

MESSAGE No. 7.

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The Officer administering the Government forwards to the House of Representatives the documents connected with Mr. Grimstone's claim for compensation for loss of his appointment as Chief Clerk in the Department of the Colonial Secretary of New Munster, on the introduction of the New Constitution Act, and His Excellency recommends Mr. Grimstone's case to the favourable consideration of the House.

R. H. WYNYARD.

Government House,  
Auckland, 4th September, 1854.

No. 53, 83.

Civil Secretary's Office,  
Wellington, 29th July, 1853.

Gentlemen,—I am directed by Governor Sir George Grey to acquaint you that from and after the 1st day of August next, you will receive your instructions from, and make your reports to his Honor the Superintendent of the Province of Wellington. In communicating these instructions to you His Excellency, has directed me to express his thanks for the zeal and fidelity with which you have both for so long a period performed your duties.

His Excellency feels that you have thus materially aided him, and lightened the difficult duties he has had to perform; and in returning to you his sincere acknowledgements, His Excellency feels every confidence you will continue to serve the Public as efficiently henceforth as you have hitherto done.

I have, &amp;c.,

(Signed)

ALFRED DOMETT,  
Civil Secretary.

S. E. Grimstone, Esq., and H. S. Knoles, Esq.

Wellington, August 1st, 1853.

Sir,—With reference to the letter addressed by the Civil Secretary to yourself, and which you placed in my hands for perusal, I think it only fair to give you the earliest intimation in my power, that I am not in a position at present to avail myself of your services; and that I cannot hold out any reasonable prospect of my being able, under future arrangements to confer upon you such an office as your length of service may probably lead you to expect.

Believing that I best consult your interests by giving you this intimation previous to the departure of His Excellency the Governor.

I have, &amp;c.,

(Signed)

I. E. FEATHERSTON,  
Superintendent.

S. E. Grimstone, Esq., &amp;c., &amp;c., &amp;c., Wellington.

Wellington, 6th August, 1853.

Sir,—Referring to your Honor's letter of the 1st-instant, intimating your inability to avail yourself of my services at present, or hold out any prospect of future employment under your Honor's administration of the affairs of this Province, I have the honor to request that, as the Secretary of State provides for the compensating of such Officers whose appointments may be abolished by the introduction of the New Constitution, you will be good enough to acquaint me whether in accordance with Lord Grey's view, your Honor can give me any assurance that such provision as regards myself will be made in any Bill for the Appropriation of the Funds at your Command to be proposed by you to the Provincial Council.

As it is of much importance that I should learn your Honor's decision on this point to day, in consequence of His Excellency the Governor's early departure from Wellington, I respectfully solicit the favour of your allowing the subject your attention.

I have, &amp;c.,

(Signed)

S. E. GRIMSTONE.

His Honor the Superintendent, Wellington.

Wellington, August 6th, 1853.

Sir,—In reply to your letter of this days date, I beg to state, that I should not consider myself justified in placing upon the Estimates of this Province any sum, as compensation to you, for the loss of the Office which you held under the Government of New Munster.

I have, &amp;c.,

(Signed)

I. E. FEATHERSTON,  
Superintendent.

S. E. Grimstone, Esq., &amp;c., &amp;c., &amp;c., Wellington.

Wellington, 6th August, 1853.

Sir,—In acknowledging the receipt of your letter of the 30th ultimo, acquainting me by His Excellency the Governor's direction that from and after the 1st of August, instant, my services as Chief Clerk in the Colonial Secretary's Department were to be given to his Honor the Superintendent of this Province. I do myself the honor to inform you that in accordance with those instructions, I waited upon his Honor, who intimated to me verbally, and afterwards by letter, of which enclosed is a copy, that he would be unable to avail himself of my assistance, at the present time, or hold out a prospect of future employment.

Under these circumstances I addressed a communication to his Honor, wherein I solicited positive information as to whether he could afford me any assurance that he would provide in the Provincial Estimates, for the issue to me of compensation for my loss of office, as pointed out in the extract from Lord Grey's Despatch to Governor FitzRoy of 30th August, 1850, and forwarded by Sir John Packington to his Excellency Sir Geo. Grey in a Despatch of 16th July, 1852. The reply to that letter is a distinct intimation, that his Honor will not initiate any measure to that effect. I beg therefore to solicit the favor of your presenting this correspondence to Sir George Grey, accompanied by my respectful and earnest request that His Excellency will give such instructions previous to his departure from Wellington, as will protect me from that serious inconvenience to which I should otherwise be subjected, by my loss of office and means of subsistence.

Earnestly trusting that His Excellency will allow the subject his attention.

I have, &c.,

(Signed)

S. E. GRIMSTONE.

Alfred Domett, Esq., Civil Secretary, Wellington.

No. 53, 1096.

Civil Secretary's Office,  
Wellington, 18th August, 1853.

Sir,—In reply to your letter of the 6th instant, in which you state his Honor the Superintendent has dispensed with your services, and cannot hold out any prospect of future employment, and requesting that his Excellency will give such instructions in reference to your case as will protect you from the inconvenience to which you would be subjected by your loss of office. I am directed by Governor Sir George Grey to inform you that when your case has been brought under the consideration of the Provincial Council,—it shall in the event of not meeting with that justice which it appears to deserve at the hands of that body, be then considered by the General Government.

I have, &c.,

(Signed)

ALFRED DOMETT,

Civil Secretary.

S. E. Grimstone, Esq., &c., &c., &c., Wellington.

The following is a reply to a *private* communication which I sent to the Governor urging the settlement of my claim, I have no copy of it.

S. E. G.

No. 53, 1248.

Civil Secretary's Office,  
Wellington, 3rd September, 1853.

Sir,—In reply to your letter of the 2nd instant, I am directed by Governor Sir George Grey to acquaint you that it is not in His Excellency's power to do more in your case, than he has hitherto done, until the meeting of the Provincial Council, except to forward a copy of your letter now under reply, to his Honor the Superintendent, and at the same time to express his hope that his Honor will give your case all the consideration which it may be found to deserve, and it may be in his power to afford.

I have, &c.,

(Signed)

ALFRED DOMETT,

Civil Secretary.

S. E. Grimstone, Esq., &c., &c., &c., Wellington.

To the Honorable the Speaker and Members of the Provincial Council of Wellington.

The Memorial of Samuel Edward Grimstone, late Chief Clerk of the Colonial Secretary's Department in New Munster,

Respectfully Sheweth,—

That your Memorialist entered the service of the Colonial Government in the year 1837, as a Clerk in the Colonial Secretary's Department in New South Wales, and that on the establishment of British authority in New Zealand in 1840. Your Memorialist was selected by Governor Sir George Gipps to proceed with Captain Hobson to this Colony, to assist in the organization of the several Public Offices.

That your Memorialist's exertions in that behalf led to his promotion on the 1st January, 1841, to a Clerkship of the Second Class, with a salary commencing at £200 per annum, to be increased annually £20, until it should reach £300, the maximum salary under the existing regulations of Clerks of that class.

That your Memorialist while acting in that capacity organized the Colonial Secretary's Office in Auckland the Audit and Post Departments.

That on the arrival of Captain FitzRoy in December 1843, your Memorialist had the honor of being appointed Secretary, Registrar, and Provincial Auditor for the Southern Division of New Zealand, with emoluments amounting to £275 per annum.

That in 1844, the exigencies of the Colony rendered necessary what your Memorialist was led to believe a temporary reduction in his salary to £200 per annum, in common with other officers of Government.

That in 1845, the Land Regulation Office for the "Port Nicholson District" was established by your Memorialist, and in the following year he discharged the duties of Paymaster of Militia without any additional remuneration.

That in effecting certain changes in the Government Establishment your Memorialist's salary was in April, 1846, further reduced to £150 per annum, under a continuance of the pressure above alluded to.

That your Memorialist continued to draw that amount of salary until the separation of the Colony into Provinces, in January, 1848, when the several Departments of Government were re-organized and a Colonial Secretary appointed; and your Memorialist was offered and accepted the appointment of Chief Clerk to that office with a salary of £200 per annum.

That your Memorialist continued to perform the duties of his office until July, 1849, when his salary was raised by the Provincial Council to £250 per annum.

That your Memorialist remained in the Colonial Secretary's Department until the 1st August last, when his services with those of others, were transferred to his Honor the Superintendent of Wellington.

That in economising the expenditure of the Public Funds, his Honor intimated to your Memorialist that he was unable, to avail himself of his services and that your Memorialist has consequently been deprived of his appointment; the Colonial Secretary's Department having been abolished.

Your Memorialist therefore respectfully solicits the consideration of his claim by your Honorable Council, with the view to your recommending to his Honor the Superintendent, his being awarded such compensation for the loss of his Office, which has followed the introduction of the new Constitution. As your Honorable Council may, in accordance with the principle laid down by the Right Honorable the Secretary of State for the Colonies in reference to analogous cases, deem your Memorialist from his great length of service (upwards of 16 years), to be fairly and justly entitled to

And your Memorialist will ever pray.

Wellington, 28th October, 1853.

(Signed)

S. E. GRIMSTONE.

Observations on Mr. Samuel Edward Grimstone's claim to pension for loss of office, arising out of the introduction of the new Constitution granted to New Zealand.

#### SERVICES.

The claim to compensation which is preferred by Mr. Grimstone, the late Chief Clerk of the Colonial Secretary's Department of New Munster, arises out of the loss which he is ac-

known (both by the General and Provincial Governments) to have sustained by the abolition of his appointment which has followed the introduction of the Constitution lately granted to New Zealand by the Imperial Government.

Mr. Grimstone's services under the Crown are particularly set forth in the Memorial which is to be presented to Council, which shews that he entered the public employment so far back as the year 1837, and that on the formation of this Colony, he was selected from one of the Departments in New South Wales, to proceed with Captain Hobson, to assist in the organization of the several public offices. How he discharged the duties confided to him, will be apparent from the rapid promotion which he met with in the early years of the Settlements; which advancement is substantiated by documentary evidence.

The amount of labor and assiduity necessarily required in the establishment of such Departments as those of the Colonial Secretary, Audit, and Post Office in a new Colony, under very disadvantageous circumstances, can only be clearly understood by those who may have been placed in a similar position to the Memorialist, whose exertions were unassisted by any one having a previous acquaintance with official routine, the junior officers having with one or two exceptions, been appointed from amongst the new Colonists;—so that a double duty in fact devolved upon the Memorialist, the performance of his own duties, and the instruction of others, some of whom at the present time are in the enjoyment of appointments in the Northern part of this Island.

The early part of the year 1844 saw Mr. Grimstone's services transferred to the Southern Division of the Colony, where very little had been done towards the formation of the necessary establishments of Government, the testimony of the several officers and of the public generally, is not wanting to shew that the Memorialist exhibited both zeal in the discharge of his duties, and a ready attention to the interests and wishes of the settlers, so long as he continued in a position to be of service. The Secretary's Office and the Land Registration office were by the beginning of the 1846 both established by the Memorialist.

Nor were the exertions of the Memorialist confined merely to his official duties, for we find that on more than one occasion he spared neither expense nor labor in giving publicity to such information regarding the advantages and prospects of the "Southern Settlements" as might prove useful in determining intending emigrants as to the choice of their future home.

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#### Recognized Principle under which the claim is advanced.

A perusal of the following extracts from a work upon Colonial Policy, which has lately issued from the London Press (1853) written by Earl Grey, subsequently to his retirement from the office of Secretary of State, will be sufficient to at once set aside all doubts as to the validity of the claim advanced by Mr. Grimstone, and will it is presumed remove any difficulty which may have been conceived as to the source from which the compensation sought to be obtained should be paid.

The first, and of itself conclusive extract is from the Report of the Privy Council to Her Majesty the Queen, dated 1st May, 1849, published in the Appendix to Lord Grey's work, Pages 422, 448, 449, and 456, Vol. 1.

"Your Majesty having been pleased by your order in Council of the 31st January last, to refer unto this Committee copies of a correspondence between Earl Grey, one of your Majesty's principal Secretaries of State, and Sir Charles Fitzroy, and the other Governors of your Majesty's Australian Settlements, on the subject of the introduction to Parliament in the ensuing Session, of a Bill for the better Government of those Colonies, to consider the same and report to your Majesty our opinion as to the steps which it would be advisable for your Majesty to take on the subject of the said correspondence."

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We believe that true economy is promoted by giving to those who are employed in the public service, some reasonable assurance for the permanence of their official incomes. It is thus only that efficient service can be secured in return for a moderate remuneration. With these views the arrangement which we should recommend is that Parliament should, in the first instance, charge upon the revenues of the several Colonies an amount sufficient to defray the expense of those services, which it would be inexpedient to leave to be provided for by annual votes of the respective Legislatures, leaving, however, to those Legislatures full power to alter the appropriation by laws to be passed in the usual form. It would remain for your Majesty to determine what instructions should be given to the Governors of those Colonies, as to their assenting on behalf of the Crown, to any laws which might be tendered to them

by the Legislatures, for repealing or altering any of the charges created by Parliament on the revenues of the respective Colonies. We conceive that it might be advisable by such instructions to restrain the Governors from assenting to Acts making any alterations in the salaries of their own offices, or of those of the Judges, and some others of the Public Servants, unless these Acts contained clauses suspending their operation until they should be confirmed by your Majesty's immediate authority. It appears to us that this course ought to be adopted because we consider that the salaries of the principal officers of the Colonial Governments ought not to be changed without your Majesty's direct concurrence; and because the present holders of some of the offices of lower rank have received their appointments under circumstances which give them a strong claim to the protection which would be thus afforded to them. Men who have abandoned other prospects for the purpose of accepting Colonial employment which they had reason to expect would be permanent, and who have since faithfully discharged their duties, must be regarded as having claims which rest upon the grounds of public faith, and on contracts which on their side have hitherto been strictly fulfilled to retain their present salaries so long as they shall conduct themselves properly, or to receive adequate compensation for their loss. We doubt not that such claims would be respected by the Local Legislatures, whatever reductions they might see fit to make in other cases, but we think that your Majesty ought to secure them, even from the risk of a hasty or ill considered decision to their prejudice occasioned by some temporary excitement; subject to those qualifications we are of opinion that complete control over the Colonial Expenditure ought to be given to the respective Legislatures.

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“Her Majesty having taken the said Report, together with the Schedules thereunto annexed, into consideration was pleased, by and with the advice of her Privy Council to approve thereof.”

(Signed) W. L. BATHURST.

Secondly,—Lord Grey observes (Pages 202, 203, Vol. 1.) with reference to Lord John Russell's line of policy towards Canada “In two Despatches addressed to Mr. Poulett Thomson on the 14th and 16th October, 1839, you (addressing Lord John) pointed out the necessary distinctions between the Government of this Country (Great Britain) and that of a Colony, but at the same time you observed that, while you saw insuperable objections to the adoption of the principle of the responsibility of the Local Government to the Assemblies, in the manner in which it had been stated in the Colonies, you saw none to the practical view of Colonial Government recommended by Lord Durham as you yourself understood them; and you announce that for the future the principal offices of the Colonial Government in North America would not be considered as being held by a tenure equivalent to one during behaviour, but that the holders would be liable to be called upon to retire whenever from motives of public policy or for other reasons, this should be found expedient; you explained that this rule was to be applicable without limitation to persons appointed to the offices in question, subsequently to the date of your despatch, and to the existing holders of office so far as was clearly necessary for the public good, but at the same time with due regard to the fair expectations of individuals, to whom pecuniary compensation should be awarded when it might appear unjust to dispense with their services without such an indemnity.

Again in allusion to the existing form of Government in Nova Scotia and New Brunswick, (Pages 274, 275, and 278, Vol. 1.) the noble author remarks, in carrying into effect the changes which have been made in the mode of administering the affairs of these Provinces, though there have been protracted discussions and much correspondence, but one question has been raised involving a general principle of importance, which has not already been adverted to in considering the transactions of Canada. The question to which I refer is that as to the extent to which the actual holders of situations in the public service should be regarded as having vested interests; that is, whether they have a fair right to expect not to be deprived of their employments without compensation, unless for misconduct.

The practice of the Mother Country according to which it is held that, when the public interest requires an office, which is not one of those known as political offices, to be abolished or its nature to be so altered as to call for the removal of the holder, the person thus deprived of it shall receive compensation for his loss. This rule has been very strictly followed in this Country (Great Britain), and I believe with great advantage, but the prevailing opinion on the other side of the Atlantic is by no means favorable to it, nor was it without some reluctance that the Assemblies in the different British North American Provinces were induced to recognize it, and to make compensation to those persons whom the introduction of the new system of Government has rendered it necessary to deprive of their offices. This object has however been accomplished, and some provision (in general an adequate

provision though in one or two instances it might have been wished that it had been on rather a more liberal scale) has been made for all those who have lost their offices which they had previously a right to regard as permanent. Further,—Lord Grey in transmitting to Governor Sir Charles FitzRoy the “New South Wales Government Act” on 30th August, 1850, states for his Excellency’s guidance that the interests of existing office holders must be protected, because they accepted those offices with expectations which cannot be justly disappointed.

Acting upon this principle the new Constitutions for the Colonies of New South Wales, and South Australia have each a clause inserted therein providing compensation for officers who have, or will be deprived of their appointments by the introduction of the new system of Government, and in the act of Parliament, conferring Representative Institutions on the New Zealand Islands, a protective power is vested in the Governor for the same purpose, as well as in the instructions transmitted to his Excellency by the Right Honorable the Secretary of State, in the Despatch accompanying the Act referred to in accordance with the recommendation embodied in Governor Sir George Grey’s Despatch of the 30th August 1851, as follows:—Clause 65, “I think also that a farther restriction should be imposed, and that is that no officer who has received a permanent appointment from the Crown in any of the Provinces in New Zealand, should be removed from his Office by any Provincial Council until his claim shall have been considered, and until, if it is found a valid one, a law shall have been passed by the Provincial Council, and shall have received the assent of the Governor-in-Chief. Securing to such officer such compensation for the loss of his situation as the nature of his office, the amount of salary received, and his length of service may be considered as fairly entitling him to.”

It may perhaps be proper also to give an extract from the proceedings of the Legislative Council of South Australia in the discussion on the Estimates for 1853, when a sum of £2000 was proposed to be set apart as a fund to compensate those officers who might be obliged to retire from the public service from political changes.

“An item of £2000 appeared on the proposed Civil List Bill, and the Colonial Secretary wished briefly to detail to the Council the circumstances under which it had been thought desirable to propose it. The present officers of Government received their offices whilst those offices were held under the Crown. They were consequently looked upon as a fixed tenure, the parties holding them not being liable to removal except by misconduct of their own. But under the new state of things the tenure would be uncertain. On these grounds, it was chiefly that the present item of £2000 for retiring pensions had been introduced. This would provide retiring pensions to the extent of two-thirds of their present salaries for all the officers of Government, liable to be driven from the public service in consequence of their not being able to obtain seats in the first Elective Assembly, or in the event of their not being able to command majorities in the House when elected.

The indisputable evidence which is thus adduced as to the recognition by the highest authorities in the realm of the principle of compensation, will it is presumed be sufficient to establish the claim set up by Mr. Grimstone, and with regard to the mode in which it should be satisfied little remains to be added. Her Majesty in Council having given Her approval to the report of the Privy Council, pointing out that the means for compensation should be supplied by the *Local* or in other words, the Provincial Legislatures.

Finally,—It has been considered as the proper course to bring this case under the notice of the Council of Wellington, because the claimant’s services were chiefly confined to that Province, it having been the Seat of the late Provincial Government of New Munster, and consequently the centre from which all official instructions emanated. The importance of its own position rendering it the focus around which the administration of the public affairs generally necessarily revolved, and moreover, as although the Governor of the Colony might in the exercise of his authority have granted the protection which Mr. Grimstone solicits. Yet, as the amount of compensation must, it is submitted, be borne by the Provincial Treasury, it appeared but just and regular that the Council should possess an entire knowledge of the circumstances under which the claim is advanced, to enable it to use its judgment and discretion in the disposal of that portion of its own revenue.

And because, the new Constitution having been granted at the earnest solicitation of the Colonists, who derive the benefit of its introduction, it is but carrying out a common principle of justice that they should provide for those officers of the late Government, who are deprived of their appointments by the boon which has been conferred upon the Colony by the Imperial Parliament.

(Signed)

S. E. GRIMSTONE.

Report of Select Committee on Mr. Grimstone's Petition.

Your Committee acknowledge, that, according to the principle of compensation for loss of office through changes in the Government, which has been laid down by the Imperial Authorities, acted upon in the neighbouring Colonies, and proposed to be introduced into New Zealand, Mr. Grimstone's case appears to be entitled to the most favorable consideration.

But your Committee, when considering the application of this principle to Mr. Grimstone's case, as involving a claim on the new Government of the Province of Wellington, are met by difficulties which they are unable to surmount; they cannot therefore recommend that the claim should be admitted as against this Province, but considering the extreme hardship of the case, as appears by the correspondence submitted to them, they feel bound to recommend that the Council should express an opinion in favour of the claim, as against the General Government, which they submit might be done by a Resolution of Council approving of this Report.

(Signed)

GEORGE MOORE,  
Chairman.

A true Copy,

(Signed) H. S. HARRISON, Esq., Clerk of Council.

Extract from proceedings of Provincial Council of Wellington, on the 23rd December, 1853, in reference to Mr. Grimstone's claim to compensation for loss of office.

Mr. Moore, as Chairman of Committee on Mr. Grimstone's case, brought up his Report and moved, in order to propose, without previous notice, its adoption by the Council, the suspension of Standing Order 84.

Suspension agreed to.

On the motion of Mr. Moore, seconded by the Provincial Secretary.

Report read and adopted.

(Signed)

CHAS. CLIFFORD,  
Speaker.

Compared. (Signed) H. S. HARRISON, Clerk of Council.

Wellington, 24th December, 1853.

Sir,—I have the honor to forward for your Excellency's information a certified Report of the Select Committee of the Council of this Province, on a Petition presented on my behalf by Mr. Moore, and supported by Messrs. E. Gibbon Wakefield, Ludlam, and Brown, praying to be awarded compensation for the loss of the appointment which I lately held under the Government of New Munster, occasioned by the introduction of the Constitution recently granted to this Colony by the Imperial Parliament.

Your Excellency will not fail to perceive by the Report that the claim has been fully recognized by the Council, but objected to so far as the Province of Wellington alone is concerned, the opinion of the majority of the members being, that the amount of compensation should be defrayed from the funds at the command of the General Government, although in a statement which I submitted for the perusal of the Council. I imagined I had contended successfully that the liability undoubtedly rested with Government of this Province,—it having been the seat of the late Government of New Munster, at which it must be evident the greatest portion of the public business was transacted. Wellington enjoyed advantages, in this respect, over the other Settlements in this part of New Zealand; and should therefore I conceive bear the responsibility of compensating those officers who may have been deprived of employment in the Public Service; by the operation of the new system of Government, which was earnestly solicited more particularly by the Colonists of Wellington. Moreover, the adoption of the Report by the Provincial Government, is I would submit to your Excellency a tacit acknowledgment that this Province is at least *proportionately* liable; the General Revenue being derived from the receipts of the Several Provinces. But the payment of compensation which I seek to obtain, having been refused by the Province of Wellington, I respectfully beg to refer your Excellency to the letters addressed to me by the Civil Secretary,



dated 18th August, and 3rd September last, in which your Excellency's promise is conveyed, that "in the event of my claim not meeting with that justice which appears to deserve at the hands (of the Provincial Council) it should then be considered by the General Government;" and I feel assured that your Excellency's protection will now be afforded me, and that you will not permit the *oldest* and not least zealous officer under the New Zealand Government, to be further subjected to the serious inconvenience which has been felt by himself and family, from the non-adjustment of this claim; but, that your Excellency will be pleased, with the assistance of the officers of your Executive Council, to determine what amount should be awarded to me for the loss of my appointment, which I regarded as permanent, and issue such instructions to the acting Treasurer of the General Government (Mr. Carkeek) as may be necessary to enable me to receive from him the sum to which I may be found equitably entitled.

I have not presumed to claim any specific amount considering that such would be decided upon by a Board of Officers appointed for the purpose, but I would respectfully draw your Excellency's attention to the measures which have been adopted in South Australia, fixing the sums to be awarded as compensation to officers similarly situated to myself, at four years salary at the rates at which they were paid by the Government as previously constituted.

I enclose for your Excellency's perusal, copy of the correspondence bearing upon my case, and earnestly trust that your Excellency will allow the subject your early consideration, as upon your Excellency's favorable decision I rely for the means of enabling me to maintain myself and family.

I have, &c.,

(Signed)

S. E. GRIMSTONE.

His Excellency the Governor, New Zealand.

77.

Colonial Secretary's Office,

Auckland, 6th February, 1854.

Sir,—Referring to your letter of the 24th ultimo, preferring a claim for compensation for the loss of your appointment in the late Colonial Secretary's Department at New Munster, I am directed by his Excellency the Officer administering the Government, in Council, to inform you, that with every disposition to meet your wishes, the Government can do no more than direct your appeal to be laid before the General Assembly at its first meeting.

I have, &c.,

(Signed)

ANDREW SINCLAIR,

Colonial Secretary.

MEMORANDUM.—With regard to the promise which is conveyed in the within letter, that the subject of my compensation claim shall be brought under the notice of the House of Assembly by the Government: I would suggest that in order to give my case a *special character*, which I sincerely believe it deserves, that at *an early period* of the Session, a question should be put to the Members who may be supposed to represent the Government *when* it may be their intention to submit my appeal to the Assembly. This course I conceive to be a proper one, as I have heard it rumoured that a "Compensation Bill" will be introduced by the Crown in favour of those officers who may be obliged to retire from their offices from changes of a political nature. Now if those officers *are* to be allowed compensation *from the date of their retirement*; I hold it is but *fair and reasonable* that I should *in addition* to the scale of compensation which may be fixed by the Bill, be allowed *an additional sum* equivalent to that which I shall have lost between the date up to which I drew salary, 30th November, 1853, at the rate of £250 a-year, and the date of the passing of the Bill in question.

S. E. GRIMSTONE.

12th May, 1854.

Wellington, 10th May, 1854.

Dear Sir,—As it is probable that the subject of my compensation claim may be referred to a Select Committee of the General Assembly, and as a question may thereupon arise as to whether I have ever received an offer of appointment under the Provincial Government since its establishment. It is perhaps right that I should state in writing (as I am unable to visit Auckland myself) that no such offer has been made to me; which will be confirmed by the first letter of his Honor the Superintendent addressed to me, that he was unable to confer upon me such an appointment, as my length of service might reasonably lead me to expect.

I may however state that upon the discussion in the Provincial Council, as to the appointment of an Auditor, I placed my services at the disposal of the Government, but was acquainted in reply that it had been determined that a Board of Audit should discharge the duties of that office.

I am, Dear Sir, very truly Your's,

S. E. GRIMSTONE.