

1882.
NEW ZEALAND.

DISSOLUTION AND MEETING OF PARLIAMENT

(PAPERS RESPECTING THE).

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

The PREMIER to His Excellency the GOVERNOR.

Memorandum for His Excellency.

THE Premier presents his respectful compliments to the Governor; and advises His Excellency to sign the Proclamation, forwarded herewith, dissolving Parliament.

Wellington, November 8th, 1881.

JOHN HALL.

No. 2.

His Excellency the GOVERNOR to the PREMIER.

THE Governor has received Mr. Hall's memorandum, recommending him to dissolve Parliament.

A dissolution at the present moment is not unattended with some objections. The Government has, since the prorogation, engaged in transactions which may lead to events rendering an early appeal to the Legislature indispensable. During the interval which elapses between the dissolution of one Parliament and the election of another, such an appeal is necessarily impossible.

On the other hand, the Governor cannot but take into account the fact, that less inconvenience will be caused to the public by a general election at the present season than at any other; nor does there appear any reason to anticipate any popular desire for a re-assembling of the present Parliament, or any serious apprehensions that circumstances will arise to call for such a step.

His Excellency, moreover, is bound to assume that his Advisers are sensible of the moral obligations which such a suspension of the functions of the Legislature imposes on the Executive Authority: and he consequently sees nothing to preclude him from assenting to the proposal of an immediate dissolution of the present Parliament.

Government House, Wellington, 8th November, 1881.

A. H. G.

No. 3.

The PREMIER to His Excellency the GOVERNOR.

Memorandum for His Excellency.

THE Premier presents his respectful compliments to the Governor; and advises His Excellency to sign the enclosed Proclamations:—1. Declaring that the issue of the writs has been directed; 2. Summoning the Parliament to meet on Thursday, the 22nd December next.

Wellington, November 8th, 1881.

JOHN HALL.

No. 4.

The PREMIER to His Excellency the GOVERNOR.

Wellington, 14th December, 1881.

His Excellency the Governor is respectfully advised to sign the attached Proclamation proroguing the General Assembly.

JOHN HALL.

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.

No. 7.

His Excellency the GOVERNOR to MINISTERS.

Memorandum for Ministers.

MR. HALL has forwarded to the Governor the enclosed petition, signed by Sir George Grey and five other members of the House of Representatives, praying that the General Assembly of New Zealand may be called together before the close of the present financial year.

His Excellency desires to receive the advice of Ministers as to the answer which should, in their opinion, be returned to this petition.

10th February, 1882.

A. H. G.

No. 8.

MINISTERS to His Excellency the GOVERNOR.

Memorandum for His Excellency.

MINISTERS present their respectful compliments to the Governor; and return herewith the memorial signed by six members of the House of Representatives, which was forwarded with His Excellency's memorandum of the 10th instant.

2. The prayer of the memorialists is, that His Excellency will be pleased to summon Parliament to meet before the 31st of March, for the despatch of business.

3. His Excellency has already, upon the advice of Ministers, prorogued Parliament to Tuesday, the 3rd of April; and, in the opinion of Ministers, nothing has since then occurred, nor is anything likely to occur, to make it desirable that Parliament should be summoned for an earlier date.

4. When the question of further prorogation has to be dealt with, it will be the duty of Ministers to consider the circumstances of the country; and, should there then appear to be reason for the meeting of Parliament prior to the time contemplated by the Public Revenues Act Amendment Act of last session, Ministers will have the honor of advising His Excellency accordingly.

5. Ministers now respectfully advise that His Excellency's reply to the memorialists be to the above effect.

Wellington, February 15th, 1882.

H. A. ATKINSON,
In the absence of the Premier.

No. 9.

The COLONIAL SECRETARY to Sir GEORGE GREY, &c.

GENTLEMEN,—

Government Offices, Wellington, February 17th, 1882.

I have the honor to inform you that your memorial to the Governor, which was forwarded through the Premier, asking that His Excellency would be pleased, for reasons therein stated, to summon the members of the new Parliament, for despatch of business, before the expiration of the present financial year, was referred by the Governor for consideration by Ministers; and that His Excellency has now directed that a reply be sent to you.

2. Parliament has already, upon the advice of Ministers, been prorogued to Tuesday, April 3rd. In the opinion of Ministers, nothing has since then occurred, nor is anything likely to occur, to make it desirable that Parliament should be summoned for an earlier date.

3. The question of further prorogation will soon have to be dealt with. It will then be the duty of Ministers to consider the circumstances of the country; and, should there appear to be reason for the meeting of Parliament prior to the time contemplated by the Public Revenues Act Amendment Act of last session, Ministers will have the honor of advising His Excellency accordingly.

I have, &c.,

Sir George Grey, K.C.B., M.H.R.,
F. J. Moss, Esq., M.H.R.,

THOMAS DICK.

And the other memorialists.

