

MEMORANDA RELATIVE TO MILITARY SETTLEMENTS AND THE CONFISCATION OF NATIVE LANDS.

No. 1.

MEMORANDUM by the HON. T. RUSSELL.

To enable the Government to commence and push forward as soon as possible the foundation of Military Settlements on the Waikato frontier, Ministers propose to locate the 2nd Waikato Regiment, under Colonel Haultain, in the Waikato district, between Pirongia and Maungatautari. This Regiment is at present broken up into detachments, and these are located at posts in various directions. It will be necessary, to enable the Government to carry on the work of locating these Military Settlers rapidly and successfully, to concentrate Colonel Haultain's Regiment along the proposed line; His Excellency the Governor is therefore respectfully advised to move the Lieut. General Commanding to give the necessary orders for carrying out this arrangement with as little delay as possible.

T. RUSSELL.

Colonial Defence Office, Auckland, April 22nd, 1864.

MINUTE.—It would be very desirable that the Governor should be able to inform the Lieut. General what are the precise points on the proposed line which the Government wish the 2nd Waikato Regiment to occupy, and what is the strength of the detachment which it is proposed to locate at each point.

April 23rd, 1864.

G. GREY.

No. 2.

MEMORANDUM by the HON. T. RUSSELL.

In reply to the Governor's note on Ministers' Memorandum of the 22nd inst., No. 17, Ministers beg to state that the precise points on the proposed line must be chosen by the Military Authorities having regard to defensive positions, and land eligible for settlement.

Ministers propose that along the line of the Punui River positions should be chosen for the proposed settlements. The strength of the detachment which it is proposed to locate at each point is about one hundred men.

T. RUSSELL.

Colonial Defence Office, Auckland, April 23rd, 1864.

No. 3.

MEMORANDUM by the GOVERNOR.

At the request of his Responsible Advisers, the Governor puts into writing his remarks upon a Memorandum addressed to him by the Minister for Colonial Defence, on the 23rd of April, in which the Governor is told that the precise points (at which detachments are to be placed) on the proposed line (between Pirongia and Maungatautari) must be chosen by the Military Authorities, having regard to defensive positions, and land eligible for settlement.

The Governor and the General are Imperial officers, entrusted with certain powers over Her Majesty's Forces of every kind; these powers are conferred by commissions and instructions emanating directly from Her Majesty; they are responsible for the due exercise of their respective powers, and cannot interfere with each other. Nor can the Governor's Responsible Advisers require him to give up the powers entrusted to him, and to call upon the General to exercise them.

The Governor, who is also Commander-in-Chief, is responsible to Her Majesty for the safety and welfare of the colony; he gives orders for such a distribution of Her Majesty's Forces as may appear to him fitted to attain these ends, for the formation and march of detachments and escorts, and generally for such military service, as the safety and welfare of this part of the Queen's possessions may appear to him to require.

The duty of the General is to regulate the Military details, regarding the distribution of the Forces ordered by the Governor; and the manner in which the detachments shall be formed and composed, rest also with the General, who is responsible that all these arrangements are conformable in every respect to the instructions issued to him by the Governor.

If his Responsible Advisers give the Governor their advice that detachments should be placed at certain points, he will always carefully consider such advice, and will even consult, in so far as he thinks consistent with the public safety, their wishes upon such subjects. In determining the distribution that should be made of Her Majesty's Forces, he also, in almost all cases, decides such questions in concert with the General; but he regrets that his Responsible Advisers should tell him that the points where detachments are to be placed must be chosen by the Military Authorities, as he feels it to be his duty to act in conformity with Her Majesty's instructions.

G. GREY.

Auckland, May 9th, 1864.