

Enclosure in No. 8.

SIR E. LUGARD TO SIR F. ROGERS.

War Office,
23rd January, 1861.

SIR,—

I am directed by the Secretary of State for War to transmit to you for the information of the Duke of Newcastle, the accompanying copies of a correspondence between this Department and the Horse Guards, in reference to a question which had arisen in New Zealand as to the relative rank of Officers of the Colonial Militia and those of the regular Army, when serving together.

Horse Guards.
War Office.
Horse Guards.
War Office.

I am, &c.,

EDWARD LUGARD.

Sir F. Rogers, Bart.,
&c., &c., &c.

Sub-Enclosure 1 to Enclosure in No. 8.

MR. FORSTER TO THE UNDER SECRETARY FOR WAR.

Horse Guards,
28th December, 1860.

SIR,—

I am directed by the General Commanding-in-Chief to transmit to you, and to request that you will submit for the opinion of the Secretary of State for War, the accompanying letter from Major Cooper, commanding the Wanganui Regiment of Militia in New Zealand respecting the relative rank held by him and the Officer in command of the regular Troops at that Station.

See Enclosures in subsequent letter from Horse Guards dated 21st Jan. 61.

His Royal Highness is not aware of any precedents determining the rank of *Colonial Militia* in relation to the regular Army. The rule is very clear as regards the Militia in this Country; and it is understood that in Jersey the Militia take command on the principle laid down in the Queen's Regulations, p. 4, pars. 1 and 4, ed. 1860.

His Royal Highness is of opinion that Major Cooper, while commanding the Wanganui Militia, is not under the command of Capt. Blewitt, 65th Regt., unless he is placed so by some Act of the Colonial Legislature or orders of the Governor: and he conceives the remedy would be to give the Line Officer temporary and local rank, if it is wished that he should command.

I have, &c.,

W. H. FORSTER.

The Under Secretary of State for War.

Sub-Enclosure 2 to Enclosure in No. 8.

SIR E. LUGARD TO THE MILITARY SECRETARY.

War Office,
16th January, 1861.

SIR,—

I have laid before the Secretary of State for War your letter of the 28th ultimo, together with the correspondence enclosed in reference to a question which had arisen as to the relative rank of Major Cooper commanding the Wanganui Regiment of Militia in New Zealand, and the Officer in command of the regular Troops at that Station.

In reply, I am to request that you will acquaint the General Commanding-in-Chief that Lord Herbert believes that there are no regulations in force in New Zealand which would give an Officer of the Queen's service the right to command an Officer of higher rank in the Local Militia, and he agrees, therefore, with His Royal Highness in opinion that Major Cooper ought not to have been placed under the Command of Captain Blewitt. It does not appear there is any reason for supposing that Major Cooper was unequal to the command of the Troops at the Station in question, and Lord Herbert conceives that to deprive him of a position which he is entitled to fill, without strong grounds for doing so, would give rise to just dissatisfaction in the Colony, and tend to discourage the efforts now being made to organize an efficient Militia force.

In the event, however, of cases arising in which evident inconvenience would result from the Troops being placed under the command of an Officer of the Local Militia, Lord Herbert would not object to the Major-General being authorized to select a well-qualified Officer of Her Majesty's Service to whom temporary rank should be given, with a view to enabling him to assume the Command.

The Major-General should, however, be cautioned to use this power very sparingly, as Her Majesty's Government are most anxious to promote by every means in their power, a spirit of self-reliance among the Inhabitants of New Zealand.

I am, &c.,

EDWARD LUGARD.

To the Military Secretary.