

P A P E R S

RELATIVE TO THE

P A Y A N D E X P E N S E S

OF

MILITIA AND VOLUNTEERS.

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*Presented to the Honorable the House of Representatives by command of His Excellency.*

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PAPERS RELATIVE TO THE PAY AND EXPENSES  
OF MILITIA AND VOLUNTEERS.

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A—No. 7.

No. 1.

MEMORANDUM BY THE GOVERNOR.

Taranaki,  
2nd March, 1860.

The unsatisfactory reply of William King to the message sent him on the 1st March will render military occupation of the ground at the Waitara necessary, and involves the enrolment of so many of the Militia and Volunteers as can be properly armed. The Governor proposes to the Colonial Treasurer that these Troops should receive pay, allowances, and rations at the same rate as the corresponding ranks in Her Majesty's Service.

That the Commander of H.M. Troops should be requested to instruct the Officers of H.M. Commissariat and Pay Departments to make the necessary disbursements on the application of Major Herbert, and accept his receipt for the same. The total amount so issued to be recovered from the Colonial Treasury.

(Signed) T. GORE BROWNE.

The Hon. the Colonial Treasurer.

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No. 2.

MEMORANDUM BY MR. RICHMOND.

New Plymouth,  
3rd March, 1860.

It appears from His Excellency the Governor's Memorandum of the 2nd instant that the enrolment of so many of the Militia and Volunteers as can be properly armed has, in His Excellency's opinion, become necessary for the assertion of Her Majesty's authority against the armed resistance of certain Aboriginal Natives headed by William King of Waitara.

At the same time the Colonial Treasurer is verbally informed that His Excellency cannot request the issue by Her Majesty's Commissariat and Pay Departments of pay, allowances, and rations for these Troops, except upon the understanding that the necessary disbursements for that purpose shall be recoverable from the Colonial Chest.

Such being the views and determination of His Excellency as an Officer of Her Majesty's Imperial Government, the Colonial Treasurer feels that he has at the present juncture no alternative but to acquiesce in His Excellency's giving, on behalf of the Colony, the proposed undertaking to reimburse the Imperial Government.

The Colonial Treasurer observes, however—First, That the Militia and Volunteers are called upon to take the field, in obedience to His Excellency's summons, for the suppression of rebellion on the part of Aboriginal Natives.

Secondly, That the sole direction of the policy of the Colonial Government in its relations with the Natives, and the consequent responsibility for the issue of that policy in warlike operations, confessedly rests with His Excellency, acting under the directions of Her Majesty's Secretary of State. The Colony of New Zealand being for this purpose a Crown Colony as completely as before the establishment of Ministerial Government.

It seems a necessary inference from the premises that the expenses of maintaining in the field a Colonial force on an occasion like the present, stand upon the same footing as the expenses of the regular Troops with which that force is acting.

The Colonial Treasurer, therefore, respectfully submits that the Colony is entitled to the ultimate refund of its advances by the Imperial Government, and advises that His Excellency should, on behalf of the Colony, claim such refund.

It scarcely need be said that anything in the Memorandum is intended to imply disapproval of the course of policy pursued on the present occasion by His Excellency, which, on the contrary, is entirely concurred in by His Excellency's Responsible Advisers.

(Signed) C. W. RICHMOND.

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No. 3.

MR. STAFFORD TO MAJOR TRAFFORD.

Wellington,  
28th April, 1860.

SIR,—

Referring to communications which I have previously had with you on the subject of the Wellington Militia Force under your command, I have the honor to transmit for your information copy

of a Letter which I have addressed to the Assistant Commissary General at this post, relative to the supplies and payments to be issued, until further instructions are received, to that portion of the above Force which is called out for actual service.

With a view alike to economy, to prevent an interruption of industrial pursuits, and to mitigate the inconvenience and hardship sustained by those who would otherwise be compelled to attend from considerable distances, it is desirable that leave of absence be granted periodically to those members of the Militia residing in the Upper Hutt, and at other places distant from the Guard-room in that district, and that the number of men retained for duty there, should be such as to require that each man was on duty every four or at most, five days.

The same considerations should regulate the number of men retained for actual service in the City of Wellington.

I have, &c.,

(Signed) E. W. STAFFORD.

Major Trafford, Commanding Wellington Militia,  
&c., &c., &c.

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### Enclosure in No. 3.

MR. STAFFORD TO ASSISTANT COMMISSARY GENERAL ADAMS.

Wellington,  
28th April, 1860.

(No. 65.)

SIR,—

I have the honor to acknowledge the receipt of your Letter of this day's date on the subject of supplies and payments on account of the Wellington Militia, enclosing copy of a Letter from the Senior Commissariat Officer, and intimating that unless I would guarantee the refund of sums expended on account of the Militia service, you would be unable to make payments on that account.

In reply, I have to state that the question of payments on account of that service will be considered on my return to Auckland, but in the meantime, as His Excellency has directed a portion of the Wellington Militia Force to be called out for actual service in connection with the Military operations undertaken for the maintenance of Her Majesty's authority, I will guarantee that any sums which may be expended on account of that Force from the 1st instant will, if required by the Imperial Government, be repaid from Colonial funds on the following conditions.

That the payments to the Militia Officers of each grade who may be called out shall be at the same rate as those to Officers of the Line *serving in England* with the same scale of rations as those allowed in New Zealand. No Colonial or Lodging allowance being given except in the case of any Officer whose duties compel him to reside away from his usual place of residence, in which case the authorised Lodging allowance to be given.

That the supplies and payments, including such clothing as has been already issued to the non-commissioned Officers and Privates doing duty, shall be the same as those to Her Majesty's regular troops *serving in New Zealand*, rations being issued each day or additional pay at the present contract prices.

I have to request that I may be furnished with abstracts of the Pay Lists, and of the payments made, and that for the future, weekly abstracts of the payments on account of the Wellington Militia, with copies of the pay lists, may be forwarded to the Colonial Secretary's Office at Auckland.

I have, &c.,

(Signed) E. W. STAFFORD.

A. F. Adams, Esq.,  
Assistant Commissary General,  
Wellington.

P.S. All contingent expenses incurred on the requisition of Major Trafford since the 1st April are comprised in this guarantee.

(Signed) E. W. STAFFORD.

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### No. 4.

THE GOVERNOR TO THE OFFICER COMMANDING THE TROOPS.

Government House,  
Auckland, 17th May, 1860.

(No. 53.)

SIR,—

In reply to your Letter of the 12th instant, transmitting a Letter from the Boatmen at Taranaki, applying to be allowed to draw pay and rations as Militiamen in addition to their wages as Boatmen, I have the honour to annex for your information, a copy of a Memorandum from my Responsible Advisers on the subject of this application.

I have, &c.,

(Signed) T. GORE BROWNE,  
Governor.

The Honorable the Officer Commanding the Troops,  
New Plymouth.

## Enclosure in No. 4.

MEMORANDUM BY MR. WHITAKER.

Recommended that the pay already received by the Boatmen be retained by them in consideration of the Militia service and extra duties they have performed; also, that for the future they shall not receive Militia pay, as they are not doing Militia duty, but that it shall be suggested to the Superintendent that an allowance should be made for the extra services required from them.

(Signed) FREDK. WHITAKER.

17th May, 1860.

## No. 5.

THE GOVERNOR TO THE OFFICER COMMANDING THE TROOPS.

Government House,  
Auckland, 17th May, 1860.

SIR,—

In reply to your Letter of the 12th instant, respecting the payment of works under the Royal Engineer Department, now in progress in Taranaki for the defence of the Province, I have the honor to annex for your information a Memorandum of my Responsible Advisers on the subject.

(No. 57.)

I have, &amp;c.,

(Signed) T. GORE BROWNE,  
Governor.

The Honourable the Officer Commanding the Troops,  
New Plymouth,

## Enclosure in No. 5.

MEMORANDUM BY MINISTERS.

I cannot recommend a general authority for an unknown and unlimited expenditure. The Colonial Government, before issuing any orders, wish to be informed what works have been contemplated, what are in progress, and what are proposed—with the expense incurred, and an estimate of that to be incurred.

(Signed) FREDK. WHITAKER.

17th May, 1860.

## No. 6.

THE GOVERNOR TO THE OFFICER COMMANDING THE TROOPS.

Government House,  
Auckland, 29th May, 1860.

SIR,—

I have the honour to request you to be good enough to authorise Mr. Adams, in charge of the Commissariat Chest at Wellington, to continue to issue supplies on account of the Militia Force at Wellington, in conformity with the terms of the Letter, a copy of which is enclosed, addressed by Mr. Stafford to Mr. Adams on the 28th ultimo.

(No. 48.)

I have, &amp;c.,

(Signed) T. GORE BROWNE,  
Governor.

The Officer Commanding the Troops,  
New Plymouth.

## No. 7.

THE OFFICER COMMANDING THE TROOPS TO HIS EXCELLENCY THE GOVERNOR.

New Plymouth, 4th June, 1860.

SIR,—

As there are various payments for General, Provincial, and other services which you require to be paid out of Her Majesty's Commissariat Chest, with regard to works, Militia pay, clothing, repair of arms, &c., &c., and also the Native Force under Captain Richard Brown, I have the honour

(No. 2595.)

to request that your Excellency will favor me with separate and special instructions, and authorities for each separate requirement, which will be rendered necessary as vouchers to be forwarded Home with the account.

His Excellency the Governor,  
&c., &c., &c.

I have, &c.,  
(Signed) C. E. GOLD, Colonel,  
Commanding Forces, New Zealand.

### No. 8.

THE GOVERNOR TO THE OFFICER COMMANDING THE TROOPS.

Government House,  
Auckland, June 26th, 1860.

(No. 88.)

SIR,—

I have the honor to acknowledge the receipt of your Letter of the 4th instant, on the subject of certain payments required to be paid out of the Commissariat chest for Militia services, and, in reply, I would draw your attention to the 3rd paragraph of a Circular Memorandum from the Horse Guards, dated 12th September, 1857, and published in the *New Zealand Gazette* (a copy of which is enclosed) of 12th February, 1858, page 26. It appears from that paragraph that, when Militia are called out for active service, and the Colonial Treasury (as is now the case) is unable to meet the necessary expenditure, the Requisition of the Governor in itself and without any guarantee of repayment, is a sufficient authority to the Officer Commanding the Troops, to order the necessary advances to be made from the Commissariat Chest for the clothing, arms, rations and pay of such Militia.

Under existing circumstances, the course most convenient and most beneficial to the public interests will be for me to make one requisition upon you for the necessary advances for the supply of the Militia. When not expressed to the contrary, the pay and allowances to be issued are to be understood to be intended to be made on the same scale as those to the Queen's Troops. When circumstances may appear to require any deviation from that scale, a special authority for such deviation will be given by me pursuant to the powers contained in the first part of the paragraph in question, the issue of all such advances being left for the sake of simplicity in the hands of the Military Authorities.

The wording of the last three lines of the 3rd paragraph of the Horse Guards' Circular appears to contemplate the issue of *one* Requisition and *one* Warrant "for such advances as may be considered necessary for the purposes in question"—And several advantages of considerable importance will be secured by this course. The supply of the Militia will be governed and administered in the same manner as that of the Queen's Troops, and will be equally uniform, regular, and prompt, and the accounts will be simplified. As regards the guarantee which has sometimes been requested, and which you appear to think necessary, that the Colony should repay advances of this kind, there seems to be no ground for this request. The question of repayment of war expenses incurred "for the defence of the Colony against aggression, or for the preservation of public tranquillity," is left for future adjustment between the Mother Country and the Colony, according to the circumstances of the particular case which may have arisen.

With these views, I am prepared at once to make a requisition in accordance with the provisions of the 3rd paragraph of the Circular referred to, and I shall accordingly forward a form of Requisition which appears suitable for this purpose.

The Honorable the Officer Commanding the Troops,  
New Plymouth.

I have, &c.,  
(Signed) T. GORE BROWNE,  
Governor.

### Enclosure in No. 8.

THE SECRETARY OF STATE TO GOVERNOR GORE BROWNE.

Downing Street,  
22nd October, 1857.

Circular.

SIR,—

I transmit to you, herewith, for your information and guidance, a copy of a Circular Memorandum which his Royal Highness the Commander-in-Chief has communicated to the several Officers Commanding the Queen's Troops in the Colonies.

You will consider that Memorandum in the light of an additional Colonial Regulation, issued, as it is, for the better definition of the relative powers and authority of Governors of Colonies, and of Officers Commanding Her Majesty's Forces.

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

I have, &c., &c.,  
(Signed) H. LABOUCHERE.

## Sub-Enclosure to Enclosure in No. 8.

## CIRCULAR MEMORANDUM.

Horse Guards, S.W.,  
12th September, 1857.

Doubts having sometimes arisen between the Governor of a Colony holding the Commission of Governor and Commander-in-Chief, and the Officer Commanding the Troops, as to their relative authority and powers, it is to be distinctly understood, that the title of Commander-in-Chief with which a Civil Governor of a Colony is invested, gives him no power or authority over the Queen's Troops or the Military Chest; but that it undoubtedly belongs to the Governor of a Colony to call out, or organize, any body or bodies of men, whom, in the exercise of any general or special authority lawfully vested in him, he may judge it necessary or right to summon for the defence of the Colony against aggression, or for the preservation of public tranquillity.

The Officers who may be selected to command these bodies can only be commissioned by the Governor and Commander-in-Chief, in the name and on behalf of the Queen.

The Clothing, Arms, Rations, and Pay, of the Officers and Men must 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. If the Colonial Treasury should be unable to meet such expenditure, recourse must be had to the Military Chest; and it is the duty of the Officer Commanding Her Majesty's Forces to authorize by his warrant, upon the requisition of the Governor, the issue of such advances as may be considered necessary for the purposes in question.

If such Local Force, or any portion of it, becomes embodied with the Queen's Troops, either in Division, Brigades, or Detachments, the selection of Officers for the command of such a mixed Force rests with the Officer Commanding the Queen's Troops.

As it is indispensably necessary that the Governor of a Colony should upon all occasions receive the earliest intelligence of the movements of the Troops, and of every occurrence which falls within their observation, it is the duty of the Officer Commanding any detached Force or Post to send to the Governor of the Colony direct, copies of all reports which he may from time to time receive.

In the event of active Military operations taking place in a Colony, it exclusively belongs to the Governor to state and explain to the Officer Commanding the Troops the policy of Her Majesty's Government, and the Military measures by which that policy is to be obtained, but it rests with the Officer Commanding the Troops alone to direct the execution of those measures.

Officers Commanding at the several Foreign Stations will be pleased to give directions that the above Instructions be officially recorded at the Stations under their command, as contemplated at page 344 of The Queen's Regulations and Orders for the Army.

By Command,  
(Signed) W. F. FORSTER, D.A.G.

To General or other Officers Commanding at Foreign Stations  
and to Civil Governors of Colonies.

## No. 9.

THE OFFICER COMMANDING THE TROOPS TO HIS EXCELLENCY THE GOVERNOR.

Taranaki, 12th July, 1860.

SIR,—

I have the honor to acknowledge the receipt of your Excellency's Letter of the 26th ultimo, (No. 2654.) No. 88, on the subject of advances from the Treasury Chest for Militia purposes. Having transmitted a copy of the same with the Circular enclosed therein to the Senior Commissariat Officer, I now forwarded for your information a copy of his reply thereto.

I have, &c.  
(Signed) C. E. GOLD,  
Colonel Commanding the Forces.

His Excellency the Governor,  
&c., &c., &c.

## Enclosure in No. 9.

ASSISTANT COMMISSARY GENERAL JONES TO MAJOR OF BRIGADE.

Commissariat,  
Taranaki, 10th July, 1860.

SIR,—

I have the honor to acknowledge the receipt of your Letter of this date enclosing a copy of a communication from His Excellency the Governor respecting advances from the Treasury Chest

under my charge for Militia purposes, and conveying the wish of the Officer commanding Her Majesty's Forces, for my remarks.

If I am correct in understanding that His Excellency contemplates drawing lump unestimated sums from the Chest for Militia expenditure, I beg to submit the following observations for the information of the Officer Commanding the Forces

The Horse Guards' Circular Memorandum referred to appears to be intended merely to define the relative authorities and powers of Governors and Officers Commanding Her Majesty's Troops in the Colonies, but gives the Civil Governor no power over the Military Chest, nor does it annul or alter the regulations from the Lords Commissioners of the Treasury or the Secretary of State for War, which provide that all expenditure for Militia Services, whether chargeable against the Imperial or Colonial funds, shall be defrayed and accounted for by the Commissariat.

I may also remark that the Horse Guards is no authority on Finance matters, the whole of which rests exclusively—as far as Military affairs are concerned—with the Secretary of State for War, and the War Office Instructions are completely at variance with the proposal of His Excellency.

Under these circumstances, I am compelled with the greatest deference, but most decidedly to decline making the advances for Militia Services in the manner contemplated.

I have, &c.,

(Signed)

H. STANLEY JONES,

Assistant Commissary-General,

Controller of Army Expenditure.

The Major of Brigade,  
&c., &c., &c.

### No. 10.

#### THE GOVERNOR TO THE OFFICER COMMANDING THE TROOPS.

Government House,  
Auckland, 27th July, 1860.

SIR,—

(No. 127.)

I have the honor to acknowledge the receipt of your Letter dated the 12th July, 1860, enclosing a copy of a Letter from the Senior Commissariat Officer. That Officer observes that the Horse Guards is no authority on Finance matters, but appears not to have observed that the Instructions referred to are those of Her Majesty's Secretary of State for the Colonies, dated 22nd October, 1857, covering a Memorandum from the Horse Guards, dated 12th September.

I enclose for your information a Minute of the Attorney-General, by which it appears that the Senior Commissariat Officer has not taken a correct view of the case.

I forward also by this Mail a requisition prepared by the Attorney-General in accordance with the Despatch and Memorandum before referred to.

I have, &c.,

(Signed)

T. GORE BROWNE,

Governor.

The Officer Commanding the Forces in New Zealand,  
Taranaki.

### Enclosure in No. 10.

#### MINUTE BY MR. WHITAKER ON A. C. J. JONES' LETTER.

23rd July 1860.

Mr. Jones says, "If am correct in understanding that His Excellency contemplates drawing lump unestimated sums from the Chest for Militia expenditure, I beg to submit the following observations."

It appears to me that Mr. Jones is altogether incorrect in his supposition, and I cannot see, after a perusal of all the Papers, a single sentence to support it. It is clear to me that the Governor, in his Despatch of the 26th of June, 1860, has not proposed to draw a "lump sum" or, indeed, any sum whatever, but has proposed, in accordance with the Horse Guards Circular of the 12th of Sept., 1857, to hand to the Officer Commanding Her Majesty's Forces, a requisition to issue such advances as may be necessary to meet the Militia expenditure; and it is distinctly stated that "the supply of the Militia will be governed and administered in the same manner as that of the Queen's Troops."

It is unnecessary to go into the question of the propriety of the course proposed by the Governor, as Mr. Jones' observations are not directed against that, but against something purely imaginary.

I forward a draft of what appears to me to be a proper requisition to the Officer Commanding.

(Signed)

FRED. WHITAKER.



OF MILITIA AND VOLUNTEERS.

9 A—No. 7.

Sub-Enclosure to Enclosure in No. 10.

COPY OF REQUISITION.

Government House,  
Auckland, 27th July, 1860.

SIR,—

The Colonial Treasury of New Zealand being unable to meet the expenditure for the Clothing, Arms, Rations and Pay of the Officers and Men of the Taranaki Militia, I hereby make a Requisition in accordance with the Secretary of State's Despatch, 22nd October 1857, that you will authorise by your Warrant the issue of such advances as may be necessary for this purpose, and to request that you will be good enough to consider this requisition as covering the advances already made, as well as those hereafter to be made on that account.

(No. 126.)

I have, &c.,  
(Signed)

T. GORE BROWNE,  
Governor.

The Officer Commanding the Troops  
in New Zealand, Taranaki.

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No. 11.

UNDER SECRETARY TO THE ACTING BRIGADE MAJOR.

Colonial Secretary's Office,  
Auckland, 26th May, 1860.

SIR,—

I am directed to acknowledge the receipt of your Letter of the 9th instant, enquiring whether the Militia and Volunteers were to draw forage allowances for bāt horses, and, in reply, to inform you that the Government cannot sanction such an allowance.

(No. 42.)

I have, &c.,

(Signed) W. GISBORNE,  
Under Secretary.

The Acting Brigade Major,  
Taranaki.

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No. 12.

UNDER SECRETARY TO THE DEPUTY ADJUTANT GENERAL OF MILITIA, AUCKLAND.

Colonial Secretary's Office,  
Auckland, 8th June, 1860.

SIR,—

I have the honor by direction of Mr. Stafford to enclose a copy of the Letter noted in the margin, on the subject of the payment of Militia Officers who are also in the Civil Service of the General or Provincial Governments, and to request you to be good enough to communicate the rule to be observed on this head to Officers commanding Battalions (except Major Trafford, to whom I have already written) for their information and guidance.

(No. 31.)

I have, &c.,

(Signed) W. GISBORNE,  
Under-Secretary.

The Deputy Adjutant General of Militia,  
Auckland.

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Enclosure in No. 12.

Colonial Secretary's Office,  
Auckland, 8th June, 1860.

SIR,—

I have the honor by the direction of Mr. Stafford, to acknowledge the receipt of your Letter of the 2nd ultimo, on the subject of the pay to be drawn by Militia Officers who are also in the Civil Service, either of the General or Provincial Governments, and in reply to inform you that the following uniform rule is to be observed with respect to the payment of such Officers.

(No. 30.)

When the Military duties are performed within the usual hours of Civil Service, no Militia pay is to be drawn, but when the Military duties require additional and extra time for their performance, half the Militia pay is to be allowed.

Civil Officers doing duty as *Adjutants* are, in all cases, to receive half the pay of an Adjutant. The presentation of this Letter to the Sub-Treasurer will be sufficient authority for payment, upon your certificate of the services performed of this kind.

I have, &c.,

(Signed) W. GISBORNE,  
Under-Secretary.

Major Trafford,  
Commanding Wellington Militia,  
Wellington.

## 10 PAPERS RELATIVE TO PAY, &c., MILITIA & VOLUNTEERS.

### No. 13.

UNDER SECRETARY TO MAJOR TRAFFORD.

Colonial Secretary's Office,  
Auckland, 9th July, 1860.

SIR,—

(No. 54.)

In reply to your Letter of the 21st ultimo, forwarding copies of the Estimates of the pay for the Wellington Militia, I am directed to request you to reduce the detail of Officers and Non-Commissioned Officers, exclusive of the Staff, appointed to each One Hundred Rank and File, to the following numbers :—

One Captain,  
One Lieutenant,  
One Ensign,  
Four Sergeants,  
Four Corporals, and  
One Bugler.

The Staff to consist of  
The Officer Commanding,  
One Adjutant (acting as Paymaster)  
One Surgeon,  
One Sergeant Major,  
One Corporal, and  
One Bugler.

I have, &c.,

(Signed)

W. GISBORNE,  
Under-Secretary.

Major Trafford,  
Commanding the Militia,  
Wellington.

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### No. 14.

UNDER SECRETARY TO MAJOR TRAFFORD.

Colonial Secretary's Office,  
Auckland, 9th July, 1860.

SIR,—

(No. 58.)

I am directed by Mr. Stafford to acknowledge the receipt of your Letter of the 20th ultimo, with respect to the reduction of the Militia Officers receiving pay.

My letter to you, No. 54 of even date herewith, will place you in possession of the Instructions of the Government relative to the reduction in question.

Colonel Gold having reported that pay was issued to Ten Officers and only One Hundred Men at Wellington, the object of my Letter of the 9th ultimo, was to caution you against unnecessary expense made under this head.

With respect to the last paragraph in your Letter relative to the mode of correspondence with you on Militia matters, I am directed to inform you that, in the absence of Colonel Gold from Auckland, it would be impossible to send through him Instructions to you, and that the question of the effective strength of a Colonial Force to be kept on duty is one for the consideration of the Government rather than of the Officer Commanding Her Majesty's Troops.

The permanent departmental Staff for regulating Militia matters and the system dependent upon it has not been finally determined, and until the Estimates for that Service have been passed by the Legislature, the present arrangements with respect to it are provisional only.

I have, &c.,

(Signed)

W. GISBORNE,  
Under-Secretary.

Major Trafford,  
Commanding the Militia,  
Wellington.