

In reply to the Minute above quoted the Governor's Responsible Advisers "adopt the suggestions made by him," and add, "Your Excellency's advisers are not therefore with their present experience prepared to propose that the relations just agreed on between the Governor and his Responsible Advisers should be altered, and they recommend that these relations should be confirmed by Her Majesty."

The Governor does not consider that he is competent to alter this arrangement without the sanction of the Secretary of State, for whose approval it has been submitted, nor does he see reason to recommend him to approve of any alteration.

He therefore desires that his Minute of 21st August, 1857 (herewith returned) may be adhered to.

Government House,
August 26th, 1857.

T. GORE BROWNE.

B—No. 5.

UNDER-SECRETARY TO MR. FENTON.

Under Secretary,
4 Nov., 1857.

Treasury,
Auckland, November 4, 1857.

SIR,

With reference to your letter of the 2nd instant, expressing your anxiety to return to your district at once, and requesting that His Excellency the Governor would be pleased to allow you to defer the completion of the last part of the Book of Laws, which by his direction you are now writing, until after your return, I am directed to inform you that as the Colonial Secretary was not aware of any reason why you should continue absent from your duties in the district of which you were appointed the Resident Magistrate, he submitted your letter with an intimation to that effect to His Excellency. In returning it His Excellency refers to his minute of the 21st August last and a subsequent one on the subject of correspondence through the Native Secretary, to the purport of which I am directed by the Colonial Secretary to call your attention.

His Excellency considers that a minute of the Native Secretary is indispensable in all matters relating to Natives, and that magistrates should divide their correspondence into two classes, namely, *European* and *Native*: when the communication relates to European affairs alone, they will forward it to the Colonial Treasurer or Under-Secretary; when it is on Native affairs alone, to the Native Secretary; when the correspondence is of a mixed nature, they will address both departments simultaneously. Minutes will be made in duplicate, and the answer in accordance with the Governor's decision will be sent from the Department to which the subject more particularly relates.

I have, &c.,

W. GISBORNE,
Under-Secretary.

The Resident Magistrate,
Waikato.

B—No. 6.

MR. FENTON TO THE COLONIAL TREASURER.

F. D. Fenton, Esq.,
7 Nov., 1857.

Auckland, November 7, 1857.

SIR,

I have the honor to acknowledge the receipt of your letter of the 4th instant, in reply to mine of the 2nd instant, in which I request permission to defer the completion of the last part of the Book of Laws, and make an immediate though short circuit through my district; the importance of my presence there having been impressed upon me by letters which I have received, not only from Maories, but from European gentlemen whose long acquaintance with the Natives and deep interest in their welfare, combined with perfect local knowledge, has caused me to entertain much respect for their opinion.

In reply, you direct my attention to the minute of His Excellency of the 21st August last, and a subsequent one on the subject of correspondence through the Native Secretary, from which minute I learn that His Excellency considers that magistrates should divide their correspondence into two classes, namely, *European* and *Native*; that when the communication relates to European affairs alone, they should forward it to the Colonial Treasurer or Under-Secretary; that when it is on Native affairs alone to the Native Secretary; and that when the correspondence is of a mixed nature, they should address both departments simultaneously.

I am unable to gather from your letter any answer to the request which formed the subject matter of mine, and have therefore addressed the same request to the Native Secretary by a letter of even date herewith, considering that my duties being of a mixed character, though principally relating to Natives, I should, under the terms of the quoted minute, address both departments simultaneously.

I have also stated in my letter to the Native Secretary that I am anxious to have the civil part of the treatise on law returned to me for settlement with the Attorney-General.

In my letter of instructions dated May 11, 1857, I was directed by you to keep an official diary, and forward the same monthly for the information of the Government. It appearing to me more

For the Governor's information, The Colonial Secretary having already expressed an opinion to the effect that there were no reasons of which he was aware why Mr. Fenton should not assume the duties which he was appointed to perform, has no further remark to make on that portion of his letter which refers to his return to the Waikato district. Mr. Fenton's Diary was forwarded when received to the Native Secretary for remark, by whom it has not been returned, nor has the letter from the Native Assessor with Mr. Fenton's Minute thereon. —E. W. Stafford, in the absence of Mr. Richmond,