

in the choice of its Ministers, by denouncing them without waiting to see their acts. In 1801, after the retirement of Mr. Pitt from office, and the appointment of Mr. Addington to the Premiership, an arrangement which was not satisfactory to Parliament, Mr. Pitt expressly claimed for the King, "the sole right of nominating his Ministers," and contended "that the House had no right to form any resolution till their conduct came to be judged of by the acts of their administration." He asserted, moreover, that the new Ministers were entitled, at the outset, to "a constitutional confidence"; in other words, "that unless some good reason were assigned to the contrary, the House was bound, by the best principles of policy, as well as by the true spirit of the Constitution, to wait to see the conduct of the Ministers of the Crown, before they should withhold their confidence." The House of Commons acquiesced in this reasoning, and refrained from any attempt at disturbing the new Ministry.—*Todd, vol. 1., p. 212.*

Ministers sustained very severe defeats in the new House; nevertheless, Sir R. Peel refused to resign, saying, "I hold there is nothing unconstitutional, in the post I fill, and in the fulfilment of my duty, to persevere in the discharge of those duties to which my Sovereign has called me, in defiance of the majority that is against me upon any abstract question, &c. I will perform my duty until the House shall, by its vote, refuse its sanction to some measure of importance which I think necessary to submit to its consideration."—*Todd, vol. 1., p. 214.*

No. 2.

MEMORANDUM from His EXCELLENCY the GOVERNOR to the Hon. Sir GEORGE GREY, K.C.B.

THE GOVERNOR has received the Memorandum from Sir George Grey, in which he tenders to him the advice of Ministers that he should dissolve the present Parliament, setting forth, at the same time, the grounds upon which that advice is tendered.

The Governor has carefully considered the advice, and the reasons given by the Government, and he is of opinion that the Government are hardly in a position at present to press for a Dissolution.

Sir George Grey informs the Governor that on the 8th of October, Major Atkinson's Government were defeated on a vote of want of confidence, by 42 against 38; that on the 13th of October, the present Government entered into office, and that on the 24th of October, Major Atkinson moved, "That this House has no confidence in the Government;" that on a division the numbers were 39 to 39, and that the motion was negatived by the casting vote of the Speaker.

The conclusion that the Governor would draw from this statement is, that while Major Atkinson's Government were undoubtedly defeated, the Government as at present constituted have never from the first commanded a majority of the House; because a vote of want of confidence which is only defeated by the casting vote of the Speaker can hardly be taken as an expression of confidence on the part of the House, as the vote of the Speaker is, according to Parliamentary rule, always given in such a manner as not to preclude the House from reconsidering the question.

The Governor would point out that the fact alluded to by Sir George Grey in his Memorandum that certain members have voted both against Major Atkinson's Government and also against the present Government, would simply show that while those gentlemen were dissatisfied with the late Government, they were equally dissatisfied with the one which succeeded it; but it is quite possible that had other combinations been formed, those gentlemen might have had confidence in the Government, and the subsequent events might have been very different, as it by no means follows that because a member expresses his want of confidence in one Government, that he is necessarily bound to give his confidence to the next.

The only desire of the Governor is to secure a Government, no matter how constituted, which can command the confidence of a majority of the representatives of the people of New Zealand.

The prerogative of the Crown to dissolve Parliament at any time, is undoubted, and it is a prerogative which requires to be exercised with great judgment, and it is an act in which the Crown is called upon to use, to some extent at any rate, its own discretion; and if such is the case with the Sovereign, who is not responsible to any one, more especially must it be so in the case of a Governor, who is directly responsible to the Crown for his exercise of the prerogative.

The Governor is of opinion that a Dissolution would be undesirable at the present time, for the following reasons, namely:—

1. Because he is of opinion that the difficulties which have occurred may yet be solved without a Dissolution.

2. The present Parliament is only in its second Session, and the Governor has been informed, both by Major Atkinson and Sir George Grey, that it is their intention, next year, to introduce a Bill for the redistribution of the representation of the country. Should such a Bill pass, it would almost necessarily entail a fresh Dissolution next year; and it is manifest that it would be most undesirable that the country should be put to the trouble and expense of two Dissolutions in so short a period, if it can possibly be avoided.

3. The present season of the year is the one at which it would be most inconvenient to the country that a Dissolution should take place, as the rural districts at any rate are fully occupied by harvest and shearing operations.

4. The Government have not informed the Governor that there is any great measure or principle in discussion in the House which could be submitted for the consideration of the constituencies; and certainly, as far as the Governor is aware, no such measure or principle is at present known to the public.

5. The Government inform the Governor that in their opinion a Dissolution would secure to them a large working majority, but they have produced no evidence in support of that opinion.

6. As far as the Governor is aware, no Supply has been granted. The Governor is perfectly alive to the fact that this is not a question which in England needs consideration, because in England,