

CORRESPONDENCE

AS TO

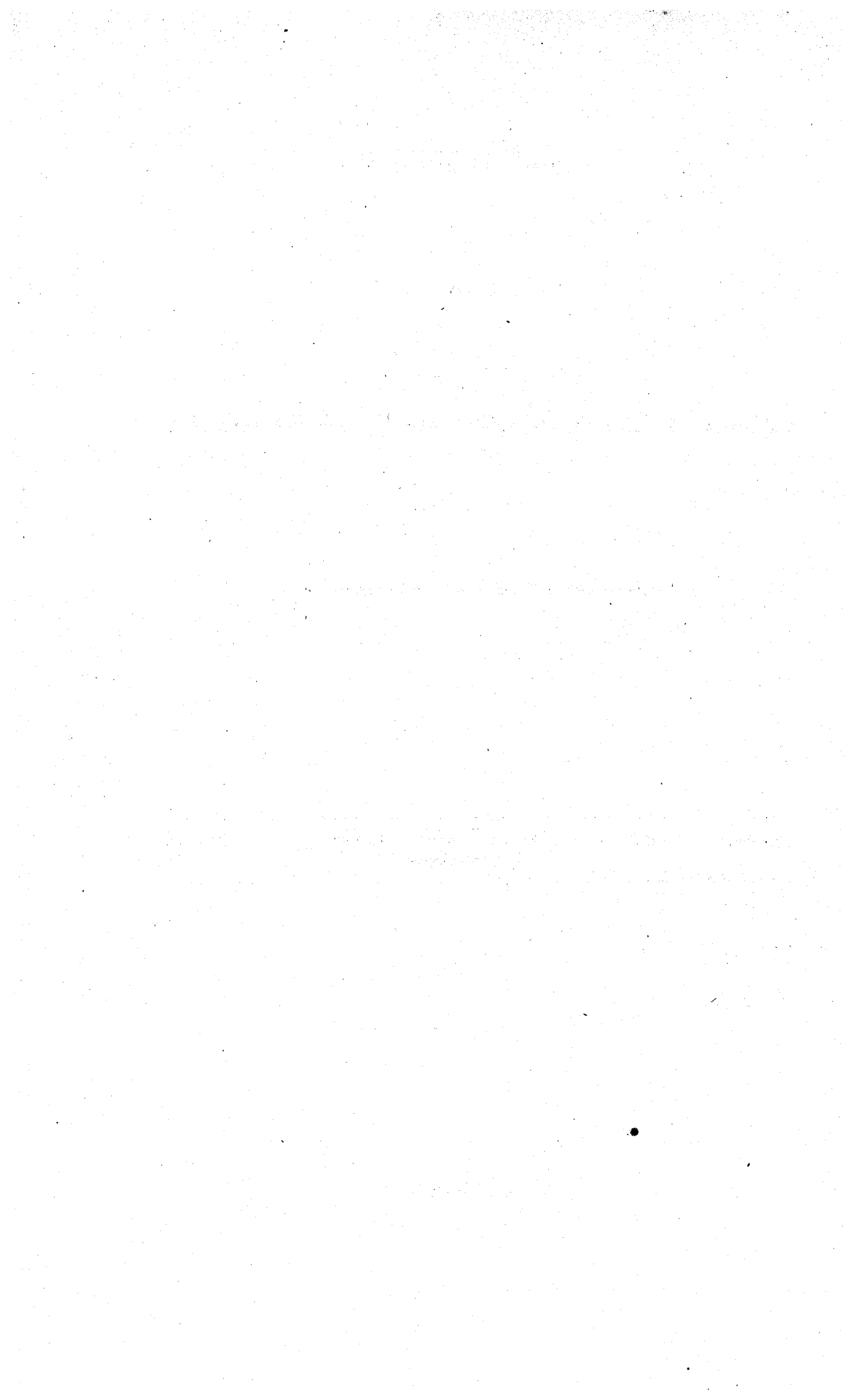
ARRANGEMENTS FOR THE MEETING OF THE LEGISLATURE.

(In continuation of Papers presented 30th September, 1867.)

PRESENTED TO BOTH HOUSES OF THE GENERAL ASSEMBLY, BY COMMAND OF
HIS EXCELLENCY.

WELLINGTON.

—
1868.



CORRESPONDENCE AS TO ARRANGEMENTS FOR THE MEETING OF THE LEGISLATURE.

No. 1.

Copy of a Letter from Mr. JAMES OSGOOD to the Hon. E. W. STAFFORD.

Empire Hotel, Wellington,
19th October, 1867.

SIR,—

Having heard with great regret that during the past Session of the General Assembly the House Committee expressed dissatisfaction with the manner of my conducting Bellamy's, I can only say that, had there been any complaint made to me personally, I should have done my best to rectify matters.

I have also heard that the Committee complained of the wines supplied by me; now, in order to justify myself on this head, I must inform you, that the Committee appointed certain of its members, to visit, in company with myself, the stores of the principal merchants in this city, and that the wines then chosen by them were the same as I supplied to Bellamy during the whole of the Session.

In order, however, to guard against any similar cause of complaint during the coming Session, if you should be pleased to again appoint me as conductor of Bellamy's, I am prepared to undertake to select from the Home market wines of the best quality, or will allow yourself, or any other experienced judge you may be pleased to appoint, to order such brands of wines as you may approve, I guaranteeing to take the wines ordered by you, whether the House Committee to be appointed next Session shall approve of me as such conductor or not; trusting that the House will take into consideration the advisability of having one or more of the members of the Committee gentlemen who are judges of wine.

Memorandum.—I would suggest that a book for general suggestions be kept in Bellamy's; and had this been done last Session, all complaints would have been avoided.

Trusting that you will give this letter your favourable consideration, and let me have an early reply.

I have, &c.,
JAMES OSGOOD.

The Hon. E. W. Stafford.

No. 2.

Copy of a Letter from Mr. GISBORNE to Mr. JAMES OSGOOD.

Colonial Secretary's Office,
28th October, 1867.

SIR,—

I am directed by Mr. Stafford to acknowledge the receipt of your letter of the 19th instant on the subject of the refreshments supplied by you at Bellamy's, in the General Assembly Building, during the recent Session, and in reply, to state that the Executive Government does not interfere with and has no control over the arrangements at Bellamy's, and that your letter should be addressed either to the Honorable the Speaker of the Legislative Council, or of the House of Representatives, under whose authority wines, &c., are sold in the General Assembly Building during the Session.

I have, &c.,
W. GISBORNE.

James Osgood, Esq., Empire Hotel.

No. 3.

Copy of a Letter from the Hon. Sir D. MONRO to the Hon. E. W. STAFFORD.

Nelson, 29th October, 1867.

SIR,—

I do myself the honor to enclose a letter I have received from James Osgood relative to proposed arrangements for Bellamy's for a future Session.

I have informed Mr. Osgood that the appointment of caterer for Bellamy's does not rest with me, and that I presume the Colonial Secretary is the proper officer to apply to.

I have, &c.,
D. MONRO,

The Hon. the Colonial Secretary.

Speaker, House of Representatives.

Enclosure in No. 3.

Copy of a Letter from Mr. JAMES OSGOOD to the Hon. Sir D. MONRO.

Empire Hotel, Wellington,
21st October, 1867.

SIR,—

I have written to Mr. Stafford upon the subject of the complaints made during the past Session against the manner in which I conducted Bellamy's, and particularly as to the wines supplied by me, and I have suggested to him that if you again appoint me as conductor I should allow him to order such brands of wines as he might think would suit the taste of Members, I guaranteeing to

take them, whether again approved of by the House Committee to be appointed next Session, or not.

I should feel greatly obliged by your seeing Mr. Stafford and letting me know your opinion upon the matter at your earliest convenience.

The Hon. Sir D. Monro.

I have, &c.,
JAMES OSGOOD.

No. 4.

Copy of a Letter from the Hon. E. W. STAFFORD to the Hon. Sir D. MUNRO.

Colonial Secretary's Office,
Wellington, 8th November, 1867.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 29th ultimo, and to state that "The Licensing Amendment Act, 1854," provides that the Refreshment Department at Bellamy's shall be conducted "under the written authority of the Speaker of the Legislative Council or of the Speaker of the House of Representatives." It is obvious, therefore, that the Executive Government cannot appoint the caterer, and, in fact, has never hitherto had anything to do with such appointment, which, I believe, has always been made by the Clerk of the General Assembly under the presumed sanction of the Speakers of both Houses. I have directed Mr. Osgood to be informed to the above effect.

I have, &c.,
E. W. STAFFORD.

The Hon. the Speaker of the
House of Representatives.

No. 5.

Copy of a Letter from the Hon. Sir D. MONRO to the Hon. E. W. STAFFORD.

Nelson, 6th April, 1868.

SIR,—

As, in all probability, the General Assembly will be summoned in a few months to meet for the despatch of business, I beg leave to direct your attention to some of the arrangements which are commonly made before it meets.

I do so more particularly because, from the tenor of your letter to me of the 8th November, 1867, you appear to consider that the making arrangements for the refreshment rooms of the Legislature is a duty which should be undertaken by the Speakers of the two Houses.

I cannot see, for my part, how the Speakers can be expected to undertake this duty, unless the control of the necessary apartments is in their hands. While the Executive is practically in possession of the rooms at other times used by the Legislature, and takes upon itself the responsibility of making arrangements for the accommodation of the members in other respects, it appears to me that the most reasonable course of proceeding is that it should also make provision for Bellamy's.

"The Licensing Amendment Act, 1854," authorizes the two Speakers to give a written authority to any person to sell fermented or spirituous liquors within any building used for the meeting of the General Assembly; and, in so far as my authority goes, I am prepared to give it to any person whom Ministers may select for the purpose. But I do not see how the Speakers can make arrangements for refreshment rooms, when in point of fact they have no rooms at their disposal.

I have, &c.,
D. MONRO,
Speaker, House of Representatives.

The Hon. the Colonial Secretary.

No. 6.

Copy of a Letter from the Hon. E. W. STAFFORD to the Hon. Sir D. MONRO.

Colonial Secretary's Office,
Wellington, 15th April, 1868.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 6th instant, and to state that the same rooms as were used during the last Session of the General Assembly, for purposes of refreshment by Members, will be available for similar purposes for the next Session.

As it rests by law with the Speakers of both Houses to authorize such persons as they may think fit to sell refreshments within any building used for the meeting of the General Assembly, the Government would prefer to take no part in the selection of the person who may be authorized to do so.

I have, &c.,
E. W. STAFFORD.

The Hon. the Speaker of the House of Representatives.

No. 7.

Copy of a Letter from the Hon. Sir D. MONRO to the Hon. E. W. STAFFORD.

Nelson, 21st April, 1868.

SIR,—

I do myself the honor to acknowledge the receipt of your letter of the 15th instant, in which you inform me that the same rooms as were used last Session for the purposes of refreshment are available for the approaching Session; and further, that the Government would prefer to take no part in the selection of the persons who are to supply refreshments.

The Executive Government having taken upon itself the duty of making, in other respects, all the necessary arrangements for the convenience and comfort of Members, might also, I should have thought, have made provision for the refreshments of the Houses. It is urged that the Licensing Amendment Ordinance of 1854 imposes this duty upon the Speaker. My view of the Act is this: I

take it to be a confirmation of the correctness of the opinions which I have already expressed to you on the subject generally, and believe that the power of giving a license was intended to be one included within the general control which the Legislature expected its officers to exercise over everything connected with the apartments in which it might be summoned to meet. As a portion of a larger commission I should have no objection to the duty in question; but while everything else is done by the Executive Government, I must decline being singled out for the especial office of deciding upon the comparative merits of the refreshments offered.

It would be much to be regretted if the Members of the Legislature, when it meets, were to be subjected to discomfort owing to any want of understanding between us as to whose duty this is.

I repeat that I am prepared to license any one whom the Executive may appoint; and I may perhaps be pardoned for reminding you that in former years the Clerk of the House has given his assistance in this matter, and, I dare say, might easily be induced to do so again. But I do not regard it as a matter within the sphere, properly speaking, of his Parliamentary duties, and am not at all clear that I have any right to instruct him on the subject.

The Hon. the Colonial Secretary, Wellington.

I have, &c.,
D. MONRO,
Speaker, House of Representatives.

No. 8.

Copy of a Letter from Mr. GISBORNE, to Major CAMPBELL.

Colonial Secretary's Office,
Wellington, 15th May, 1868.

SIR,—

At the suggestion of the Honorable the Speaker of the House of Representatives, Mr. Stafford requests you to be good enough to make the necessary arrangements for providing a caterer of refreshments for members of both Houses during the approaching Session at Wellington of the General Assembly.

The same accommodation as was provided last Session for refreshment rooms will be available this year.

The Clerk of the General Assembly.

I have, &c.,
W. GISBORNE.

No. 9.

Copy of a Letter from the Hon. Sir D. MONRO, to the Hon. E. W. STAFFORD.

SIR,—

Nelson, June 5th, 1868.

There are one or two points connected with the office I have the honour to hold to which I think it is desirable to call your attention before the Legislature meets.

The first is a matter of comparatively little moment. It might almost at first sight be regarded as a personal matter, although it must evidently be a mistake to consider anything as of a personal or private character which at all affects the position of the Speaker of the House of Representatives. I refer to the accommodation which is provided for the Speaker in connection with the room in which the Legislature meets. I am perfectly aware that there are great difficulties in providing the accommodation which I dare say the House would wish to provide, and nothing is further from my intention than to make any unreasonable demands. But I think that, if possible, the accommodation to be provided for the Speaker should be not less than two apartments; one in which he could receive any Member of the House desiring to see him, and a second apartment to be used as a dressing room. I would desire also to call the attention of the Government to the furniture of the Speaker's room, which is at present of the scantiest description. This, at all events, admits of remedy, even if a second apartment is an impossibility.

In connection with the furniture in the Speaker's room, the experience of seven years has shown me the existence of a great want, which might easily be remedied. In the discharge of the duties of this office, points of practice will often arise of a difficult character, requiring for their intelligent solution a reference to precedents and standard authorities. At the present time the Speaker is in the same position as any other member. If he wants to consult an authority he must go to the Library, and take his chance. The book he wishes to see may be out, or in the hands of some one else, and is accordingly inaccessible to him. It would be a great assistance to any one who fills the office of Speaker of the House of Representatives and would tend very much towards the promotion of a more accurate practice in the proceedings of the House, if the Speaker's room were provided with a library of works of reference. It would not be necessary that the library should be a very large one, but it should contain the best treatises on the law and practice of Parliament, works on constitutional history, the Journals, Appendices, and Statutes of this and some of the other principal Colonies, and other works of that nature. A library of this sort would not necessarily be of a costly character. Most of the books would be got from England, and they should be bound and stamped as books of the Speaker's library.

In applying now to you, as the head of the Executive Government, to have these things done, I desire to guard myself from the imputation of receding in any manner from the opinions I have already expressed in correspondence with you, that arrangements of this nature should be made by the Legislature itself, and carried into effect by its own officers. I apply to you because, in your view of the matter, it falls within the scope of your duty to make these and similar arrangements. I hold, on the other hand, that according to the usage of the British Parliament, all such questions are initiated and disposed of by the Legislature which, as regards its own material arrangements, and the salaries of its own officers, acts with an independent authority which the Executive Government never questions.

A question of greater importance, and to which I now beg to direct your attention, is the mode of appointment and control of the clerks and other officials connected with the House. At the present time there is no law on this subject, nor any authority whatever, save the resolution of a defunct Parliament. It is absolutely necessary that there should be some legal provision for the appointment of officers to fill up vacancies, and some power vested somewhere for the exercise of the necessary authority over their conduct. At the present moment the office of Clerk of the Private Bill Office is vacant. How that clerk was appointed I feel at a loss to say; but I believe it was done by the Chairmen of Committees of the Legislative Council and House of Representatives jointly, who would appear to have exercised an authority in this matter which is nowhere given by law. It is necessary, however, that there should be a clerk, and I therefore propose to take upon myself the responsibility of appointing some gentleman in the place of Mr. Brandon.

Another subject upon which I desire to offer a few observations is this. It has hitherto been the practice that the Executive Government has prepared upon its own responsibility the estimates for the salaries and other charges of the Legislature. I have been for some time aware that this practice is opposed to all English precedent, while at the same time, in a common sense point of view, it is obviously open to objection. If the heads of departments of the Legislature are to be held responsible for the performance of their duty by their subordinates, they should have the power of recommending to the Legislature a larger salary in the case of a zealous officer, or a smaller salary where duty was less efficiently performed. The determination of amount would of course rest with the House, but the recommendation of the head of the department would carry some weight, and the Speaker would support the recommendation in Committee of Supply in the same manner as Ministers support their estimates for the ordinary Civil Service of the Colony.

In *Todd's Parliamentary Government in England*, a work of which the first volume only is published, I find the British practice thus described:—

“The salaries, retiring allowances, and other disbursements on behalf of the establishment of the House of Commons, are settled by the Commissioners appointed by statute for regulating the offices of the House of Commons. The Commissioners consist of the Speaker of the House of Commons, the Chancellor of the Exchequer, the Secretaries of State, and certain other functionaries, being members of the House of Commons. Practically, the actual business of the Board is transacted by Mr. Speaker. * * * * * The establishment is divided into three branches or departments, which are under the Clerk, the Speaker, and the Sergeant-at-Arms respectively. The head of each department sanctions the items which concern his own department, whether they be for salaries or contingent expenses; and the entire pay list is submitted to the Speaker for his sanction and signature. If the establishment requires to be varied or increased, the Treasury is not consulted; the Speaker's sanction would be sufficient. For instance, in 1865, there were two referees of Private Bills put on, at £1,000 each; that was done with the sanction of the Speaker. By the Act 12 and 13 Vict. c. 72, the Speaker's audit in regard to all expenditure is final. His order is the warrant to the Treasury to insert the amounts, required to be voted by Parliament in the annual estimates. The Treasury adopt his return without examination, and include the amount in the estimates because it concerns the internal economy of Parliament.”

The Hon. the Colonial Secretary,
Wellington.

I have, &c.,
D. MONRO,
Speaker, House of Representatives.

No. 10.

Copy of a Letter from the Hon. E. W. STAFFORD to the Hon. Sir D. MONRO.

(No. 443.)
SIR,—

Colonial Secretary's Office,
Wellington, 19th June, 1868.

I have the honor to acknowledge the receipt of your letter of the 5th instant, and to state that the Government will be glad to cause your official room to be supplied with books and with furniture, if you will be good enough to specify what you require. I regret that it is quite out of the power of the Government to enlarge the office accommodation available for the Speaker of the House of Representatives. The want of suitable accommodation is one not only felt by the Legislature during each Session, but it is one most sensibly felt by the Executive Government during the whole of each year, and which occasions serious inconvenience and expense, from which I can see no escape until sufficient funds are appropriated to secure proper official accommodation. As a signal instance of this defect I need only refer to the present Government House, at Wellington, and I refer to it not merely on account of its unsuitability as a residence for the Representative of the Crown, but because the inconvenience arising from want of room is there felt, not as in the case of other public officers for a few hours daily, but by the Governor and his family continuously, both in the public and private relations of life.

With respect to the latter part of your letter, I would only observe that whatever may be the practice in the United Kingdom as to the provision for the establishment of the House of Commons, the Legislatures in this and, so far as the Government is aware, other Colonies constitutionally governed, have not made any distinction between Executive and Legislative Departments, with reference to the manner in which the cost of their maintenance is to be estimated or provided.

In order to complete the correspondence with you on this subject already laid before the House, I will direct copies to be made of what has not already appeared, for presentation next Session.

The Hon. the Speaker of the
House of Representatives.

I have, &c.,
E. W. STAFFORD.

No. 11.

Copy of a Letter from the Hon. Sir D. MONRO to the Hon. E. W. STAFFORD.

SIR,—

Nelson, 26th June, 1868.

I have the honor to acknowledge the receipt of your letter of the 19th instant, in reply to mine of the 5th, and have to thank you for having so promptly given attention to my request as regards furniture and books for my apartment.

I will write to Major Campbell, and request him to point out what is required for the furnishing of the Speaker's room; and when in Wellington, where I expect to be in the course of ten days, I will submit to you a list of books of reference for the Speaker's library.

While writing on the subject of books, I may mention that I received by this last mail a letter from Sir Thomas Erskine May, and that in answer to a question which I had addressed to him, wishing to know if it was likely that the General Assembly of the Colony could obtain a copy of the Journals of the House of Commons, that gentleman writes to me as follows:—"A few copies of the Journals are still left, and I have every reason to believe that an application for a copy would be favourably entertained."

I may be allowed, perhaps, to suggest that it would be desirable that the Legislature should be moved to agree to a resolution embodying an application to this effect.

The Journals of the House of Commons, independently of the great interest which they must possess for every subject of the British Empire, must always be regarded as the great authority and model for all communities living under Parliamentary Government.

I have, &c.,

D. MONRO,

Speaker, House of Representatives.

The Hon. the Colonial Secretary, Wellington.

