

to Auckland, and it is essential that Mr. Friend should continue in his present office till the Commissioner's accounts are properly rendered and audited. Mr. McLean is at present in the South, and after his return some considerable time will probably elapse before Mr. Friend's services can be dispensed with, should the Government then, in reference to other considerations, be prepared to acquiesce in your recommendation.

I enclose a copy of a Memorandum by the Auditor of Public Accounts which will shew you how impossible it is that Mr. Friend's services can be dispensed with.

I have, &c.,

WILLIAM FOX.

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Enclosure in No. 6.

MEMORANDUM BY THE AUDITOR OF PUBLIC ACCOUNTS.

The Auditor is of opinion that in justice to Mr. McLean, Mr. Friend ought not to be transferred to another Department until Mr. McLean's Land Purchase Accounts have been finally wound up, and that officer has consented to Mr. Friend's transfer.

I have, &c.,

CHARLES KNIGHT,  
Auditor.

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No. 7.

COLONIAL SECRETARY, TO THE SPEAKER HOUSE OF REPRESENTATIVES.

Colonial Secretary's Office,  
Auckland, 9th May, 1862.

SIR,—

In reference to my letter to yourself of yesterday's date, on the subject of the appointment of a Clerk Assistant, I am very anxious that no inconvenience to the House of Representatives should result from the inability of the Government to recommend to the Governor the gentleman named by you. If you can suggest any other gentleman to whom the the same objection does not apply, the Government will be prepared to acquiesce in the appointment, of course without prejudice to the right of recommendation on either side; but to prevent any inconvenience, a gentleman in the Attorney General's Department, a Solicitor by profession; and I believe eminently qualified for the Office of Clerk Assistant, will proceed to Wellington with the Government in order that his services may be temporarily available, should you be unable to find any other person who may be recommended to fill the appointment permanently.

I have, &c.,

WILLIAM FOX.

The Hon. the Speaker of the House of Representatives.

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No. 8.

SPEAKER OF THE HOUSE OF REPRESENTATIVES TO THE COLONIAL SECRETARY.

Nelson, 22nd May, 1862.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 8th inst., in which you inform me that his Excellency's Advisers decline recommending the gentleman whom I had pointed out for the office of Clerk Assistant of the House of Representatives, and you further question the right of the Speaker to make recommendations to this or any similar appointment independently of the Responsible Ministers.

It is to be regretted that the respective duties and authority of the House of Representatives and of the Responsible Ministry with regard to this matter should not before this time have been clearly defined. But you will probably recollect that towards the close of the last Session, I was anxious to have brought the subject before the House for its decision, but abstained at your earnest request from doing so. I apprehend however, looking to the very different origin and position of the Imperial Parliament and that of a Colony, that any practice founded upon analogy could hardly be reasonably established. What the practice in the Australian Legislatures may be, I do not at present know, but I have addressed enquiries to their different Speakers. Still, whatever may be the nature of the answers received, I imagine that the ultimate decision and establishment of the practice as regards this Colony must remain with the House of Representatives, and I trust that its opinion will be pronounced in the ensuing Session. In the meantime I consider it my duty, as its Chief Officer, to assert its independence of the Executive, and in doing this I am only carrying out a view of the matter which was strongly insisted on by my predecessor.