

and apologizing to him for the vote he had given on that occasion. The correspondence was further continued, and the honorable Member the ex-Premier, without imputing the smallest blame, takes this course: he writes to the honorable Member thus:—

MY DEAR SIR,—

Wellington, 12th October, 1867.

I have received your note of the 6th instant, relative to your voting against the financial policy of the Government. I did not reply to it while the question to which it referred was undecided, and there is now no object to be attained in discussing the subject. As, however, an opinion has been very generally expressed that, on Constitutional grounds, there are too many officers of Government in the Legislative Council, it is desirable that you should let me know whether you would prefer to retain your offices or your seat in the Legislative Council.

I have, &c.,

E. W. STAFFORD.

Well, Sir, I think the honorable Member managed that affair very adroitly. The House and the country knew at the time that Mr. Crawford was Resident Magistrate, and it is only by the light of other events in contemporary history that the real character of that affair is known. Substantially, Mr. Crawford was compelled to resign because he had voted against the Government under which he held a paid office."

The following Resolutions, as previously proposed by Mr. Carleton, were then considered:—

"That the question is not between two servants of the Crown, namely, Major Brown and Mr. Fox, but between the Crown and the House.

"That all questions regarding the position of Major Brown in the service are irrelevant.

"That there is no question, and never was, of the power of the Crown to dismiss from the command.

"That there is no exception to the rule under which, by the law and custom of Parliament, freedom of speech is secured to the Members thereof.

"That the Disqualification Act implies freedom of speech to those servants of the Crown who are not thereby disqualified.

"That what is said in Parliament is supposed to be unknown elsewhere, and cannot be noticed without a breach of privilege.

"That notice has been taken elsewhere of what was said in Parliament by Major Brown.

"That the offer of the alternative proposed by Mr. Fox's letter to Major Brown, namely, to resign his command or his seat in the House, amounted to a threat.

"That such a threat, coming from a Responsible Adviser of the Crown, is an infringement of liberty of speech, and therefore a breach of the privilege of the House."

And the question being put thereon, Mr. O'Rorke moved, That the question be amended by the omission of all the words after the word "That" and the insertion of the following words in lieu thereof:

"That this Committee has not been able to discover any precedents or authorities to lead it to the conclusion that the letter written to Major Brown by the Hon. Mr. Fox is a breach of the privileges of Parliament."

The question being put, That the words proposed to be omitted stand part of the question, the Committee divided, the names being taken down as follows:—

*Ayes, 4.*

Major Brown,  
Mr. Carleton,  
Mr. Curtis,  
Mr. Jollie.

*Noes, 5.*

Hon. Mr. Fox,  
Major Heaphy, V.C.,  
Mr. Main,  
Mr. O'Rorke,  
Mr. Reynolds.

So it passed in the negative.

On the question, That the words proposed to be inserted be so inserted, Mr. Curtis moved, by way of amendment, That the following words be added:—

"That the Committee is nevertheless of opinion that the option given to Major Brown to resign his command or his seat in the House of Representatives, on the express ground that he had given a vote against the Government, amounts to intimidation, and is therefore inconsistent with the free action of the Representatives of the people, and a breach of the Privilege of the House."

And the question being put, the Committee divided, the names being taken down as follows:—

*Ayes, 4.*

Major Brown,  
Mr. Carleton,  
Mr. Curtis,  
Mr. Jollie.

*Noes, 5.*

Hon. Mr. Fox,  
Major Heaphy, V.C.,  
Mr. Main,  
Mr. O'Rorke,  
Mr. Reynolds.

So it passed in the negative.

Mr. Carleton then moved, as a further amendment, That the following words be added:—

"But that even were no precedent discovered, intimidation exercised towards a Member in regard to his speech is none the less a breach of the privilege of Parliament, and that there could be no precedent affecting the first exercise in any Parliament of intimidation."

And the question being put, the Committee divided, the names being taken down as follows:—

*Ayes, 4.*

Major Brown,  
Mr. Carleton,

*Noes, 5.*

Hon. Mr. Fox,  
Major Heaphy, V.C.,