite yourselves to us now to-day, because it has been through you that this place is what it is.

It will be remembered that Ohinemuri has long been one of the principal strongholds of Hauhaism and rebellion. Yet it will be seen that the Governor was heartily welcomed by all parties. It may be mentioned that, in honor of his arrival, union jacks were hoisted in every place where formerly floated Hauhau flags.

April 21.—This day being Sunday, the “Luna” remained quietly at anchor at Ohinemuri, and was visited by large numbers of the Natives.

On the 22nd, at 7 a.m., the Governor and Mr. McLean proceeded up the River Thames (so Captain Cook named the noble river called Waibo by the Maoris) for about fifteen miles above the junction of the Ohinemuri Creek; that is, to a point about forty miles from the mouth of the river. For several miles above Ohinemuri the river runs through the forest; further on the open country begins. The Governor and party here ascended the hill “Te Rae o te Papa,” that is, the brow of the plain, whence there is one of the most extensive and interesting prospects in all New Zealand. Below, the eye ranges over the whole of the wide valley or plain watered by the Rivers Thames and Piako, with their numerous tributaries, from the sea to the north as far as the mountains round Lake Taupo to the south. On a clear day, Tongariro and the snowy ridge of Ruapehu are clearly visible, as well as Tauhara, the remarkable mountain at the north end of Lake Taupo. To the east is the richly-wooded Aroha Mountain, in which the gold-bearing cordillera of the Cape Colville peninsula appears to terminate. To the west are the bush-covered ranges hanging over the Piako River, and where these end there is an extensive prospect over the plains of the Waikato, bounded by the Pirongia Mountain, which is not far distant from the West Coast of the North Island.

The great plain of the Thames is still almost without cultivation or human habitation, with the exception of a few Maori villages; yet, in all human probability, the time is not far distant when it will be covered with flourishing English farms and herds of cattle and sheep. The Thames already supplies a liquid highway, and the towns on the gold fields near its mouth a ready market for pastoral and agricultural produce.

On his return to Ohinemuri the Governor was present at the arrival of a large number of visitors from various tribes, who had come, according to Maori custom, to join in the lament (*tangi*) for Taraia—a ceremony resembling the coronach of the old Scottish Highlanders, and the “keen” of the Irish peasantry. The wailing of the women, and the chants celebrating the deeds of the departed chief, were very striking. It is considered a fortunate thing that the Governor visited Ohinemuri at a time when so many of the leading chiefs of the principal Maori clans were there assembled, and thus had an opportunity of paying their homage to the head of the Government.

April 23.—The “Luna,” the largest vessel which had ever previously ascended the Thames, left Ohinemuri at 7 a.m. with the ebbing tide. Owing to the hitherto imperfect survey of the river, she grounded about two miles from the mouth, but floated again with the rising flood, and reached the wharf at Grahamstown at 5 p.m. On the 24th, a deluge of rain having set in, the Governor was unable to visit the gold mines, but held a reception, at which were present the principal officers connected with the Thames and the leading residents. At 5 p.m. the “Luna” left Grahamstown, and after landing some Native chiefs at a village half-way, arrived at Auckland at 11 o'clock p.m.

So ended an important and memorable journey.

No. 67.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 48.) Government House, Auckland,
MY LORD,— New Zealand, 16th May, 1872.

1. I have the honor to report that Auckland and the northern districts of this Island have at length been placed in communication, by the electric

telegraph, with the Seat of Government at Wellington, and with the rest of the Colony.

2. For several years past, Wellington has been united in this way to Dunedin, Christchurch, Nelson, and all the other chief towns of the South, a submarine cable having been stretched across Cook's Strait. But Auckland remained unconnected, because the hostile and disaffected Natives in the interior of this Island refused to allow the posts to be erected on their territory. But they have now withdrawn their opposition, and the telegraph was extended to Auckland last month almost simultaneously with my arrival there at the close of the overland journey, of which a report is contained in my Despatch No. 47, forwarded by this mail.

3. The completion of this important public work has been a subject of general congratulation, for the comparative isolation of Auckland from the rest of the Colony has been the source of much inconvenience and even danger, especially during the Native troubles, now happily past. The transaction of public and commercial business will henceforward be greatly facilitated, and (what is still more important) the feeling of Colonial unity and identity of interests throughout this community will acquire increased strength.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

No. 68.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 50.)

Ngaruawahia, Waikato,

MY LORD,—

New Zealand, 10th June, 1872.

In continuation of my Despatches respecting my recent journey overland across the centre of the North Island of New Zealand, I have now the honor to report that I left Auckland on the 31st ultimo, on my third visit to the Waikato district.

2. Full accounts of this important part of the Colony, which was the principal field of the operations of the Imperial and Colonial forces, under General Sir Duncan Cameron, in the campaigns of 1863 and 1864, will be found in my Despatches, No. 49, of June 30, 1868, and No. 31, of March 7, 1870, written immediately after my two former visits; and in the maps and other documents accompanying those Despatches. To the above-mentioned papers, several of which have been laid before the Imperial Parliament, I would request your Lordship's attention.

3. I now address your Lordship from Ngaruawahia,* the township at the confluence of the Rivers Waikato† and Waipa, and commonly called "the old Maori capital," because (as I have explained on a previous occasion) it was the residence of Potatau Te Whero Whero, who was elected, in 1857, to be the first (so called) Maori King. This celebrated chieftain and warrior, who had been a firm friend and ally of the English in the early days of the Colony, and who never took part in any hostilities against the Queen's troops, died in 1861, and was buried at Ngaruawahia. On my first visit to the Waikato, in 1868, I caused his tomb, which had fallen into decay, to be repaired; and this act is said to have produced a very favourable impression on his son and successor, Tawhiao, and on their family and clansmen.

4. On my journey hither from Auckland, I have proceeded by short stages, visiting all the English settlements and Native *kaingas*, or villages. I have been everywhere received with the most cordial respect and welcome.

5. Nothing can be more satisfactory than the general progress made in the Waikato since the date of my first visit in 1868, and especially during the last two years. The Colonists and the Natives alike appear to feel that permanent tranquillity and confidence have now been finally established.

* This name signifies "the meeting of the waters."

† The Waikato, before its union with the Waipa, is sometimes called the Horotiu.

6. I annex a clear and concise report from Mr. McLean (who is also in the Waikato) on the present aspect of Native affairs.

7. After completing my visit to this district I shall return to Auckland, and thence proceed to Wellington in time for the opening of the next Session of the New Zealand Parliament, which is summoned to meet for the despatch of business on the 16th July.

The Right Hon. the Earl of Kimberley.

I have, &c.,

G. F. BOWEN.

Enclosure in No. 68.

MEMORANDUM by Mr. McLEAN, C.M.G.

THE Native and Defence Minister submits to His Excellency the following brief sketch of the aspect of Native affairs:—

A calm reviewal of Native affairs at the present moment affords the assurance that the attitude assumed by the different tribes throughout the Island is of a most satisfactory character. The majority are either engaged on roads and other public works, or are evincing an anxiety to follow the example of those of their countrymen who are thus helping to open up the country.

The taste for peaceful avocations is resuming its sway, and each year sees an addition to the breadth of land under cultivation by the Natives. It is gratifying to find that the ex-rebels who made their submission last year are fully carrying out their pledges of amity, and are living in peace and quiet; and that the behaviour of the prisoners lately under sentence for their participation in acts of rebellion, and who have been released from confinement, is such as to warrant the leniency which has been shown to them.

The most interesting feature at present in connection with the Native race, is the prevalence of a strong desire for the education of the children, and for the acquirement by them of the English language. For this purpose the Maoris have, by their contributions, aided the Government in the erection of schools; and the progress made by the pupils has been far more rapid than could ever have been hoped for.

A marked moderation is perceptible in the tone of those tribes who have hitherto been the most violent in opposition. Even among the most extreme section of Hauhaus, that are under the immediate control of Tawhiao, the so-named King, there has arisen and been expressed a desire to meet His Excellency and the Native Minister. Owing, however, to various tribal differences, the interview is likely to be deferred; and it has been deemed advisable that no undue impatience should be displayed to hasten negotiations until more complete understanding shall have been arrived at between the opposite factions of the party. To effect this wished for object no pains are spared, and there is every probability that its attainment at no distant period will be the prelude to a satisfactory disposal of all difficulties.

Te Kooti, who during his career has proved himself a formidable foe, is now a miserable fugitive, having cast himself for protection upon the King party, amongst which he is no more than a prisoner at large during quiet behaviour. Several chiefs of importance, in different parts of the Island, who had not made their appearance in the European settlements since the beginning of the late war, have spontaneously come out of their seclusion and visited the Native Minister.

The Native Minister regrets to have to inform His Excellency that a considerable failure has taken place this season in the potato crop, and that the result is likely to be a certain degree of distress on the part of the Natives. The Government have, however, taken steps to afford relief to the tribes which appear the most probable sufferers, and are distributing a quantity of seed wheat and other cereals, for which the ground is being prepared with the utmost alacrity. The Natives are also repairing their old flour mills, and are on all sides resuming the industrial pursuits which they had more or less abandoned for several years.

At no time have there been fairer evidences of peaceful progress on the part of the Natives than at the present; and the results already apparent from the policy of conciliation adopted towards them render it a matter of little doubt that its continuance must lead to a prosperous future for both races.

Among the subjects for congratulation which are submitted to His Excellency, not the least is the fact that all military operations in the field have come to an end; and that the Colonial force is released from active service, and is engaged on the construction of Public Works.

His Excellency's tour through the interior of the Northern Island has doubtless been fully notified to the Imperial authorities; and the Native Minister has only to add on this point, that it has been productive of the most beneficial results.

8th June, 1872.

DONALD McLEAN.

No. 69.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 51.)

Hamilton, Waikato,

MY LORD,—

New Zealand, 12th June, 1872.

I have the honor to report that I lost no time in directing the attention of the Colonial Ministers to your Lordship's Despatch No. 73, of the

20th October ultimo, respecting certain proposals of the Peninsular and Oriental Steam Navigation Company for their Mail Packets to call at Glenelg, in South Australia.

2. In consequence (as I am informed) of the recent absence on an official mission to Sydney and Melbourne of the Postmaster-General of New Zealand (the Hon. Julius Vogel, C.M.G.), some delay has occurred in forwarding to me, for transmission to your Lordship, the enclosed Ministerial Memorandum, which reached me only yesterday.

The Right Hon. the Earl of Kimberley.

I am, &c.,
G. F. BOWEN.

Enclosure in No. 69.

MEMORANDUM by Mr. VOGEL, C.M.G.

WITH reference to the Despatch from the Right Hon. the Secretary of State for the Colonies, of the 20th October last, No. 73, in which it is requested that the Government of South Australia may be informed whether this Government has any objection to offer to certain proposals of the Peninsular and Oriental Steam Navigation Company for their Mail Packets to call and deliver mails at Glenelg, the Postmaster-General has the honor to inform His Excellency that, as the proposed deviation of the route of the Mail Packets would much more affect the interests of the Australian Colonies than those of New Zealand, the Government of New Zealand prefer that the question should be left to the Governments of those Colonies to decide.

Wellington, 23rd May, 1872.

JULIUS VOGEL,
Postmaster-General.

No. 70.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 52.)

Hamilton, Waikato,

MY LORD,—

New Zealand, 13th June, 1872.

I have the honor to transmit herewith a copy of a letter from the Superintendent of Wellington (Mr. Fitzherbert, C.M.G.), and an Address of Congratulation to the Queen from the Council of that Province, on the recovery of His Royal Highness the Prince of Wales.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 71.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 54.)

Government House, Auckland,

MY LORD,—

New Zealand, 25th June, 1872.

I have the honor to report that I lost no time in directing the attention of the Colonial Government to your Lordship's Circular Despatch of the 1st February ultimo, respecting the supply of British Silver Coins.

2. I now transmit a Ministerial Memorandum from the Treasurer (Mr. Vogel, C.M.G.) on this subject.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

Enclosure in No. 71.

MEMORANDUM by Mr. VOGEL, C.M.G.

HIS EXCELLENCY the GOVERNOR is respectfully informed that the subject of the annexed Circular Despatch has had careful consideration; but as it is found that coin to the value of twenty-four thousand pounds (£24,000) sterling would be the least that would be of service to the Colony, and as the expense connected with obtaining such an amount would be about one thousand pounds (£1,000) sterling, it has been determined to submit a vote for that sum to Parliament in the ensuing Session. Should this vote be passed, arrangements will immediately be made to import new silver coin to the extent named above (£24,000).

Treasury, Wellington, 8th June, 1872.

JULIUS VOGEL.

No. 72.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 55.) Government House, Auckland,
MY LORD,— New Zealand, 26th June, 1872.

At the request of my Responsible Advisers, I have the honor to transmit herewith a Ministerial Memorandum, and copies of the Report of the Commission appointed to inquire into certain matters connected with the recent voyage of the ship "England" with emigrants from London to New Zealand.

2. It will be seen that I am requested to solicit special attention to the section of the above-mentioned Report headed "Compliance with the Passengers Act as affecting the ship 'England.'"

I have, &c.,
The Right Hon. the Earl of Kimberley. G. F. BOWEN.

Enclosure in No. 72.

MEMORANDUM by Mr. REEVES.

MINISTERS have the honor to transmit herewith to His Excellency, three copies of the Report presented by the Commission appointed to inquire into certain matters connected with the recent voyage of the ship "England" with emigrants from London to New Zealand, and respectfully request that His Excellency will forward the Report to Her Majesty's Secretary of State for the Colonies, and will at the same time call Lord Kimberley's special attention to section of the said Report headed "Compliance with the Passengers Act, as affecting the ship 'England.'"

Public Works Office, Wellington,
New Zealand, 5th June, 1872,

W. REEVES.

Sub-Enclosure to Enclosure in No. 72.

Vide Papers presented to Parliament containing Report of the Commissioners appointed to inquire into certain matters connected with the Ship "England,"—G. No. 3.

No. 73.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 56.) Government House, Auckland,
MY LORD,— New Zealand, 26th June, 1872.

At the request of my Responsible Advisers, I have the honor to transmit herewith the enclosed Ministerial Memorandum from the Postmaster-General of New Zealand (Mr. Vogel, C.M.G.), respecting certain questions connected with the Navigator Islands.

2. I have no means here of procuring any information on this subject in addition to that furnished by Mr. Vogel in the accompanying papers.

3. I have already communicated to my Ministers your Lordship's Despatch No. 10, of the 23rd February ultimo, stating the views of Her Majesty's Government with regard to the Navigator Islands.

I have, &c.,
The Right Hon. the Earl of Kimberley. G. F. BOWEN.

Enclosure in No. 73.

Vide Papers presented to Parliament relative to San Francisco Mail Service, E. No. 6, page 26.

No. 74.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 57.) Government House, Auckland,
MY LORD,— New Zealand, 27th June, 1872.

With respect to your Lordship's Despatch No. 13, of the 24th February ultimo, I have the honor, at the request of Mr. Fitzherbert and Mr. Vogel, to

transmit herewith to Sir George Barrow, letters from those gentlemen acknowledging the receipt of their insignia as Companions of the Order of St. Michael and St. George.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

(Enclosures sent in original.)

No. 75.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 58.) Government House, Auckland,
MY LORD,— New Zealand, 27th June, 1872.

At the request of the Superintendent of Otago, I have the honor to transmit herewith a Congratulatory Address to the Queen from the Council of that Province, on the recovery of His Royal Highness the Prince of Wales.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

(Enclosure sent in original.)

No. 76.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 59.) Government House, Auckland,
MY LORD,— New Zealand, 27th June, 1872.

In continuation of my Despatch No. 50, of the 10th June instant, I have the honor to report that I returned to Auckland on the 22nd instant, after a visit of more than three weeks to the Waikato district.

2. I have little to add at present respecting Native affairs to the contents of my above-mentioned Despatch, and of the Memorandum by Mr. McLean, which accompanied it. During my recent tours, I have followed the Waikato, the great central river of the North Island of New Zealand, almost from its source, under the burning mountain of Tongariro, to the spot where it flows into the sea, on the West Coast, a distance of above two hundred miles. I have visited every European settlement and Native *kainga* upon or near its banks, and nothing can have been more cordial than my reception everywhere,—alike by my own countrymen and by the Maoris,—alike by the clans lately in rebellion, and by the clans which have always been loyal to the Queen.

3. I annex an editorial article, commenting on my late journey across the recently hostile or disaffected districts, which has appeared in the *Sydney Morning Herald*, the leading journal of New South Wales. The opinion of this able and influential Australian writer is not without importance. He truly remarks that the main interest of my recent tours lies in the test which they afford of the policy carried out by the Colonial Government during my administration in New Zealand.

4. I shall leave Auckland in the Colonial Government steamer "Luna" within a few days from the date of this Despatch, on my return to Wellington. I shall be accompanied by Mr. McLean and by several Maori chiefs, of different clans, who are now with us. We shall proceed by the East Coast of this Island, and intend to visit on our voyage all the principal Native settlements near the sea. By the first opportunity after my arrival at Wellington, I shall address a further report to your Lordship.

The Right Hon. the Earl of Kimberley.

I have, &c.,
G. F. BOWEN.

No. 77.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 60.)

Government House, Auckland,

MY LORD,—

New Zealand, 27th June, 1872.

In my Despatch No. 70, of the 30th June, 1870, I reported that it had then recently come to my knowledge that about twenty-five (25) South Sea Islanders had lately arrived at Auckland, under contract to work at a flax mill in that neighbourhood, and that I had immediately called the attention of the Colonial Ministers to that fact; observing that (to omit other considerations), I knew from my own experience in Queensland that the introduction of this kind of labour would give much trouble to both the Government and the employers, and that in this temperate climate, where there are no sugar or cotton plantations, there can be no real need for it; while it might interfere with the at present almost purely British character of the population of New Zealand, and might otherwise produce, ultimately, various social inconveniences. I added, that inquiry should be made forthwith into the circumstances of the importation of the South Sea Islanders referred to, and that, if this sort of traffic should be encouraged or permitted, it would be found necessary to have special legislation on the subject here, as in Mauritius, Queensland, and elsewhere.

2. I further forwarded with the above-mentioned Despatch a Ministerial Memorandum from Mr. Fox; by which it appeared that the Government had caused inquiry to be made, and was satisfied that nothing had at that time occurred in New Zealand to justify its active interference in this matter, while it would take care that no abuse should be permitted in the future. Accordingly, the Police authorities at Auckland were directed to keep these South Sea Islanders under their observation, and to make reports on the subject as they should see occasion.

3. I am now requested by my Responsible Advisers to transmit the enclosed Ministerial Memorandum, covering the last Report of Inspector Thomson, giving full information on this case.

4. In the reply to my Despatch No. 70 of 1870, your Lordship expressed approval of the action taken so far; and I am confident that the Colonial Government and Parliament will continue to exercise due vigilance in this matter. Moreover, as I have remarked before, public opinion in this Colony seems to be decidedly opposed to any large immigration except from the United Kingdom, and (to some extent) from the Continent of Europe.

I have, &c.,

G. F. BOWEN.

The Right Hon. the Earl of Kimberley.

Enclosure in No. 77.

MEMORANDUM by Mr. GISBORNE.

Mr. GISBORNE presents his compliments to His Excellency, and begs to enclose copies of a Report made by Inspector Thomson, of the Armed Constabulary, of the result of an inquiry made by him into the history and present treatment of certain South Sea Islanders, that were brought to Auckland a little over two years ago by Mr. Brissenden.

As much interest has been felt on the subject of the treatment of South Sea Islanders imported for labour purposes, Mr. Thomson has been instructed to keep the matter under his observation, and to report in case he sees occasion.

Wellington, 7th June, 1872.

W. GISBORNE.

Sub-Enclosure in No. 77.

Sub-Enclosure to Enclosure in No. 77.

REPORT by Inspector THOMSON.

SIR,—

Armed Constabulary (Detective Branch), Auckland, 17th April, 1872.

Referring to the correspondence herewith returned, I have the honor to inform you that, shortly after the despatch of my letter acknowledging receipt of same, I availed myself of the first opportunity to visit those of the South Sea Islanders in question who were located at Kohimarama, and there found that before I could be in a position to furnish the information required by the Hon. the Colonial Secretary, it would be absolutely necessary to visit the flax works of Mr. Charles Clark, at Hokianga Heads (until recently in the occupation of Messrs. N. Walker and Reid), where the bulk of the Islanders referred to are employed. Accordingly, as soon as I could get

away from the Criminal Sittings of the Supreme Court here, I proceeded to the Bay of Islands, thence across country, through Hokianga, to the coast, and having just returned to Auckland, have the honor to report as follows:—

About the beginning of 1870, Messrs. Brissenden and J. C. Walker, being then largely interested in the flax trade, commissioned a Mr. Young to proceed to "The Islands," for the purpose of procuring a number of natives from there, to be employed in this Province in connection with the flax mills of the above firm, and for the conveyance of the Islanders chartered the schooner "Lulu," investing at the same time a considerable sum in suitable "trade," to facilitate Mr. Young's transactions with the natives. On the 21st May, 1870, Mr. Young landed in Auckland from the schooner twenty-three Sandwich men, Messrs. Brissenden and Walker paying the owners or agents of the "Lulu" the sum of £4 per head for all landed here.

The Islanders were taken first to the flax works at Waitakere (in which Messrs. Brissenden and Walker were jointly interested), but after some time were divided; eleven of them being sent to Walker and Reid's flax mill at Hokianga Heads, and twelve to the flax mill of Brissenden and Logan at Puriri, on the Thames River.

The latter lot remained at Puriri until the mill there was destroyed by fire, when they were transferred to an estate belonging to Mr. J. S. Macfarlane at Kohimarama, then in the occupation of Captain Johnson, of the steamer "John Penn," but now belonging to Mr. Watt, of Napier. Upon my recent visit to Kohimarama I found four of the twelve there, and ascertained from them that five more were employed in and about Mr. Brissenden's private residence, near Epsom. With respect to the other three, they informed me that some short time previously a schooner, of whose destination and name they were entirely ignorant, came to Kohimarama and took away the three in question (named respectively "One o'clock," "Charley," and "Monday"), but, instead of proceeding to Auckland, as those on shore expected, stood at once out to sea.

As the "Lismore" and several other small vessels trading to the Islands left here about that time, the Rev. Mr. Codrington, Captain Tilley, and others, were inclined to think that the three Natives referred to had been put on board one of the latter class of vessels for the purpose of being used (as the Hon. Mr. Gisborne suggests in his Memorandum) as decoys in the so-called "labour trade." I am gratified, however, at being able to state that such was not the case, for upon my asking the Islanders mustered before me at Hokianga Heads if they knew what had become of their three comrades, they at once informed me that they were there amongst them.

Upon this I called out their names (as before given), when the three natives in question at once stepped to the front. I then ascertained that Mr. Walker, with the concurrence of Mr. Brissenden, had transferred these three from Kohimarama to his mill at Hokianga Heads by the schooner "Herald," a regular trader between the latter place and Auckland.

I questioned closely each party of the Islanders seen by me as to the quantity and quality of food they received, but I cannot find out that they have any reasonable grounds of complaint on that score; and their apparently contented appearance certainly tends to create a favourable impression as to their general treatment.

At Kohimarama, I found them housed in a weatherboard building, where they appeared to have made themselves tolerably comfortable. At Hokianga Heads, I was shown a well-built hut of two good-sized rooms which had been offered to them for their use; but they prefer living in the "raupo whares" built by themselves, in which I observed they had constructed rude stretchers of saplings and sacking, blankets being furnished by their employer. I inspected at each place the food given to them, and found that they were supplied with salt beef, biscuit, potatoes or kumeras, flour, and sugar, and occasionally fresh meat. They are all rather expert at fishing; and I was informed that they were often in the habit of going out a short distance in a boat for that purpose, and thus varying their diet by a supply of fish.

Each party, however, I found, had the same grievance—viz., as to the length of their engagement. They assert, and in this they are unanimous, that Young, the agent, distinctly agreed that they were to be engaged for one year only, for which they were to receive a musket and ammunition, tomahawk, knife, and blankets, and at the end of that time were to be returned to Fāte (Sandwich), the island from which they were taken. They brought to me a notched stick, on which they had kept an account of the number of months (lunar) they had served, and upon counting the notches I found their calculation to be twenty-three months.

With reference to this statement, Messrs. Brissenden and Walker, whom I have seen separately on the subject, assure me that Young was clearly instructed to hire such Islanders as were willing to come here for the term of three years, during which time they (Brissenden and Walker) undertook to feed and clothe them, and at the expiration of that period were to pay each of the Natives so hired the sum of £10, or "trade" to that amount if preferred, and return them to their island home.

One of the Islanders at Hokianga Heads died there of consumption about five months ago, and Mr. Von Sturmer, R.M. and Coroner for that district, whom I saw on the matter, informed me that he had observed for some months previous to the death of this man (named Kuri) that the latter was in a decline, and had several times given him medicine, and therefore, when the death was notified to him, did not consider it necessary to hold an inquest.

Since my return to Auckland, I have been informed that the Rev. Mr. Codrington has taken with him in the Mission schooner the four Islanders seen by me at Kohimarama, and one of those working at Mr. Brissenden's.

Those at Hokianga Heads, when they found that I had not come there empowered to remove them, seemed, after a short time, contented to remain till the end of the three years, but expressed an earnest desire to be sent home at the end of that period, coming to me a second time to urge their wishes on that point.

In concluding this somewhat lengthy report, I would observe that should any further information on the subject be required by the Government, I have no doubt I shall be able to obtain the same.

I have, &c.,

J. B. THOMSON,

Inspector, A.C.

Hon. Dr. Pollen, Agent of General Government Auckland.

No. 78.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 61.) Government House, Wellington,
New Zealand, 5th July, 1872.

MY LORD,—

I have the honor to transmit herewith a Memorandum from Mr. Fox, the Prime Minister of New Zealand, forwarding a Congratulatory Address to the Queen from the Independent Order of Rechabites in the Province of Hawke's Bay, on the recovery of His Royal Highness the Prince of Wales.

I have, &c.,

The Right Hon. the Earl of Kimberley.

G. F. BOWEN.

Enclosure in No. 78.

MEMORANDUM by Mr. Fox.

MR. FOX respectfully forwards to your Excellency an Address from the Officers and Members of the Independent Order of Rechabites in the Province of Hawke's Bay to Her Most Gracious Majesty the Queen, expressive of the sympathy of that body with Her Majesty under the infliction of the illness of His Royal Highness the Prince of Wales, and their congratulations on his recovery, which they request may be forwarded to the Secretary of State to be laid before the Queen.

Wellington, 2nd July, 1872.

WILLIAM FOX.

No. 79.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the
Right Hon. the Earl of KIMBERLEY.

(No. 62.) Government House, Wellington,
New Zealand, 6th July, 1872.

MY LORD,—
In continuation of my Despatch No. 59, of the 27th June ultimo, I have the honor to report that I left Auckland on the 29th ultimo, in the Colonial Government steamer "Luna," accompanied by Mr. McLean and by several influential Maori chiefs; and that I landed at Wellington on the 4th instant.

2. On our voyage we revisited Napier, the capital of the Province of Hawke's Bay, and also the principal Native settlements along the East Coast of this Island. All is now tranquillity and loyalty to the Queen, where there was so much sharp fighting a few years ago, as will be seen from the official correspondence of the period from 1865 until 1870.* Here, as elsewhere, there is often difficulty in preventing some of the Maori clans from waging an internecine strife among themselves, now that they are no longer in arms against the Government. In particular, we found that two chiefs near the East Cape were on the point of coming to blows about a piece of land, the ownership of which was disputed between them. Mr. McLean, however, brought them both on board the "Luna," and succeeded in persuading them to make friends, and to leave the matter at issue to his arbitration. Meanwhile, to avoid any possible relapse into hostility, one of the late belligerents was invited to pay a visit of a few weeks to Wellington, and readily came away with us in the steamer. On previous occasions, I have borne my testimony to the great advantage which Mr. McLean enjoys in his dealings with the Maoris from his knowledge of their character, feelings, and language, and, above all, from his proved sympathy with them, which has secured their confidence. I need scarcely say that I do not make these remarks in the interest of any political party;—indeed, their truth would be admitted on all sides.

3. I spent the 2nd instant at Poverty Bay, the scene of the cruel massacre by Te Kooti, in November, 1868, of above fifty English settlers and loyal Natives. Since the restoration of peace and security, a flourishing township has arisen here, and during the last two years the European population of this district has risen from 200 to about 600. There is much fertile land in the neighbourhood, and settlement is steadily progressing.

4. It was interesting to find at Napier the influential chief Karaitiana Takamoana, the representative in the Colonial Parliament of the Native community on

* See also Mr. Fox's "War in New Zealand," chapter 15.

the East Coast, holding a meeting of his constituents, to explain his conduct during the last Session, and to ascertain their views with reference to the Session of this year, which will open on the 16th instant. In this, as in other respects, the Maoris are rapidly adopting English Parliamentary usages.

5. On the whole, the results of my official tour during the last three months have been very satisfactory.

The Right Hon. the Earl of Kimberley.

I have, &c.,

G. F. BOWEN.

No. 80.

COPY of a DESPATCH from Governor Sir G. F. BOWEN, G.C.M.G., to the Right Hon. the Earl of KIMBERLEY.

(No. 63.)

Government House, Wellington,

MY LORD,—

New Zealand, 7th July, 1872.

I have the honor to transmit herewith six copies of the Statistical Register (or Blue Book) of New Zealand, for 1870.

2. These volumes were placed in my hands by the Registrar-General only yesterday, but all their more important contents were forwarded with my Despatches No. 76, of the 30th August ult., and No. 12, of the 13th January ult. With the last-mentioned Despatch I transmitted the customary Report, for insertion in the Blue Book showing the condition of the Colonies which is periodically presented to the Imperial Parliament.

3. As has been already stated on previous occasions, I have repeatedly pointed out here the inconvenience of the delay in the publication of the Statistical Register of this Colony. It is obviously expedient that it should contain full and recent information on the progress and resources of New Zealand, especially now that the Colonial Government and Legislature are carrying out an extensive scheme of Public Works and Immigration. I am assured that the delay in the completion of the annual volume has been hitherto caused principally by the difficulty of procuring certain minor statistical details from the several Provinces, but that the preparation and printing of the returns will proceed more rapidly in the future.

4. In my Despatch No. 76, of the 30th August ult., I commented on the proof which the official returns afford of the general advance of this Colony during the interval of ten years between the census of 1861 and that of 1871. I added as follows:—"When it is considered that the years between 1861 and 1870 were years of almost constant war and disturbance, this result cannot be described as otherwise than satisfactory. Had New Zealand enjoyed the tranquillity of the Australian Colonies, the progress achieved here would have been far more rapid. However, it is now confidently believed that for the future there will be little impediment from internal warfare to the steady development and organization of the vast resources of this country."

The Right Hon. the Earl of Kimberley.

I have, &c.,

G. F. BOWEN.

