

FURTHER PAPERS

RELATIVE TO THE

MILITARY DEFENCE

OF

NEW ZEALAND.

(In continuation of Papers presented on the 30th July, 1860.)

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

SCHEDULE.

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M I L I T A R Y D E F E N C E .

No. 1.

COPY OF A DESPATCH FROM SIR G. CORNEWALL LEWIS, BART., TO GOVERNOR GORE BROWNE, C.B.

Downing Street,
12th September, 1860.

(No. 65.)

SIR,—

The important contents of your Despatches, No. 76 of the 9th September, 1858, and No. 84 of the 20th September, 1858, relative to the contribution to be made by the Colony towards the expense of the Troops stationed in New Zealand, did not escape attention. They were made the subject of correspondence between the different Departments of Her Majesty's Government concerned in the question, but owing to causes, into which I need not here enter, it appears that the correspondence was not at the time brought to a definite result, and the task has devolved on Her Majesty's present Advisers of considering the question, and furnishing you with instructions upon it for your guidance.

With the Despatches above referred to you forwarded a Memorandum from your confidential Advisers, in which they stated, in reply to the demand for some contribution from the Colony towards the expense of barracks, that they could only propose two alternatives—either, first, that the requisite barracks should be built by means of an advance of thirty thousand pounds from the Imperial Government, on which sum the Colony should pay interest and sinking fund until the debt were extinguished, defraying at the same time, from Colonial funds any repairs of barracks,—or, secondly, that instead of being called upon from time to time to meet particular charges, the Colony should contribute towards barracks the sum of five pounds per annum for each man.

£30,000.

£5.

At New Plymouth there is a case which stands on grounds of its own. From the statement of this case, recorded in a Despatch from Mr. Secretary Labouchere to the Governor, dated the 31st of March, 1856, it appears that in consequence of an alarm, the inhabitants of New Plymouth asked for Troops, and were told they could only have them on condition of providing barracks. They consented: and the money, amounting to nearly seven thousand pounds, was actually paid into the Military Chest, but was allowed, on an emergency, to be repaid to the Colonial Treasury, on the distinct understanding that, if the Home Government should so decide, it should be paid back into the Military Chest.

£7000.

Since the date of the foregoing despatches, the Treasury have intimated that the following sums have since been expended from Imperial funds for barracks in New Zealand:—

Year ending 31st March, 1858	£13,914	0	0
„ „ 31st March, 1859	6,133	0	0
	<u>£20,047</u>	<u>0</u>	<u>0</u>

and the Treasury enquire whether steps have been taken to procure repayment of these sums from the Colony.

Such being the facts of the case, Her Majesty's Government are unwilling, after the long intermission which has taken place in the correspondence, to prefer a special demand for the repayment of the actual cost of barracks. They prefer reverting to the proposals made by your Advisers, and rendering these proposals the basis of a settlement both for the past and the future. So far as regards all periods prior to the 1st of April, 1858, no other demand will be made on the Colony than for repayment of the sum expended on constructing the barracks at New Plymouth, which expense the Local Government was distinctly understood to undertake to bear, and indeed to have at one time paid, and received repayment on the express condition of abiding by the ultimate decision of Her Majesty's Government.

From and after the 1st of April, 1858, Her Majesty's Government accepts the proposal made by the Colonial Government of a contribution at the rate of five pounds per man for the troops employed in New Zealand; this expression being understood to include the entire force of Officers and Men.

£5.

The Imperial Treasury have made heavy advances for barracks in New Zealand, on the faith of being reimbursed by the Colony, and therefore it will only be just that prompt measures should be taken for paying into the Military Chest the sums due, in respect both of the barracks formerly constructed at New Plymouth and also of the assessed rate of contribution, for the period since the 1st of April, 1858.

The mode of computing the number of the troops for the purposes of this account can easily be settled by you. Perhaps the simplest method would be to take the force at the date of each monthly return in the year, and then to strike the average of the whole twelve months, in order to arrive at the figure by which the colonial payment should be calculated.

In the present measure, Her Majesty's Government do not confine their view to barracks, but are willing to treat the intended subsidy as the general contribution of the colony towards the expenses of

the Queen's forces supplied for its defence. It must be understood, however, that the arrangement will be open to reconsideration hereafter; and it may be proper to remind you, in case any objection should be raised to the present plan, that the rate of contribution is far less than in the Australian colonies.

I have, &c.,

G. C. LEWIS.

Governor Gore Browne, C.B.,
New Zealand.

No. 2.

COPY OF A MEMORANDUM BY MR. STAFFORD.

Auckland, 29th November, 1860.

Sir G. C. Lewis's Despatch of 12th Sept., 1860.

This Despatch settles the question hitherto discussed between the Imperial and Colonial Governments as to the liability of the Colony for a share of the cost of the Military expenditure.

The only matter which will still require to be submitted to the Legislature is the cost of the Barracks erected in New Plymouth in 1855, as that charge was repudiated by the House of Representatives when brought before it, and has been protested against by Ministers—in considering arrangements for the future—as being a retrospective charge made without previous notice. It appears fair therefore that the proposal conveyed in Mr. Stafford's Memorandum of 8th September, 1858, which is now accepted by the Imperial Authorities, should be assumed to commence on the 1st April, 1858, (as proposed by the Imperial Government) without referring to any Military expenditure whatever prior to that date. A copy of this Despatch should be sent to the Commanding Royal Engineer, as it will necessitate the Estimates for his Department being again sent for approval to the Imperial Authorities.

Ministers accept the interpretation put on their proposal as expressed in the last paragraph of this Despatch, viz.,—"that the intended subsidy of £5 per man is to be treated as the general contribution of the Colony towards the expenses of the Queen's Troops supplied for its defence."

E. W. STAFFORD.

No. 3.

COPY OF A LETTER FROM THE ASSISTANT MILITARY SECRETARY TO THE PRIVATE SECRETARY.

Head Quarters,
Auckland, 2nd May, 1861.

(No. 74.)

SIR,—

In acknowledging the receipt of your letter of yesterday's date, with copies of correspondence enclosed, I am directed by the Lieut.-General Commanding to request that you will be so good as to obtain for him as soon as possible, a distinct assurance on the part of the Colonial Government that it accepts without reservation the whole arrangement agreed to by the Secretary of State for the Colonies, viz. :—

1st. That from and after the 1st of April 1858, the Colonial Government is to pay for each man, all ranks included, of the Force of this country the sum of £5 per annum, as the whole contribution of the Colony towards the expenses, of all kinds, of Her Majesty's Troops supplied for its defence; and that the calculation of the numbers of the force is to be made as suggested by Sir G. C. Lewis.

2nd. That in addition to this regular subsidy measures will be taken to refund to the Treasury Chest the sum of £7000 due in respect of Barracks formerly constructed at New Plymouth.

If the Lieut.-General is furnished with some guarantee of this nature, the new system will be brought into immediate operation. And he requests that a reply may be sent to this letter in time to enable him to report accordingly to England by the Mail of the 7th instant.

I have, &c.,

G. S. WHITMORE,
Major, Assistant Military Secretary.

The Private Secretary,
Government House.

No. 4.

COPY OF A MEMORANDUM BY MR. STAFFORD.

Colonial Secretary's Office,
Auckland, 4th May, 1861.

MILITARY.

In reply to Lieutenant General Cameron's letter of the 2nd instant, relative to the contribution to be paid by the Colony towards the expenses of the Queen's Troops supplied for its defence, Ministers have to refer to Mr. Stafford's Memorandum of the 29th November last, on Sir G. C.

Lewis's Despatch No. 65 of the 12th of September 1860, which expresses the opinion of the Colonial Government on the subject.

From that Memorandum, a copy of which is enclosed, and from Mr. Stafford's Memoranda of the 10th and 16th September 1858, it will be observed that Ministers decline to pledge the Colonial funds for the repayment of an expenditure incurred before the Colony was required to meet the cost of constructing Barracks.

Ministers originally proposed to the Imperial Government,—(See Mr. Stafford's Memorandum of 8th September 1858),—that the Colony should pay £5 per annum for each man of all ranks maintained within it, as the whole contribution of New Zealand towards the expenses of its Military Defence. The Imperial Government accept that proposal, to date from the 1st April 1858, but appear to propose to attach to this acceptance the additional condition that the cost of the Barracks erected at New Plymouth in 1855 and 1856 be repaid.

Ministers are not able to accede to this last condition without the sanction of the Legislature to which the question will be submitted in the next Session.

E. W. STAFFORD.

No 5.

COPY OF A DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE TO GOVERNOR GORE BROWNE,
C.B.

Downing Street,
26th January, 1861.

NEW ZEALAND.

SIR,—

I referred for the consideration of the Secretary of State for War your Despatch No. 103, of the 2nd October last, in which you forwarded a copy of a Resolution of the Legislative Council, relative to arming the several Ports of the Colony.

I have to inform you that Lord Herbert is unable to authorize compliance with the application for heavy guns and ammunition which is embodied in the Resolution, as his Lordship does not feel justified in recommending that in addition to the large expenditure taking place in New Zealand on account of the Native War, a heavy outlay should be incurred in order to provide against the contingency of an European War.

I have, &c.,

NEWCASTLE.

Governor Gore Browne, C.B.,
&c., &c., &c.

(No. 7.)

No. 6.

COPY OF A DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE TO GOVERNOR GORE
BROWNE, C.B.

Downing Street,
26th January, 1861.

NEW ZEALAND.

SIR,—

I have received your Despatch No. 100, of the 29th September last, respecting certain monies drawn from the Commissariat Chest for the pay, allowances, and rations granted to the Taranaki Militia and Volunteers.

It appears that in the first instance you very properly required as a condition of such issues that the repayment of these advances should be guaranteed by the Colonial Government.

But a Memorandum was brought under your notice addressed from the Horse Guards to the Commanding Officers at Foreign Stations, with respect to the issues of money from the Commissariat chest.

There is no appearance that this Memorandum had been submitted for the sanction of the Secretary for War or the Lords of the Treasury, and it provides expressly that the "Clothing, Arms, Rations, and Pay of the Officers and Men" belonging to any Local Force organized by authority of a Colonial Governor should be "subject to such provision as may be made by the Colony in pursuance of any Legislative enactment passed or to be passed for this purpose." It was added, however, that in case of there being no money in the Colonial Treasury to meet such expenditure the Governor might at once require the issue from the Commissariat Chest of such "advances" as might be necessary to defend the Colony from aggression or to preserve public tranquility.

It is plain (as observed in Mr. Stanley Jones' letter of the 10th July) that the authority issuing this Memorandum had no power to determine whether these advances were to be ultimately repayable from Imperial or Colonial funds, and equally clear, I think that the Memorandum contemplates their recovery from the Colony in whose interest the expenditure is made.

However the Under Secretary appears to have inferred from this document that the Home Government was prepared to make advances of this kind to Colonial Governments without a guarantee of repayment, and concurring in this opinion you withdraw your demand for such a guarantee. I am quite unable to imagine the grounds on which this inference rests, and I must express my surprise that you should have assented to it.

(No. 13.)

You inform me however that the question is "left for future adjustment between the Mother Country and the Colony," which implies that the Colonists are at liberty to dispute it. And from the inadmissible principle laid down or indicated in Mr. Richmond's Memorandum of the 10th July, and Mr. Gisborne's of the 19th June, it is obviously expected that they will do so. I must express my regret that you assented to these views. It is quite true that you were authorized to direct advances from the Commissariat Chest. But in exercising that discretion it was I think your duty not only to have avoided any pledge on the part of Her Majesty's Government that the money advanced should not be reclaimed, but to secure that if reclaimed it should be repaid by the Colony.

I have now to instruct you not to make any further advances to the Colonial Government from the Commissariat Chest in respect to the expenses of Secret Service money, or for the maintenance of any Local Force, except on a distinct pledge given by the Government of the Colony that all such advances will be repaid from Colonial funds so far as the Imperial Government shall require repayment.

I am, &c.,

NEWCASTLE.

Governor Gore Browne,
&c., &c., &c.

No. 7.

COPY OF A MEMORANDUM BY MR. STAFFORD.

Colonial Secretary's Office,
Auckland, 4th May, 1861.

EXPENSES OF MILITIA.

Ministers have had under their consideration the Duke of Newcastle's Despatch, No. 13 of the 26th January last, referring to the payment and allowances granted to the Taranaki Militia, in which the Governor is instructed not to make any further advances from the Commissariat Chest in respect of the maintenance of any Local Force, except on a distinct pledge given by the Government of the Colony that all such advances will be repaid from Colonial funds, so far as the Imperial Government shall require repayment.

Ministers are unable to give any general pledge to that effect, which would comprise the cost of the maintenance of all Local Forces, which the Governor of the Colony may from time to time call out for actual Service in the field, or for Garrison duty—as no funds have been appropriated by the Legislature which could be pledged to that extent. It is however absolutely necessary, in the present critical circumstances of the Colony, that the Taranaki Militia should not be immediately dismissed; and if the current cost of that Force will not be provided from the Commissariat chest without a pledge of repayment, if required by the Imperial Government, Ministers will give that pledge for the present; and will submit to the Legislature, in the approaching Session, the whole question of the maintenance of Colonial Forces for the future.

While giving this pledge, Ministers at the same time request that it may be represented to the Secretary of State, that the Colonial Forces have been called out for service by the Governor in exercise of the Royal Prerogative, to assist Her Majesty's regular Forces in maintaining Her Majesty's authority, at a time when the small number of regular Forces in the Colony made such assistance especially valuable, and the Taranaki Militia have, for more than a year, been entirely at the disposal of the Officer Commanding Her Majesty's Forces,—have on all occasions taken part in the Military operations,—and have at all times been available for duties which would otherwise have been required to be performed by Troops maintained by Imperial funds.

E. W. STAFFORD.

No. 8.

COPY OF A DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE TO GOVERNOR GORE BROWNE, C.B.

NEW ZEALAND.

Downing Street,
1st February, 1861.

(No. 17).

SIR,—

I have the honour to transmit to you for your information a copy of a letter from the War Office, enclosing correspondence between that Department and the Horse Guards, having reference to the relative rank of Officers of the Colonial Militia and those of the regular Army, when serving together.

I enclose copies of that correspondence, so far as it is addressed to any authority in this country, and references sufficient to identify the different letters so far as the correspondence passed in New Zealand, and is, therefore, probably within your knowledge.

I have, &c.,

NEWCASTLE.

Governor Gore Browne, C.B.,
&c., &c., &c.

23rd January, 1861.

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.

No. 9.

COPY OF A DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE TO GOVERNOR GORE BROWNE, C.B.

Downing Street,
7th March, 1861.

NEW ZEALAND,

SIR,—

(No. 27.)

5s.

1s. to 3s. 6d.

3s. 5d.

3½d.

I have the honor to inform you that in consequence of the high cost of living, it has been found necessary to allot to Officers and Men of the Queen's Forces serving in New Zealand, in like manner as in some other Colonies situated in the same part of the World, certain extra allowances. They consist of payments of Five Shillings a day to all Officers, and of rates varying from One Shilling to Three Shillings and Six Pence to some of the Civil Subordinates, together with the remission, so far as regards Non-Commissioned Officers and Men, of the ordinary ration-stoppage of Three Pence Halfpenny a day for bread and meat.

In various other Colonies where similar extra allowances are rendered necessary by local circumstances, they are provided for out of the Colonial Revenue. Very much larger amounts, as you are probably aware, are defrayed in New South Wales and in Victoria from Colonial funds. I have to instruct you to apply to the Legislature of New Zealand to make provision henceforward, in conformity with the usage in a great proportion of the Colonies where special allowances are required, for the extra cost which those allowances entail. This provision would be irrespective of, and in addition to, the contribution of Five Pounds a Year which, in the Despatch from this Department, No. 65, of the 12th of September last, you were instructed to call upon the Legislature to make towards the regular and ordinary charges of the Troops in New Zealand.

You will doubtless be able to obtain from the Commanding Officer in the Colony, or from the Officer in charge of the Commissariat any particulars which may be requisite for your use in calculating the amount of the extra allowance.

I have, &c.,

Governor Gore Browne, C.B.,
&c., &c. &c.

NEWCASTLE.

No. 10.

COPY OF A DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE TO GOVERNOR GORE BROWNE, C.B.

Downing Street,
15th March, 1861.

NEW ZEALAND,

SIR,—

(No. 29.)

In reply to your Despatch No. 117 of the 20th of November last, I have the honor to inform you that the Military Storekeeper at Auckland has been authorized to take in charge the four Guns landed from H.M.S. "Elk," and to issue them on loan to the Government of New Zealand as requested by your Responsible Advisers.

I have, &c.,

Governor Gore Browne, C.B.,
&c., &c. &c.

NEWCASTLE.

No. 11.

COPY OF A DESPATCH FROM HIS GRACE THE DUKE OF NEWCASTLE TO GOVERNOR GORE BROWNE, C.B.

Downing Street,
25th March, 1861.

NEW ZEALAND.

SIR,—

(No. 30.)

When addressing to you my Despatch No. 13 of the 26th January last; I inferred from the terms of Mr. Stanley Jones' Letter of the 10th July enclosed in your Despatch No. 100 of the 29th September, that a Memorandum communicated by the Horse Guards to Commissariat Officers on Foreign Stations respecting the issues of money from the Commissariat Chest had not been submitted for the sanction of the Secretary of State for War or the Lords of the Treasury.

I find, however, on enquiry that this inference is incorrect, and that the Memorandum had been approved by the Secretary of State for War in 1857, before it was promulgated.

I regret that this error should have been made, and lose no time in correcting it. It follows, that you were quite right in assuming that Memorandum to be, as far as it goes, a sufficient authority for the issues of money which are contemplated in it. You will observe, however, that this circumstance does not affect the interpretation of the Memorandum, in respect to which I retain the opinion which I have already communicated to you. Nor do I see any reason to qualify the instructions respecting future issues from the Commissariat which were conveyed to you in my Despatch of the 26th January.

I have, &c.,

Governor Gore Browne, C.B.,
&c., &c. &c.

NEWCASTLE.