

No. 5.

His Excellency the GOVERNOR to the PREMIER.

Memorandum for Ministers.

THE Governor has been advised to prorogue the meeting of the General Assembly from the 22nd December to the 13th February.

His Excellency has, without hesitation, assented to this advice; but at the same time he thinks it his duty to state some reasons which lead him to consider that the principles of Constitutional Government require the assembly of the new Parliament at the earliest possible moment consistent with public convenience.

It is the duty of the Governor to act upon the advice of Ministers possessing the confidence of Parliament; and, to enable him to do so, it is necessary that he should have reasonable ground to believe that such confidence exists.

On the election of a new Parliament, this can be shown only in one or other of two ways: either by public declarations of support given by a majority of the members returned to the House of Representatives; or by a vote of the House itself, after it has been called together.

In the present instance, declarations of support to the existing Administration have not been made by an absolute majority of the House of Representatives. That its confidence is possessed by Ministers cannot, therefore, be said to be proved until after the commencement of the next session of Parliament.

His Excellency consequently believes that—wholly apart from the consideration of any question of policy—constitutional principle requires that the meeting of the Legislature should not be delayed, as he understands is contemplated, for a period of six months from the date of the dissolution of the late Parliament.

Again: since the close of the last session, the Government has taken measures of great importance, involving the risk of open hostilities between different sections of Her Majesty's subjects in this colony; and it would appear to be only consistent with constitutional usage, and certainly in accordance with the principles of parliamentary government, that the judgment of the newly-elected Parliament upon these transactions should be pronounced as speedily as possible.

Thirdly: it appears to His Excellency not improbable that an Act of Indemnity may be required to sanction some of the steps taken by direction of Ministers in carrying out the measures above referred to. Should this be so, it is almost needless to observe that no time should be lost in seeking such indemnity, whether it be regarded simply as a matter of constitutional propriety, or in view of the possible institution of legal proceedings with regard to any act for which legislative indemnity may be required.

For these reasons, His Excellency conceives an early session of the Parliament lately elected to be desirable.

16th December, 1881.

A. H. G.

No. 6.

The PREMIER to His Excellency the GOVERNOR.

Memorandum for His Excellency.

THE Premier presents his respectful compliments to His Excellency the Governor; and forwards herewith a petition delivered to him by Sir George Grey, K.C.B., at an interview this day, in the Supreme Court Buildings, the request being made that the petition might be forwarded to His Excellency the Governor.

Auckland, 4th February, 1882.

JOHN HALL.

(Enclosure.)

To His Excellency the Governor of New Zealand.

WE, the undersigned members of the House of Representatives, beg most respectfully to submit, for your Excellency's consideration, the expediency of convening the new Parliament before the end of the financial year, which terminates on the 31st day of March next.

The reasons for making this application to your Excellency are, that the representatives of the people of New Zealand, elected as they have been for the first time on a widely-popular basis, should have the earliest possible opportunity of dealing with the finances of the colony, and giving statutory effect to the popular will in respect of many important questions which deeply affect the public interest.

We desire most earnestly to assure your Excellency that we do not make this application in the interest of any political party; and we therefore venture to hope that your Excellency may deem it advisable, for the reasons above stated, to summon the members of the new Parliament, for despatch of business, before the expiration of the present financial year.

G. GREY.
FREDERICK J. MOSS.
JOS. A. TOLE.

B. HARRIS.
A. J. CADMAN.
J. SHEEHAN.