

No. 31. The Westland and Nelson Coalfields Administration Act 1877 Amendment Act validates certain Proclamations and Orders in Council made under the principal Act, and the construction of railway, extends the powers of the said Act to the Railway Commissioners, and protects leases from forfeiture for breach of covenants pending the determination of the General Assembly thereon.

The Private Acts.

No. 1. The Trust Money Act amends the terms of a deed of trust made between Kaihau certain Natives and the Public Trustee in relation to the value of the undivided shares of the beneficiaries under the deed.

No. 2. The Wesleyan Methodist Church Property Trust Act 1887 Amendment Act confers upon the New Zealand Conference of the said Church new powers of appointment of its ministers, and provides amendments of the principal Act in relation to the vesting of Church lands and the legal estate therein.

No. 60.

No. 15.

MY LORD,—

3rd December, 1892.

I have the honour to acknowledge the receipt of your despatch (New Zealand, No. 47) dated 26th September last, which enters fully into your reasons for advising me to accede to the advice of my Ministers with regard to the Legislative Council appointments. A.—2, 1893,
No. 27.

2. I beg your Lordship to believe that I fully appreciate the consideration which you have shown me in this matter. The incident is now closed, and it is in no controversial spirit that I venture to make some remarks on your despatch, but simply because, by means of the light thrown on the affair by the proceedings of the Legislative Council during the last parliamentary session, I think it would be well to consider the conclusion to be drawn from what has occurred.

3. Your Lordship was perfectly justified in assuming that the question had been referred to you by agreement between myself and my Ministers. Strictly speaking I was a party to the reference, but it was only because I did not consider that it would be proper for me to decline to forward a memorandum when asked by my Ministers to do so. Personally, I have always been strongly of opinion that, under the Constitution of New Zealand, the question might have been solved in accordance with the traditions of constitutional government within the colony; but I did not think I had any right to express such an opinion to your Lordship, or to appear to interfere with the undoubted right of my Ministers to appeal to the Secretary of State.

4. It is evident that when I declined to accept the advice of my Ministers they were not willing to resign; but it appears to me that when a difference arises between a Governor and his Advisers the only justification for it is its importance, and this can only be gauged by the result.

5. If, after an exchange of ideas, the Governor incurs the responsibility of adhering to his own views, and the Ministers consider the case sufficiently important, they should resign. If they do not do so, they should give way; but my Ministers did neither, and I submit that in a colony possessing responsible Government, and with the means of putting pressure on the Governor which Ministers in such a colony possess, an appeal to the Colonial Office to interfere between the Governor and themselves is not the course that would be usually expected from a Ministry with a proper conception of the rights and privileges of a self-governing colony.

6. In this case, the question whether I or my Ministers most correctly estimated the effect of the proposed appointments can best be judged, as I think your Lordship will agree, by an examination of the division-lists of the Legislative Council during the past session.

7. From the returns which I have the honour to enclose, it will be seen that, without any addition to the Council, out of thirty-seven Government measures introduced all were carried except two; that, had the nine appointments been made, the Government would have had the majority in every division in the Legislative Council except five; and that, if twelve appointments had been made, the Government would have been victorious in every division except one.

8. The effect of the twelve appointments may therefore be considered to be that the Government has now, by these means, obtained a majority in the Council—a result which I thought it my duty to do what I could to resist.

3—A. 1.