

1. That they have been unable to find any modern precedents exactly to the point, and they accept the dictum of Professor Stubbs in his "Constitutional History," Vol. III., p. 489, that on the subject of the privilege of debate, "invaluable as the privilege is, it is not susceptible of much historical illustration."

2. That your Committee attribute the non-interference, since the Revolution, of the Crown in England with the debates in Parliament to the clause in the Bill of Rights: "That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any Court or place out of Parliament."

3. That this Committee can come to no other conclusion but that it was a breach of the privileges of the House for a Minister to present, by command of the Governor, a document commenting on a speech made in the House.

4. That it is clear to your Committee that no responsibility attaches to the Governor in the matter, but that the responsibility rests solely with his Responsible Adviser.

5. That the Committee are quite satisfied, from the statement made before them by the Minister who presented the document to the House, "by command," that he was not aware that in presenting the document to the House "by command" he was violating any of its privileges; and the Committee feel sure that he had no intention of in any degree infringing the privileges of the House.

6. That the Committee recommends that the House should proceed no further in the matter beyond recording in the Journals that the presentation to the House, "by command," of Judge Macdonald's letter to the Native Minister on the 4th July last be not drawn into a precedent.

On the question being put, That this report be agreed to, a division was called for, and the names were taken down as follow:—

*Ayes*, 3.—Hon. Mr. Ballance, Mr. W. D. Stewart, Mr. Walker.

*Noes*, 4.—Hon. Sir J. Hall, Hon. Mr. Hislop, Mr. Samuel, Mr. Seymour.

The motion was therefore negatived.

Moved by Mr. Samuel, That the following six paragraphs of the draft report prepared by himself be adopted:—

The Select Committee appointed to search for precedents and report to the House in connection with the question of privilege raised by Mr. Walker have the honour to report as follows:—

1. That, in a debate in the House on the question of adjournment of the House, Mr. Hamlin made certain allegations affecting the character of the Chief Judge of the Native Land Court, and his fitness for the official position occupied by him.

2. That the Native Minister caused the attention of the Chief Judge to be drawn to the allegations of Mr. Hamlin, as reported in *Hansard*, and requested that an explanation in reference thereto should be made to him.

3. That the Chief Judge of the Native Land Court accordingly forwarded to the Native Minister a letter quoting from the speech of Mr. Hamlin, as reported in *Hansard*, and making observations on the allegations of fact therein.

4. That the Native Minister, on receiving such letter, forwarded it to His Excellency the Governor with a recommendation that it should be presented to the House, and such recommendation was approved by His Excellency.

5. That the Native Minister stated in the House that he had the honour to present, "by command of His Excellency," a letter from the Chief Judge of the Native Land Court in reference to certain allegations in a speech reported in *Hansard* on the 15th June, 1888, and moved that the same do lie on the table of the House, and be printed.

6. That the question was put from the chair, and it was ordered, without discussion, that the paper presented by the Native Minister be laid on the table and be printed.

The motion was agreed to without division.

Moved by Mr. Samuel, That the following be clause 7 of the report:—

7. That the letter referred to is that now printed and circulated as G.-4A; that it is couched in respectful terms, and is confined to allegations of fact in contradiction of those contained in Mr. Hamlin's speech, as reported in *Hansard*.

On the question being put, a division was called for, and the names were taken down as follow:—

*Ayes*, 4.—Hon. Sir J. Hall, Hon. Mr. Hislop, Mr. Samuel, Mr. Seymour.

*Noes*, 3.—Hon. Mr. Ballance, Mr. Stewart, Mr. Walker.

The motion was therefore carried.

Moved by Mr. Samuel, That the following be clause 8 of the report:—

8. That your Committee have diligently searched for precedents, but can find none of recent date, or applicable to the circumstances of the New Zealand Legislature, which in any degree assist them in coming to a decision upon the question submitted to them.

On the question being put, a division was called for, and the names were taken down as follow:—

*Ayes*, 4.—Hon. Sir J. Hall, Hon. Mr. Hislop, Mr. Samuel, Mr. Seymour.

*Noes*, 3.—Hon. Mr. Ballance, Mr. W. D. Stewart, Mr. Walker.

The motion was therefore carried.

Moved by Mr. Samuel, That the following be clauses 9, 10, and 11 of the report:—

9. That the establishment of Ministerial responsibility as it now exists in this colony, and the presence in both Houses of Ministers of the Crown, seem to your Committee to have brought the Executive Government and the Legislature into such uninterrupted intercourse and combined action as to render precedents laid down under other circumstances more or less inapplicable; it seems also to your Committee doubtful whether the ancient order of Parliament, that the Crown should not be acquainted with anything that is in debate in either House "till the House has taken some course in it," and the analagous rule that no member of either House should allude to debates in the