

House should imagine that they may in some degree have biassed his mind towards the conclusion that he ought not to comply with the call made upon him. He assures the House that they have had no such influence, but that he refused (by his memorandum of the 1st of August) to comply with that call, influenced solely by the consideration that his duty as the Administrator of a Government which has written Constitutional rules for its guidance, forbade him on Wednesday last, as it had forbidden him nine weeks before, to think of dismissing, without Her Majesty's consent, any officer holding his appointment directly from Her Majesty. The case of the Colonial Secretary differed from that of the other officers, inasmuch as that gentleman did not hold his appointment directly from Her Majesty; wherefore the administrator of the Government, being most anxious to make every concession to the new Ministers which he could feel was not inconsistent with his sense of right, was much pleased to find that a desire on the part of Dr. Sinclair to aid in averting any serious difference between the new ministers and the head of the Government, had induced that gentleman to tender the unconditional resignation of his office even before the promised pension was secured to him by law. In so far, the state of matters on the 2nd of August was considerably improved in comparison with the arrangements made eight weeks before: a step in advance towards the complete establishment of Responsible Government was actually taken: the office of Colonial Secretary was laid open to be filled by a Member of either Legislative House. Nor was this the only concession made to Mr. Fitzgerald and his colleagues. They were informed, that the Attorney-General intended and was ready to despatch to England the resignation of his office. The Officer administering the Government trusts that the House will mark these facts. In all other respects matters were in the same state when Mr. Fitzgerald and his colleagues resigned their appointments, as when they accepted them, knowing exactly the constitutional position and personal sentiments of the Officer administering the Government. During the long interval they enjoyed his unlimited confidence, and never offered to him a suggestion which he did not readily accept. Neither, during that interval, did he ever think of exercising his authority independently of their advice. In all respects, he faithfully adhered to the original arrangement; and now, when they depart from it by suddenly asking him to set it at nought, he has but one reply to make—that his sense of duty and honor absolutely forbids him to comply with the request. He feels that he should be wanting in candour towards the House if he hesitated to state to them in the plainest terms the settled conviction of his mind, that by yielding at all on the point of duty, he should deserve the censure of Her Majesty, and should incur the disapprobation of the colonists of New Zealand, for having degraded [the office, the honor of which has been accidentally entrusted to his care.

The words within brackets were forwarded to the House after the remainder of the Message, in addition, and as an amendment to a clerical error in the original copy.

At the same time, he is very desirous that his difference with the late members of the Executive Council should not grow into a difference with the House. He therefore requests the attention of the House to certain facts which seem to him to have an important bearing on the question which the House will have to determine. He begs of them to observe that the Executive Government Bill, the passage of which into law was, by the original ministerial arrangement, announced to the House on the 15th June, made a condition of the retirement of the Attorney-General and Colonial Treasurer when Her Majesty's assent thereto should be obtained, has not passed, in the House of Representatives, beyond the stage of being read a second time; and that, from the date of that proceeding—namely the 27th June, the measure appears to have remained in a state of abeyance and oblivion. The memorandum of Mr. Fitzgerald and his colleagues, of the 1st August, speaks of a "formidable opposition" which they encountered in the Houses of the Legislature, and which threatened to put a stop to the public business. This fact was first brought to the knowledge of the Officer administering the Government by the Memorandum in question. Till he read that document, he had been led to believe that the Ministers were steadily supported in the House of Representatives by large majorities; and though he was aware that their proposals were sometimes criticized and opposed by small minorities, he imagined that such opposition arose from the natural working of representative institutions, and was not merely harmless, but serviceable as the means of subjecting important legislative measures to scrutiny by the elected guardians of the public interests. With respect to the Legislative Council, he has been assured not only that it has exhibited no organized opposition to the measures proposed by the Government, but that, on the contrary, a member of the Government in the House of Representatives, speaking in that House, recently thanked the Legislative Council for having improved some measures sent to them by the Representative House, and expressed his hope that they would continue to afford such valuable assistance in the work of legislation. The Officer Administering the Government assures the House that he was never by anybody told of any formidable opposition to the Government in either House of the Legislature, and that he is still at a loss to understand the statement, with regard to such opposition, in the memorandum of Mr. Fitzgerald and his colleagues. He