

The Premier has never, so far as he is aware, made such a promise; and any statements of his which may appear to bear such interpretation were only made under the belief that an Act would be shortly passed effecting the reforms that the Government desired, but in this hope the Government have been disappointed, it having been found impossible to obtain legislation.

In order, however, that there should be no mistake, the Premier caused careful search of records to be made, and can nowhere find such a pledge. He then applied to Mr. Fish, one of the members for Dunedin, and one of the leading signatories of the petition, for information upon what authority the statement made in the petition was founded. In reply, Mr. Fish courteously informed him that a sentence in the Financial Statement of 1887, and what took place in the House of Representatives on the 6th of August, 1888, were relied on as justifying the statement referred to.

The paragraph of 1887 was as follows: "They (the Ministry) will also during the present session invite the Legislative Council to devise a plan by which their number may be reduced to thirty-five, one-half of the number of members proposed for this House, and thereafter limited to that number."

It is quite clear that such a pledge cannot be found in this paragraph under any canon of interpretation, and the Premier distinctly denies that he ever contemplated such a promise.

On the occasion referred to in the House of Representatives it was moved, "That, in the opinion of this House, no further appointment should be made to the Legislative Council until the Legislature shall have had an opportunity of determining upon any alterations to be made in the direction of limiting the number of members, altering the mode of appointment, or of limiting the time for which such appointments should be valid."

In the course of the debate, Sir H. A. Atkinson, amongst other things, is reported to have said, "Have the Government done anything to lead the honourable gentleman to believe that they are going to make undue appointments? Have they not practically promised that they will not make such appointments?"

Again, Mr. Kerr asked, "Am I to understand that no appointment will be made before next year?"—that is, 1889.

Sir H. A. Atkinson: "I could not make a positive statement. . . . The Government have no intention of making an appointment . . . unless necessary to carry on the Government."

Mr. Ward: "I hope the Government will not make any appointment during the recess, but, if they do so, I trust they will have some regard to the representation of the part of the colony which I have the honour to represent. The District of Southland at one time was entitled to, and had, four members in the Upper Chamber, but death has removed three of them; and, in fairness to people in that part of the country, I think that, if any appointments are to be made, some one in that district should be appointed. At the same time, I hope that no further appointments will be made; but, should such be necessary, I trust the Premier will make them from the part of the country to which I have referred."

Sir H. A. Atkinson: "The only cause which, in my opinion, could justify an appointment, except on the recommendation of this House, would be the necessity of carrying on the Government, and then other matters than locality would have to be taken into consideration."

The motion was negatived.

It is evident from these extracts, and from the spirit of the debate, that the speakers all based their remarks upon the necessity of giving Parliament further opportunity of legislating upon the matter; and this is clearly set forth in the resolution upon which the debate took place.

The Premier's remarks referred only to the coming recess; it is impossible to suppose that he should pledge himself for all time to make no further appointments to the Legislative Council. His remarks were evidently governed by the hope which the Government then entertained, that legislation would then be possible; and it was only after two sessions had passed subsequently to this debate that he gave up this hope, and, deeming it necessary for the efficiency of the Council, recommended the appointment of a limited number of Councillors.

In the session of 1890, on the 25th of July, the following resolution was proposed by Mr. Larnach: "That, in the opinion of this House, His Excellency the Governor should not be advised to make any appointments to the Legislative Council until after the meeting of the next Parliament." This resolution was debated at length (the Premier did not speak, not being present), and, on a division, was rejected in a full House by a majority of 48 to 43.

The Premier may also add that the policy of the present Ministry has always been to reform the constitution of the Council, and attempts were made in the late Parliament to do so, but failed of success. In the session of 1890 Sir G. Whitmore brought in a Bill having, *inter alia*, for its object the shortening of the term of the appointments from life to seven years. The Bill was amended by the Attorney-General in order to meet the views of the Government, and was cordially supported by the Government in the Council; but on a division on the third reading it was lost by a majority of 17 to 13.

The Premier also takes this opportunity to inform His Excellency that the Opposition have been in office five years since 1877, and have appointed twenty-one members to the Legislative Council. The present party in power, having been in office eight years since 1877, have only so far appointed eight members (all of whom were appointed prior to the present Government coming into office), and they propose now to add seven to this number.

17th January, 1891.

H. A. ATKINSON.

Enclosure 3 in No. 1.

From the Hon. the PREMIER to His Excellency the GOVERNOR.

(Telegram.)

19th January, 1891.

THE Cabinet has decided to respectfully recommend your Excellency to call the following gentlemen to the Legislative Council: Messrs. J. B. Whyte, Auckland; J. D. Ormond, Hawke's Bay; C. J. Johnston, Wellington; C. C. Bowen, Canterbury; and J. Fulton and W. Downie Stewart, Otago.

H. A. ATKINSON.