

hesitated before accepting their advice to make these appointments. I thought it my duty to demand from them an assurance that the advice was tendered less with a view to reward party services, than for the purposes of strengthening the efficiency of the Upper House. That assurance has been given me, and I have therefore accepted their advice.

Petitions numerous signed have been presented to me requesting me to defer these appointments till after the meeting of Parliament. It is urged in them: 1. That the present Ministry are in a minority; 2. That Sir H. A. Atkinson has pledged himself not to advise fresh appointments till the numbers were reduced below one-half of those constituting the House of Representatives; 3. That the Legislative Councillors now exceed by three or four half the number of the House of Representatives.

I gave due consideration to these representations, and to the spirit in which I believe Her Majesty's Government regard the position of colonies possessing representative Government. I trust that I interpret those views aright in holding that, where there is nothing to the contrary in the Letters Patent of the 21st February, 1879, constituting my office, or in the Royal Instructions accompanying them, the constitutional practice observed in England should form the main lines for guidance under similar circumstances. I therefore dismissed the first reason without waiting to inquire as to its accuracy.

Upon the second argument, I received the memorandum which I enclose, from Sir H. A. Atkinson, and which appeared to me to be satisfactory; and as to the third, I would point out to your Lordship that though true of the nominal it is not true of the effective strength of the Legislative Council; that the House of Representatives has but just been reduced from ninety-five to seventy-four members, while it has not been found possible to effect any reform of the Upper House.

Had it been proposed to me to make fresh creations to the extent of say one-third of the existing House, I should have had grave hesitation in accepting advice which might be treated as a precedent for swamping the votes of the existing majority in order to carry party legislation.

It has, however, long been the practice in England for Ministers, even after a vote of censure has been passed on them in Parliament, to advise the Crown to create a limited number of peerages, not only for the purpose of strengthening the Upper House but admittedly as rewards to those who, being qualified for the position of Peers, have rendered political services to the defeated party.

It is the fact that in 1877, when a vote of want of confidence was pending, Lord Normanby declined to accept advice as to an appointment until the result of the vote was known, but, on the vote being rejected, acted on the nomination of Sir George Grey, the Premier. On the other hand, in 1869, a vote of want of confidence was moved on the 15th June, in Sir Edward Stafford's Ministry, and carried on the 24th June; but on the 17th, the Governor, while the debate was pending, accepted his Ministers' advice to raise Messrs. Paterson and Pharazyn to the Council, and on the 25th also accepted their advice to call Mr. Levin to that body.

Although Lord Carnarvon in his Despatch No. 7, of the 15th January, 1878, approves generally of Lord Normanby's conduct in the first-mentioned case, I trust your Lordship will approve of the action which under somewhat different circumstances I have thought it my duty to take.

The Right Hon. Lord Knutsford, &c.

I have, &c.,
ONSLOW.

Enclosure 1.

MEMORANDUM for the Hon. the PREMIER.

17th January, 1891.

THE Governor has received the accompanying petition respecting any further appointments to the Legislative Council. Should the Premier contemplate offering any advice to the Governor, such as the petitioners deprecate, the Governor requests that the Premier will give him some information respecting the second of the petitioners' allegations.

I have, &c.,
ONSLOW.