

When, therefore, the Cabinet tendered their resignations, I felt placed in a position of unprecedented difficulty ; for whilst I was prepared to give effect to the implied wish of the Assembly as regards a change of Ministry, I was not prepared to pass over in silence an encroachment upon the prerogative of the Crown. But I could not accept the resignation of Ministers until I had placed the formation of an Administration in other hands. If I had sent down my protest against what I conceived to be the unconstitutional part of the Assembly's amendment before accepting the resignation of Ministers, my readiness to acquiesce in the decision of the Assembly upon that part which was clearly within their constitutional rights might possibly have been called in question. If, on the other hand, I had sent for Mr. Robertson, and intrusted to him the formation of a Government, and then sent down my protest to the House, Mr. Robertson, and probably the leading members of the Opposition who had carried the amendment, would have been absent from their seats. It appeared to me indispensable that the leaders of the party who had carried the amendment should be present in their places, and free to take what action they pleased when my message in reference to the amendment was read to the House.

A fair escape from these several difficulties presented itself in the selection of Sir William Manning, a distinguished member of the Upper House, to form a Government. Sir William Manning's ability and character, and the high respect in which he is held throughout the entire community, appeared to fit him especially for such a position. He had been associated with Mr. Robertson in former Administrations, and he had been designated by public rumour as one of the leading members of a new Government in the event of Mr. Robertson being intrusted with its formation.

Besides, apart from the special reasons which led me to ask Sir William Manning to undertake the responsibility of forming an Administration, the plan seemed to me to offer the best possible chance of forming a strong Government. It appeared to me that, supported, as I thought he would have been, by the leading members of the Opposition, it would have been possible for Sir William Manning to have united under his leadership a party able to carry on the government of the country with vigour for a lengthened period. I have been disappointed in the experiment ; but looking to the state of parties in the Assembly, the narrowness of the late majority, and the exceptional character of the question which resulted in the present crisis, I fail to see that there was any arrangement which held out a better prospect of success, viewed solely in the light of the public good. I do not regret, therefore, having made the attempt.

With the observations, which are, I think, called for from me under the peculiar circumstances of this case, I am prepared to give effect to Sir William Manning's recommendation, which is that, as he has failed in obtaining the help he anticipated, I should now send for Mr. Robertson.

HERCULES ROBINSON.

Government House, Sydney, February 5, 1875.

No. 3.

The Earl of CARNARVON to Governor Sir H. ROBINSON, K.C.M.G.

SIR,—

Downing Street, 26th April, 1875.

I have the honor to acknowledge the receipt of your despatch of the 8th of February,* reporting the circumstances which led to the resignation of your late Ministry, and the formation of a new Administration under Mr. Robertson.

In the exceptional circumstances which you report, the course taken by you in this case appears to have been the right one, and I see no reason to take exception to the terms of the message which you addressed to the Assembly on the 2nd of February.

I have, &c.,
CARNARVON.

No. 4.

The Earl of CARNARVON to Governor Sir H. ROBINSON, K.C.M.G.

SIR,—

Downing Street, 27th April, 1875.

I have the honor to acknowledge the receipt of your despatch of the 8th of February,† on the subject of the exercise of the prerogative of pardon.

I am glad that you have been enabled to form so favourable an opinion of the working of the principles enunciated in my despatch of the 7th of October last.‡

I have addressed you at greater length on this question in a separate despatch.

I have, &c.,
CARNARVON.

No. 5.

The Earl of CARNARVON to Governor Sir H. ROBINSON, K.C.M.G.

SIR,—

Downing Street, 4th May, 1875.

As there has been, and may still be, some misunderstanding, both in this country and the colonies, with respect to the opinion held by successive Secretaries of State as to the distribution of responsibility between a Colonial Governor and his Ministers when the prerogative of pardon is exercised, I think it will be convenient, now that the question is attracting attention as well at Home

* No. 2.

† No. 1.

‡ Vide No. 5 of Command Paper [C. 1202], April, 1875.