

"If the Government are supported by a majority of the House, the Governor will be happy to accept their advice and appoint Mr. Wilson to the Legislative Council; but, pending the decision of the Assembly, the Governor must decline to make the appointment.

NORMANBY."

4. Under this view, your Committee have been unable to come to any other conclusion than the following:—

That the action of His Excellency the Governor in noticing a matter in agitation or debate in the House as the reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House.

5. Your Committee report herewith the minutes of their proceedings.

WILLIAM FITZHERBERT,  
Chairman.

5th November, 1877.

## MINUTES OF PROCEEDINGS.

FRIDAY, 2ND NOVEMBER, 1877.

The Committee met pursuant to notice at 3.30 o'clock.

PRESENT:

Hon. Mr. Speaker,	Mr. Rees,
Mr. Ballance,	Mr. Rolleston,
Hon. Mr. Gisborne,	Hon. Mr. Stafford,
Mr. Harper,	Mr. Stout,
Mr. Johnston,	Mr. Travers,
Mr. Montgomery,	Mr. Wakefield,
Mr. Moorhouse,	Mr. Reader Wood.
Mr. O'Rorke,	

The order of reference, dated 2nd November, was read.

*Resolved*, on motion of Mr. Stout, That Mr. Speaker do take the chair.

The Committee deliberated.

*Resolved*, on motion of Mr. Stout,—

That the Committee proceed to consider, whether any privilege of Parliament has been infringed by His Excellency the Governor in his Memorandum of the 27th of October, 1877, relative to the appointment of Mr. J. N. Wilson to the Legislative Council, in so far as His Excellency has taken notice of a matter in debate in Parliament, and allowed himself to be guided in his conduct as Governor by such a debate.

That the Committee do not consider it necessary to proceed to investigate the fitness or unfitness of Mr. Wilson, nor, as to any difference of opinion between His Excellency and his Ministers not affecting the privileges of the House.

Moved by Hon. Mr. Stafford, That His Excellency the Governor be requested to authorize to be furnished to this Committee the minute from his Ministers, recommending His Excellency to submit the correspondence between His Excellency and his Ministers relative to the appointment of Mr. Wilson to the Legislative Council, together with any minute of His Excellency thereon.

And the question being put, That this motion be agreed to, the Committee divided, and the names were taken down as follows:—

AYES, 8.	NOES, 6.
Hon. Mr. Gisborne.	Mr. Ballance.
Mr. Harper.	Mr. Montgomery.
Mr. Johnston.	Mr. O'Rorke.
Mr. Moorhouse.	Mr. Rees.
Mr. Rolleston.	Mr. Stout.
Hon. Mr. Stafford.	Mr. Wakefield.
Mr. Travers.	
Mr. Reader Wood.	

So it was resolved in the affirmative.

Moved by Mr. Reader Wood, That the papers referred to in Hon. Mr. Stafford's resolution be applied for through the Prime Minister, who should be requested to obtain the sanction of the Governor for their production.

Amendment proposed thereto.

To omit all words after the word "That" in order to insert the words "Mr. Speaker do apply to His Excellency the Governor for the papers mentioned in the resolution just passed by the Committee."  
—(*Mr. Montgomery.*)