

Troops to Port Napier, under canvas, "subject to removal, if neither the Imperial Authorities nor the Colony will provide for their permanent accommodation." He agrees with the Military Authorities in thinking such a course would be imprudent and unadvisable.

The instructions from Her Majesty's Government on the subject of Barracks are very distinct, as may be seen by the despatches, particularly that referring to the Barracks recently erected at New Plymouth, under circumstances precisely similar to those of Port Napier.

The responsibility of leaving Port Napier without Military protection must therefore rest with Ministers; for the Governor is prepared to instruct the Commander of the forces to issue orders for the movement of Troops to that place by to-morrow's post if he is assured that proper accommodation will be provided for a detachment of the strength mentioned in his former Minute.

(Signed) THOS. GORE BROWNE.

MEMORANDUM BY MR. STAFFORD.

October 17th, 1857.

In reply to His Excellency's Memorandum of yesterday's date, the Advisers of the Crown in New Zealand can only repeat that it is, in their opinion, desirable that Troops should be stationed at Napier.

That Ministers have no money to meet the expenses of lodging Troops, without the sanction of the General Assembly, which has never hitherto appropriated any funds for such a service.

The question being therefore reduced to one of money, it is manifestly open to the Governor, to whom the means of preserving the peace of the Colony is especially entrusted by the Imperial Government, to take the responsibility of directing the necessary advance from the Commissariat Chest, subject to future adjustment.

(Signed) E. W. STAFFORD.

MEMORANDUM BY THE GOVERNOR.

Government House,

October 17th, 1858.

The Governor will forward the whole of the correspondence relative to affording Military protection to the settlers at Hawke's Bay, to the Secretary of State, but declines to act in opposition to positive instructions from Her Majesty's Government.

(Signed) T. GORE BROWNE.

EXTRACT FROM MINUTES OF EXECUTIVE COUNCIL.

October 19th, 1857.

The Governor desires to record his opinion on the subject of Military Protection at Hawke's Bay.

He agrees with Ministers in thinking it advisable that troops should be sent to Port Napier.

He differs from them, and agrees with the Military Authorities, in considering it unadvisable to send Troops there, with a chance of their being removed when the wet season renders it necessary they should go into quarters.

Their removal under such circumstances would aggravate present difficulties.

The propriety of quartering Troops at Hawke's Bay being undisputed, the question of expense alone remains.

The orders from Her Majesty's Government on this subject are imperative. The Governor therefore records his inability to incur any expense for Barracks on account of Her Majesty's Government.

The Governor also thinks it his duty to express his opinion that Troops should be sent without delay; and that the expense of providing the necessary accommodation should be charged against the £100,000 loan, authorised by the Assembly.

That Ministers should make such representations to Her Majesty's Government as they think right. If these representations are successful, the expense will be repaid by Her Majesty's Government; if not, unforeseen events will have forced Ministers to act on their own responsibility; a power necessarily entrusted to them, when they accepted the office of *responsible* advisers to the Government.

True Extract.

(Signed) J. HOLT,
Fo Clerk of Executive Council.

MEMORANDUM BY MR. STAFFORD.

October 22nd, 1857.

With reference to the Governor's opinion relative to despatching a detachment of Troops to Napier, entered on the Minutes of the Executive Council on the 19th instant, His Excellency's Min-