

MEMORANDA

BETWEEN

HIS EXCELLENCY THE GOVERNOR AND MINISTERS,

RELATIVE TO A

DISSOLUTION OF PARLIAMENT.

OCTOBER, 1872.

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

WELLINGTON.

—
1872.

MEMORANDA BETWEEN HIS EXCELLENCY THE GOVERNOR AND MINISTERS.

No. 1.

The Hon. Mr. STAFFORD to His Excellency the GOVERNOR.

MR. STAFFORD presents his compliments to the Governor, and has the honor to inform His Excellency that the House of Representatives last night, on the motion of Mr. Vogel, resolved by a majority of two, that the House had no confidence in the present Government, the numbers being respectively thirty-seven and thirty-five. The majority would, Mr. Stafford believes, have been reduced to one, had the newly-elected Member for Egmont had time to arrive in Wellington. Under ordinary circumstances Mr. Stafford would have placed the resignation of Ministers in His Excellency's hands without further remark. There are, however, special circumstances which Mr. Stafford considers it to be his duty to bring before the notice of His Excellency.

The late Government was defeated and the present one placed in office within the last four weeks by a majority of three—forty to thirty-seven—every member of the House having voted on that occasion.

The result therefore of the division which led to the resignation of the late Ministry, and of that which took place last night, has been to make unmistakeably manifest that no party in the present House is strong enough to command a reliable working majority. This fact would, Mr. Stafford respectfully submits, be in itself a sufficient reason for affording to the electors, as the constitutional final resort, the opportunity of determining to whom the country would prefer to intrust the conduct of its public affairs. But in addition, it requires to be considered that the present Parliament was elected during the tenure of office of the late Government, which met Parliament in the first Session which succeeded the elections, with a very considerable majority—a majority which, however, steadily declined during the first and present Sessions, until it ceased to exist. That a great change in the feeling of the country has taken place since the last general election, is beyond question, as instance of which (amongst others) it may be mentioned that when, on joining the late Government, Mr. Hall resigned his seat, he was succeeded by an opponent of that Government. Again, in the case of the most recent election, which was warmly contested, when another member of the late Government resigned his seat in the House of Representatives, an opponent of that Government was elected in his room. The bare majority, therefore, by which the House last night refused its confidence to Ministers, may fairly be assumed not correctly to represent the opinions or wishes of the country: in which case it has long been held as a constitutional rule, that the question whether, in refusing its confidence to Ministers, the House has correctly expressed the opinion of the country, may properly be tested by a dissolution.

In relation to this well-established rule, Mr. Stafford would observe, that from the best information which he has received, he has every reason for believing that the result of a dissolution would be the return of a decisive majority in favour of the present Government.

Under the circumstances above referred to, Ministers respectfully advise His Excellency to grant a dissolution.

E. W. STAFFORD.

Wellington, 5th October, 1872.

No. 2.

His Excellency Sir G. F. BOWEN, G.C.M.G., to the Hon. Mr. STAFFORD.

THE Governor has received Mr. Stafford's Memorandum of this day's date, in which Ministers advise, for the reasons stated therein, a dissolution of the House of Representatives.

The Governor will give his full consideration to the important question thus submitted to him, with an earnest desire to come to a decision which shall be right and fair to all parties in the Legislature. But, in the first instance, he would wish to be informed if there is sure ground for believing that the existing Parliament is ready to grant the supplies necessary to carry on the public service until a new Parliament could meet.

G. F. BOWEN.

Government House, Wellington, 5th October, 1872.

No. 3.

The Hon. Mr. STAFFORD to His Excellency the GOVERNOR.

MR. STAFFORD presents his compliments to the Governor. He has received His Excellency's Memorandum of this day's date, in which His Excellency desires to be informed if there is sure ground for believing that the existing Parliament is ready to grant the supplies necessary to carry on the public service until a new Parliament could meet.

In reply, Mr. Stafford respectfully submits to His Excellency that, in accordance with constitu-

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tional usage, it is the recognized duty of Parliament, in case of a pending dissolution, to grant the requisite supplies for the public service, limited to the shortest period which will enable a new Parliament to meet.

Ministers have no reason to doubt, and in fact do not doubt, that the New Zealand Parliament will perform its proper constitutional duty.

Wellington, 5th October, 1872.

E. W. STAFFORD.

No. 4.

His Excellency Sir G. F. BOWEN, G.C.M.G., to the Hon. Mr. STAFFORD.

THE Governor has received Mr. Stafford's second Memorandum of the 5th instant.

He has now given his full and earnest attention to all the aspects of the question submitted to him in so clear and able a manner.

Among the considerations which have led the Governor to the decision at which he has arrived, may be mentioned the following:—

- (1.) It has always been held by English statesmen and political writers of authority that frequent dissolutions are injurious to Parliamentary government, for, in addition to other disadvantages, they have an obvious tendency to cause Members to be regarded as mere delegates of the constituencies, and not as representatives of the country at large. Now, the existing Parliament of New Zealand was elected for five years in 1871. It is as yet only in its second Session, and is barely eighteen months old. To put the Colony to the great expense and inconvenience of a general election twice within so short a period could be justified only by the gravest necessity.
- (2.) It appears probable that the country is as much divided as the Legislature which represents it. At all events, there has been no strong or universal expression of public opinion in favour of either of the parties which have lately held office. Indeed it seems evident that the country generally is disposed to regard the differences between most of its leading men as personal rather than political, and as concerned with matters of detail rather than of principle.
- (3.) There is absolutely no question of magnitude to refer to the constituencies. Both sides in the present Parliament support the policy of Public Works and Immigration which was adopted by the last Parliament. Both sides approve a policy of peace and conciliation towards the Maoris. No measure of urgent importance, respecting which any material difference of opinion exists, appears to be pending.
- (4.) If the nearly equally balanced state of parties in the Legislature (as shown by recent occurrences) be taken into account, it appears that Mr. Stafford may probably be somewhat too sanguine in deeming it beyond doubt that either of those parties, as at present constituted, would find no difficulty in getting supplies, or in securing the passing of an Appropriation Act with a view to an immediate dissolution.
- (5.) It seems to be morally certain that the majority of the Parliament and of the people of New Zealand agree in desiring that there may be formed, on a wider basis, a new Administration strong enough to carry on the Government without further interruption of the public business. It is confidently expected that practical effect can be given to that desire.

On the whole, the Governor believes that a fresh appeal to the country would be premature until all proper endeavours in the direction indicated in the last paragraph shall have failed. Consequently, he has decided that his duty compels him to decline to accede to Mr. Stafford's recommendation of an immediate dissolution.

G. F. BOWEN.

Government House, 7th October, 1872.

P.S.—With reference more particularly to the paragraph marked 4, the Governor wishes to add, that he does not intend any part of this Memorandum to be understood to imply that he would make any objection, if Ministers still differ from the views expressed in that paragraph, and desire to test the opinion of Parliament upon the point at issue. In that case the Governor expects—

(a.) That this correspondence shall be laid before both Houses, with the object of preventing any possible misapprehension; and,

(b.) That the passing of the necessary Appropriation Act shall be regarded as evidence that the Legislature agrees with Ministers in deeming expedient an early appeal to the Constituencies.

G. F. BOWEN.

No. 5.

The Hon. Mr. STAFFORD to His Excellency the GOVERNOR.

MR. STAFFORD respectfully acknowledges the Governor's Memorandum of to-day. The resignation of Ministers would have been immediately placed in His Excellency's hands had it not been for the postscript.

Ministers have always, as expressed in Mr. Stafford's second Memorandum, recognized the necessity of obtaining the sanction of Parliament for the requisite public expenditure before Parliament is actually dissolved.

They have no reason to doubt that Parliament will perform its constitutional duty, to enable the public service to be carried on until the reassembling of the Legislature.

Before, however, submitting to Parliament proposals founded on a contemplated dissolution, Mr. Stafford submits that he should be enabled to announce that, on the supplies being granted, Parliament will be dissolved.

By adopting any other course, the duty of deciding whether Parliament should be dissolved or not, would in fact be relegated to the House of Representatives, instead of resting, as it constitutionally does, with His Excellency.

Mr. Stafford respectfully reminds His Excellency that a dissolution is never advised, except when a Government is unable to command a reliable majority.

E. W. STAFFORD.

Wellington, 7th October, 1872.

No. 6.

His Excellency Sir G. F. BOWEN, G.C.M.G., to the Hon. Mr. STAFFORD.

THE Governor acknowledges the receipt of Mr. Stafford's Memorandum of yesterday's date.

Looking to all the circumstances surrounding the present ministerial crisis (to some of which attention has already been drawn), the Governor is compelled to decide that it would not be right for him to give beforehand such a pledge as that for which Mr. Stafford now asks.

If the existing Parliament were older; if there were any large question to submit to the constituencies; if there were good grounds for expecting a material change in public opinion respecting the policy of the Colonial Government; if all proper attempts to form a strong and united Administration had been exhausted; in short, if these and other circumstances of the case were different, then the action of the Governor would also be different.

G. F. BOWEN.

Government House, Wellington, 8th October, 1872.

No. 7.

The Hon. Mr. STAFFORD to His Excellency the GOVERNOR.

MR. STAFFORD has received the Governor's Memorandum of this day's date.

Mr. Stafford places the resignation of the offices held by Ministers in His Excellency's hands.

Ministers do not desire to combat the views expressed by His Excellency, with which, however, they are compelled to disagree.

E. W. STAFFORD.

Wellington, 8th October, 1872.

No. 8.

His Excellency Sir G. F. BOWEN, G.C.M.G., to the Hon. Mr. STAFFORD.

IN acknowledging the receipt of Mr. Stafford's Memorandum of this day, the Governor desires to express his sense of the respect and courtesy which he has always received from Mr. Stafford and his colleagues. He requests them to continue to hold office, in the customary way, until the appointment of their successors.

G. F. BOWEN.

Government House, 8th October, 1872.

