

No. 6.

(No. 10.)

MY LORD,—

Wellington, New Zealand, 3rd February, 1891.

I have the honour to forward, at the request of Mr. Shera, a member of the House of Representatives, two copies of a petition signed by forty members of the same House, and presented by them in person. This petition was presented to me a few hours before the meeting of Parliament on the 23rd of January, against the appointment of any more members to the Legislative Council until after the meeting of Parliament.

2. It was a matter of common notoriety that the appointments were already made when the petition was presented, and it could not, therefore, have been expected to effect the object of its prayer.

3. As the petition was presented in person, I concluded that the object of the petitioners was to hear from me something of the causes which induced me to accept the advice of my Ministers. I replied that it was no part of my duty to enter into explanations of my actions to any one but your Lordship, and I referred the deputation to the despatches which are annually laid on the table of Parliament, and which would be presented as soon as a Speaker should have been elected.

4. I have already addressed your Lordship at length on this subject which, as a precedent, is one of some importance.

5. There were four points which presented themselves in considering the advice tendered to me:

- (1.) Whether Ministers were seeking to fill the Upper House during their term of office with more than a reasonable number of their nominees;
- (2.) Whether there was any indication that their object was to alter the political bias of House in favour of their party;
- (3.) Whether the names were those of men unfit to occupy seats in the Council; and
- (4.) Whether Ministers, whose position in Parliament was doubtful, were entitled to recommend such appointments.

6. As to the first and third points, I formed the opinion that, had Ministers been in undoubted possession of the confidence of Parliament, no objection, except from a purely party point of view, was likely to have been taken. It is true that the Premier was alleged to have given certain pledges, but this was a matter which concerned himself.

7. As to the second point, during the previous session of Parliament several measures drawn in the interests of the labour party had been rejected by the Upper House as then constituted, and, so far as the opinions of its members have a party tendency, they were already more in line with the party then in power than with the progressive party; while, as to the question of the reform of the Legislative Council which that body had refused to consider, but which both political parties deem desirable, the new Councillors were themselves pledged in its favour.

8. The fourth consideration is the really important one. Assuming, as I do, that there was no valid objection to the appointments, I found it additionally difficult for me to take the very grave responsibility of differing from my Advisers. Such a step is certain to bring the representative of the Queen into collision with some portion of those over whom he is called upon to administer the government, and renders his conduct open to discussion in Parliament.

9. The gravest responsibility would rest upon me for the adoption of such a course, in a case concerning this colony alone, which neither affected the Royal prerogative of mercy, nor the question of an appeal to the people, and was in consonance with accepted constitutional practice.

10. Although these appointments were made on the 20th of January, they had, with the exception of the actual names, been long under discussion with Ministers in an unofficial manner, and I had entertained some difference of opinion with them on the subject.

11. This difference was finally adjusted on the 16th of December, when I agreed to make six appointments on the assurance that, in the opinion of Minis-