

## No. 27.

The SECRETARY to the TREASURY to Mr. SMITH.

SIR,—

Treasury, Wellington, 19th February, 1874.

Herewith I have the honor, by direction of the Hon. the Colonial Treasurer, to transmit to you a warrant under the hand of His Excellency the Governor, appointing you to the office of Auditor of the Public Accounts of the Province of Wellington at a salary of £200 per annum.

In conferring this appointment on you, the Government desires it to be distinctly understood that it is to be regarded as temporary, and one which they are at liberty to rescind in the event of its being considered desirable to make other arrangements.

You will be good enough to take over from Mr. Dorset the books, papers, &c., in his charge, and to enter on the duties of the office without delay.

I have, &amp;c.,

C. T. BATKIN,

Secretary to Treasury.

B. Smith, Esq., Wellington.

## No. 28.

Mr. DORSET to His Excellency the GOVERNOR.

SIR,—

Wellington, 19th February, 1874.

I venture to bring under your Excellency's consideration the circumstances under which I am at present placed as Provincial Auditor.

During your Excellency's absence I have been suspended by the General Government, and informed that I shall be dismissed on your return.

I have taken legal opinions on my position, and am advised that I have acted in accordance with the law regulating the conduct of Provincial Auditors; whilst I have been threatened with dismissal, as if I had broken the law.

I appeal to your Excellency to withhold your sanction to my dismissal without a reference to the Judges of the Supreme Court.

If they decide that I have acted illegally, I am prepared to bow to their decision and submit to the severe pains and penalties which the law has provided for such cases. If, however, it be judicially decided that I have acted in accordance with the law, I confidently appeal to your Excellency for protection, for I submit most respectfully that a Provincial Auditor holds an office which, from its character, ought, on constitutional grounds, to be carefully protected against being made an object of political action.

It is quite true that I have been asked whether I would apply for an inquiry under the Civil Service Act; but the question is one of the interpretation of the law, and I ask for it to be submitted to the decision of the Supreme Court before I am punished for an alleged breach of the law. An appeal under the Civil Service Act would be simply an appeal to those who have already decided against me, and who can very properly act as judges on a question of insubordination or negligence, but who are not competent to decide on a question of law.

I have, &amp;c.,

WILLIAM DORSET.

His Excellency Sir James Fergusson.

## MINUTES ON THE ABOVE.

REFERRED to Ministers. I do not desire to interfere. The Government have not dealt with the case as one so much of breach of the law as of disregard of duty.

19th February, 1874.

J. F., Gr.

THE receipt of this letter, and the fact of its being referred to Hon. Ministers, have no doubt been notified to Mr. Dorset by the Private Secretary.

I think that Mr. Dorset should now be informed that the Government had given the matter its fullest consideration prior to adopting the step of removing him from office, as notified in the Treasury letter of yesterday.

20th February, 1874.

C. T. BATKIN.

APPROVED.—W. H. Reynolds.

## No. 29.

The SECRETARY to the TREASURY to Mr. DORSET.

SIR,—

Treasury, Wellington, 20th February, 1874.

I have the honor, by direction of the Hon. the Colonial Treasurer, to acknowledge the receipt of your letter of the 19th instant, addressed to His Excellency the Governor, on the subject of your removal from the office of Provincial Auditor.