

MEMORANDUM BY MR. STAFFORD.

May 8th, 1857.

With reference to the communications quoted in the margin, from the Colonel Commanding the Forces, relative to the construction, maintenance, and repair of Military Barracks in this Colony, the Responsible Advisers of the Crown in New Zealand, have to observe that there are no funds available for meeting the charges referred to.

No provision for such purposes has been made by the General Assembly; and the surplus of the Colonial Revenue, not appropriated by that body, is, by the Act of Parliament, expressly appropriated to the respective Provinces wherein the same shall arise, and cannot be legally otherwise applied.

Having, in the Minute which I had the honour to address to your Excellency on the 6th instant, explained at length the views of Ministers on the whole question involved, it is submitted that no alteration should be made in existing arrangements until these views have been communicated to the Imperial Authorities, especially in the absence of any express instructions from the Imperial War Department to the Colonel Commanding the Forces in New Zealand, on which that Officer might be required to act.

(Signed) E. W. STAFFORD.

MEMORANDUM BY THE GOVERNOR.

Government House,
Auckland, May 9th, 1857.

Without expressing any opinion on the arguments used by His Advisers in their Minute (Military) of May 6th, 1857, the Governor admits the fact that, there are at present, no funds available for the maintenance and repair of existing Barracks, and that, in the absence of the Assembly, Ministers have not the means of meeting these demands on the Treasury.

Under these circumstances, he will assume the responsibility of directing the Officer in command of the Troops, to continue the payments in the same manner as heretofore. He will also forward copies of His Advisers' Minute, and this Memorandum, to Her Majesty's Secretary of State.

In reference, however, to the last paragraph of their Minute, the Governor requests his Advisers to observe, that if, after considering the arguments they adduce, Her Majesty's Government should direct him to send home the Troops, it will not be in his power to assume any further responsibility, but he will then be obliged to yield implicit obedience to his instructions.

(Signed) T. GORE BROWNE.

MEMORANDUM BY THE GOVERNOR.

Government House, Auckland, 2nd July, 1857.

It is possible that, in the course of three or four months, the 89th Regiment will relieve the 58th. This will give the Governor an opportunity for re-considering the distribution of the Troops.

1. He therefore intends to remove the detachment from the Bay of Islands, unless accommodation is found for them in a more suitable position than the one they now occupy.

2. If his Advisers desire, the Governor will instruct the Officer Commanding the Troops to station two Companies at Nelson, with a due proportion of Officers, it being clearly understood that proper Barrack accommodation is provided for them, without expense to Her Majesty's Government.

Troops stationed at Nelson being more readily available for services in the North, than when at Wellington, a detachment may remain there permanently, unless unforeseen circumstances should render their presence necessary elsewhere.

(Signed) T. GORE BROWNE.

MEMORANDUM BY MR. STAFFORD.

July 6th, 1857.

With reference to the Governor's Memorandum of the 2nd instant, intimating that his Excellency intended, when the 58th was relieved, to remove the detachment from the Bay of Islands, unless accommodation was found for them in a more suitable position than they now occupy. His Excellency's Responsible Advisers have nothing to add, with respect to the question of providing funds for the erection and maintenance of Barracks, to what was stated in their Minutes of the 6th and 8th May on this subject.

They desire, at the same time, to express no opinion as to the advisability, or otherwise, of the removal of the Troops from the Bay of Islands.

(Signed) E. W. STAFFORD.

MEMORANDUM BY MR. STAFFORD.

August 4th, 1857.

With reference to the subject of His Excellency's Minute of the 28th ulto., the Advisers of the Crown in New Zealand do not feel at liberty, pending a reply to their Minute of the 6th May last, to take any steps which would affect the position of the Colony in respect of the question discussed in that Minute.

As regards the policy of the removal of the Troops, they are not prepared to offer an opinion; nor

24th February,
1857, 20th
April, 1857,
29th April,
1857, 4th May,
1857, 6th May,
1857.