

cannot believe they would consent to its being done at a moment when war seems imminent, notwithstanding every effort of the Governor to avert it.

ALFRED DOMETT.

18th May, 1863.

No. 4.

MINUTE BY THE GOVERNOR.

The Governor acknowledges the receipt of the Ministerial Minute of the 18th instant, to which he has given his best consideration.

The Governor cannot admit that he thinks that the resolutions of the Assembly preclude Ministers from adopting the course in regard to Native affairs which the Governor has requested them to follow.

As Ministers observe, those resolutions were adopted by the Assembly in a time of peace. They cannot therefore be regarded as binding any one in so great a crisis as the present. Men must rise equal to the emergency which has taken place, and not shrink from the responsibility which it necessarily brings on all. Moreover, the Assembly, when it passed the resolutions had not then before it the positive declaration of the Home Government that in the case of the relations which had existed between New Zealand and itself it recognised the following obligation, viz., "the obligation of the stronger to assist the weaker, an obligation of generosity and wisdom as irresistible practically as it is one of technical justice, and unquestionably heightened in proportion to the amount of control exercised by the power which gives assistance over the affairs of the community which receives it. This species of obligation the British Government has ever been ready to acknowledge and fulfil."

The Governor feels sure that the General Assembly will treat with great generosity all who now assume responsibility to save the Colony from the perils which threaten it.

Ministers must allow some latitude of expression to the Governor at the present moment, when life, property, wives and children—all that men hold dear—are in imminent peril over a large extent of country. He had hoped, when he wrote to Ministers on the 16th instant, that they, being his Responsible Advisers, would have recommended for his consideration some arrangement for the conduct of affairs at the present emergency. As however Ministers have thrown upon him the responsibility of recommending such an arrangement, he will, especially as he believes that not a moment should be lost in coming to a decision upon this subject, do so to the best of his ability.

The Governor, then, believes it is impossible, without incurring the risk of very great dangers, to separate at this time from the administration of Native Affairs the control of the Militia and Volunteers—of the local forces of every kind, of the funds voted for public purposes, of the Post Office, in fact, of nearly every Government establishment in the country. At the present instant, which he believes to be one of as great public peril as he has ever known, the Governor thinks that whoever is to govern the country should be armed with every power which the State confers on those who rule it. Indeed, in such a crisis those powers ought to be increased. In no other way can he see a hope of successfully meeting the dangers which threaten the Colony.

The Ministry can in a moment assume these powers; they virtually have them now. They are the constitutional depositaries of them, and the Colonial Secretary is the person upon whom properly the chief direction of them and the chief responsibility should rest.

If Ministers will not assume what the Governor believes to be their duty, and exercise these powers, and take that responsibility which goes hand in hand with power, then the Governor thinks they should, under present circumstances, relinquish them to him until the Assembly meets.

The Governor thinks that Ministers will excuse him from pressing this advice upon them; but his doing so at this critical time is a necessity of the position of responsibility in which the General Assembly and Ministers have against his will placed him.

Yours, &c.,

G. GREY.

New Plymouth, Taranaki,
May 20th, 1863.

NOTE BY THE COLONIAL SECRETARY.

No immediate reply was sent to the foregoing Minute, as far as the question of assumption of responsibility is concerned; the Ministers who were then at Taranaki being desirous of personally consulting their colleagues in Auckland, in order to ascertain whether some temporary arrangement might not be come to with the Governor, to subsist until the General Assembly could meet and decide upon the whole question. Such an arrangement was made, and is described in the Minute of Ministers, dated 24th June, and of the Governor, dated 6th July, 1863.

But in order that His Excellency in the meantime might not be without the opinion of the Ministry as to what was proper to be done in the present emergency (to which the question of the responsibility for doing it was quite secondary and subordinate), the Colonial Secretary prepared the following Minute for Ministers, which was shewn to His Excellency when written.