

No. 4.

Memorandum.—

The Governor has received the Ministerial Memorandum regarding the appropriation of a part of a sum of £50,000 to be expended if necessary for the purpose of effecting a change in the Seat of Government.

The Governor regrets that he should differ in opinion with his responsible advisers on this subject. Although Ministers may have made the change of the Seat of Government an open question in the House, the Governor thinks that what is now to be dealt with is an actual decision of the House to which it is his duty, and that of the Government, to see that effect is given in the usual way, and through the ordinary channels.

He must, therefore, decline to take what he believes would be the unconstitutional step of spending upon his own responsibility, a large sum of public money. He would have no means of explaining to the Legislature in detail the reasons which made him expend each item of such sum, and no legitimate channel for defending, in the Assembly, the course he pursued in reference to this expenditure if it was impugned.

The words of the Resolution of the House of Representatives on this subject are, "and praying that His Excellency will be pleased to cause a sum not exceeding £50,000 to be expended for the purpose of carrying out the wish of this House." The Governor does not understand the meaning of these words to be that he was expected to spend the money himself. He thinks, on the contrary, it should be expended under the usual constitutional checks and control.

The Governor trusts that a consideration of these circumstances will induce his responsible advisers to change their views on this matter, and to give him the advice for which he has asked, or at least to appoint some person possessing their confidence to give him advice upon subjects regarding which he is quite ignorant.

G. GREY.

Government House,
Auckland, 5th February, 1864.

No. 5.

Ministers have given His Excellency's minute their most serious consideration, and are decidedly of opinion that it was the intention or expectation of the House of Representatives that His Excellency should make all arrangements connected with the removal of the Seat of Government at his own discretion, and without the advice of Ministers.

In deference, however, to His Excellency's opinion and express desire, Ministers will accept of the responsibility of advising His Excellency on the point on which he now requests their advice, trusting to their being able to satisfy the House of Representatives of the propriety of their doing so under the circumstances.

They beg to advise His Excellency that the amount of remuneration offered by him for each Commissioner should be Five Guineas a day; that all travelling expenses to and from New Zealand and Hotel and other expenses while in the Colony should be paid by the Government; and that a Steamer should be placed at their disposal for such time as they may require it for the purpose of visiting the different places in Cook's Straits which they may wish to inspect.

WM. FOX.

5th February, 1864.

No. 6.

Government House,
Auckland, 5th February, 1864.

SIR,—

I have the honor to enclose herewith copies of addresses passed by the General Assembly of this Colony at its recent Session, from which it appears that majorities of both Houses of the Legislature are of opinion that the time has arrived when it has become an imperative necessity for the good government of the whole Colony, and for the maintenance of its unity, that the permanent position of the seat of Government should be placed in a more central position,—that is to say, somewhere upon the shores of Cook's Straits.

The Legislature desires that the actual site of the Capital should be submitted to some independent tribunal to be formed by Commissioners having no interest in, or relations with any part of this Colony, and whose high, social, and intellectual standing should guarantee a full enquiry into, and an important decision on the subject. Such commissioners to be appointed by the Governors of New South Wales, Victoria, and Tasmania, and I am requested to move the Governors of these Colonies to lend their aid in the selection of such Commissioners.

In compliance therefore with the wishes expressed in the enclosed addresses:—I have the honor to request that Your Excellency would be good enough to render your assistance to this Colony in this matter by appointing some Gentleman of character, and for the purposes above indicated.