

fourth stated in the House, that he had received from his constituents earnest requests that he would vote with the Government. There is, therefore, every reason for supposing that the great mass of the Native population support the present Government.

8. The state of the finances of the country renders necessary a complete review of our financial position; and the people will have to consider whether they prefer to submit to considerable sacrifices, or to have new burdens placed upon them. Questions affecting the representation of the people, as well as other questions of great importance, must also be dealt with. An appeal to the constituencies appears, therefore, constitutional, as well as just and necessary.

9. Ministers take the liberty of enclosing, for His Excellency's perusal, precedents and opinions which support them in the recommendation they now make.

Wellington, November 14th 1877.

G. GREY.

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[Enclosures.]

PRECEDENTS, ETC.

In 1859, Lord Derby advised an appeal on personal grounds, characterizing the intended Dissolution as an "appeal to the country on our personal position." Lord Palmerston [leader of the Opposition] admitted that "the Government may say that the question put to the country is, whether it has entire confidence in them, or whether it prefers any other combination of men."—*Todd*, "*Parliamentary Government in England*," vol. 1, p. 156.

When the Crown, upon the advice of Ministers, decides to exercise the prerogative of Dissolution, the House of Commons cannot refuse supplies without incurring the reproach of faction.—*Todd*, vol. 2, p. 406.

The rule now well established is, that the Royal prerogative of dissolving Parliament is to be exercised in conformity with the advice of the Ministers of the Crown.—*Cox*, "*Institutions of the English Government*," p. 58.

The precedent of 1784, therefore, establishes this rule of conduct—that if the Ministers chosen by the Crown do not possess the confidence of the House of Commons, they may advise an appeal to the people, with whom rests the ultimate decision. This course has been followed in 1807, in 1831, in 1834, and in 1841.—*Lord John Russell*: Quoted by *Cox*, "*Institutions*," &c., p. 59.

The Queen can hardly now refuse a defeated Minister the chance of a Dissolution, any more than she can dissolve in the time of an undefeated one, and without his consent.—*Bagehot*, "*English Constitution*," p. 287.

Of late years, the most frequent cause of Dissolution has been the peculiar condition of the House of Commons, &c., &c.—*Hearn*, p. 158.

Practically, it had been held to be a constitutional right of a Ministry, upon taking office, to advise the Crown to dissolve a Parliament elected under the influence of its political opponents.—*Mr. Disraeli*.

The right of a Ministry to demand a Dissolution, is held with us to depend rather upon the circumstances under which the Parliament was elected, and the length of time it has lasted. If a Ministry, for instance, is defeated in a Parliament elected during its tenure of office, it is rarely justified in asking for a Dissolution; but if the Parliament was elected under its opponents, a Ministry is generally understood to have a claim to appeal to the country. The Royal authority is exercised rather to ensure general fair-play between parties, than to estimate the importance of the questions at issue.—*The Times*, March 23, 1877 (with respect to Sir William Stawell's refusal of a Dissolution to the Berry Ministry).

The general result of the controversy has been, there is a strong feeling against conditional Dissolutions. So strong is this feeling now in Parliament, that it would seem that a conditional promise of Dissolution, so far from assisting Supply, is the surest method of intercepting it.—*Sydney Morning Herald*, September, 1877.

I am accordingly now prepared to act upon the advice tendered by you in that minute, namely, to dissolve the present Parliament forthwith, whether Supply be granted or not.—*Minute by the Governor of New South Wales*, September 27, 1877.

When Mr. Pitt was appointed Prime Minister by George III. in 1783, in the face of a hostile majority in the House of Commons, he braved the fierce opposition with which he was encountered, and disregarded the factious obstructions of his foes, until he was in a position to dissolve Parliament and appeal to the people. Adverting, nearly twenty years afterwards, to the conduct of the House of Commons upon this occasion, Mr. Pitt declared that amidst all the violence which characterized the proceedings of the House at the time, the "general principle" of the sole right of the King to nominate his Ministers, had never been attempted to be denied in the abstract. The hostility of the House to Mr. Pitt arose, according to Sir Robert Peel, from a suspicion that he owed his appointment to unconstitutional motives: that is to say, to the exercise of secret influence, by means of which it was notorious that the previous Administration had been overthrown. But Mr. Pitt took his stand upon the principle that it was irregular for the House to endeavour to control the prerogative of the Crown