

RESPONSIBLE GOVERNMENT :

WHAT IS IT?

By CONSTITUTIONALIST.

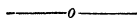
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PREFACE.



THE following letters do not pretend to the merit of a complete or an effective treatment of the subject which has called them forth. Several points in the larger question—What is the thing which the term Responsible Government designates in this colony?—presented themselves, with more or less force, to the writer's mind; and his individual views on these special points, fortified by authorities which he apprehends will not be impugned or doubted, have found expression in his letters. The soundness of the views expressed will, of course, be submitted to the test of reason by impartial enquirers; and in their publication no desire is felt to promote the interest of any particular party, but only to assist in mitigating the abuses of Government, whoever may be in power.

It cannot be a question of light interest to any of us,—How the country is to be governed? It concerns every person in every relation of life. No man is above or below the consequences.

The present writer holds the opinion that our system of Government may be made a blessing or a curse, according to the degree of sensibility to the principle of responsibility entertained by those whose chief business is to govern and the degree of subserviency to the views of the Executive entertained by those whose chief business is to represent the country. If Ministers are sufficiently lax in their notions of their obligations to the Constitution, and the Representatives of the People are sufficiently lax in their notions of the trust reposed in them, there will be little check upon the abuses of power, and it will be difficult to fix a limit to the tricks, devices, evasions, manœuvres, and manipulations, and the invisible arts of corruption in the practice of these, by which a worthless Administration may be supported. In all times men have made good and efficient government, and systems have failed to convert unstable, unprincipled and scheming men into good and efficient governors. The vitality that was infused into Parliamentary

Government, in one age by Chatham and in another by Canning, though the rule of each was brief, and the paralysis it sustained at the hands of the Cabal and the Coalition, may be pointed to as illustrations of this historical fact.

Not the least part of the evil that results from any violation of the true principles of Parliamentary Government is the infectious influence which it communicates to the electoral bodies. Where the carrion is the crows and kites will congregate. Be the waters pure and life-giving or noxious and charged with the seeds of pestilence, the stream flows from its source ever downwards. No greater affliction could befall the country than the vitiation of the political sentiments of the people.

Sydney, April 30, 1872.



subject only to the approval of Parliament—[Massey's Hist. of Eng., vol. 3, p. 213.]

So far back as 1812, while the contention for power between the Crown and the Ministers was still going on under the Regency, Mr. Canning, in the House of Commons, delivered himself thus :—

“The Right Hon. gentleman, and those on his side of the House, seemed to consider that the great families and connections of this country had a kind of right to interfere in the nomination of Ministers. He himself, who was so very humble an individual, who could not boast of any of those high connections, and who, perhaps, though unknown to himself was, influenced by those circumstances of his humble rank, did not certainly believe in the existence of any such right or pretension in the aristocracy. He thought that in the very best spirit of the Constitution, the Crown had *exclusively* the appointment of Ministers, *subject, of course, to the control or advice of a free Parliament.*”—[Parliamentary Debates, v. 23, p. 455.]

Fifteen years afterwards Mr. Canning asserted this principle in his personal conduct by declining to be a party to carrying out the wish of the King, that he and his colleagues should nominate a Peer to the office of Premier in the place of Lord Liverpool. The negotiations resulted in Mr. Canning being authorised by George the Fourth to reconstruct the Ministry; and though Mr. Peel (afterwards Sir Robert), the Duke of Wellington, Lord Eldon, Lord Bathurst, Lord Westmoreland, Lord Bexley, and others refused to serve under him, and though a protest against his assumption of the Premiership, signed by eight Dukes, was presented to the King, threatening their organised opposition, Mr. Canning succeeded in forming the first liberal Ministry of this century, bringing into the Cabinet Lord Lyndhurst, Lord Palmerston, and Mr. Huskisson. So far from any person advising the King to “send for” Mr. Canning, Mr. Canning was “sent for” in spite of the influence of all the great ruling families.

When, in the early part of 1846, dissensions arose in the Peel Administration on the policy of repealing the Corn Laws, and Lord Stanley determined to retire, Sir Robert Peel tendered his resignation to the Queen, and he explained his conduct in these words to the House of Commons :—

“While I retained the hope of acting with a united Administration, while I thought there was a prospect of bringing this question to a settlement, I determined to retain office and incur its responsibilities. When I was compelled to abandon that hope (my sense of the coming evil remaining the same), I took the earliest opportunity, consistent with a sense of duty and of public honour, of tendering my resignation to the Queen, and leaving her Majesty the *full opportunity* of consulting other advisers. *I offered no opinion as to the choice of a successor. That is almost the only act which is the personal act of the Sovereign; it is for the Sovereign to determine in whom her confidence shall be placed.*”—[Hans. Debates, v. lxxxiii., p. 1004.]

In 1852 the first Derby Ministry was defeated on their financial policy, and Lord Derby announced their resignation in the following terms in the House of Lords :—

“Having had a distinct declaration of want of confidence on the part of the House of Commons, and having ascertained that my colleagues unanimously concurred with me as to the only course we ought to pursue, I proceeded to wait upon her Majesty, and to tender to her, in my own name and that of my

colleagues, the humble resignation of our offices. Her Majesty was pleased to accept our resignation ; and signified her pleasure, which was acted upon in the same day, to send for and take the advice of two noblemen, members of your Lordships' House, both of them of great experience and considerable ability—of long practice in public life.”—[Hans. Debates, v. cxxiii., p. 1701.]

The two noblemen alluded to by Lord Derby were the Marquis of Lansdowne and the Earl of Aberdeen ; but it is clear that the Queen did not ask the retiring Minister for any advice on the expediency or propriety of seeking the counsel of those statesmen. She simply informed him, not as a defeated Minister, but as a Peer of the realm and a Privy Councillor of great weight and consideration, of the course she intended to take. It is only in one or other of these latter capacities that English statesmen are ever asked for advice on the selection of the First Minister, because both Peers and members of the Privy Council are responsible to Parliament for the advice they give, whether in office or not. Persons enjoying either rank, and of high standing from personal services and experience in public affairs, have occasionally been asked for such advice, when they neither belonged to the retiring, nor were expected to belong to the incoming, Ministry. This was the case with the Duke of Wellington and the Marquis of Lansdowne in their later years. When Mr. Disraeli resigned in December, 1868, the *Times*, on the following morning, stated that there could be no doubt but that the Queen would seek the advice of Earl Russell in the first instance, on account of his long connection with the Liberal Party, and his great experience, though it was equally certain that Mr. Gladstone would be entrusted with the formation of the new Government, as the general election had clearly pointed out the latter statesman as the future Premier. [*Times*, December 3, 1868.] But her Majesty sent direct for Mr. Gladstone, who, at the time, was at Hawarden Castle, more than 200 miles from London ; and, though the Cabinet Council, at which Mr. Disraeli and his colleagues determined to resign, was held late in the day on December 2, Mr. Gladstone had an audience of the Queen, at Windsor, at 4 p.m. on the following day. Another of the great daily journals spoke of the Queen's relation to the Ministerial crisis in the following words :

“The English system of government does not, as is sometimes fancied, go of itself. It is not an automatic contrivance, nor an engine which a child may feed or tend. To discern the real meaning of popular or Parliamentary contests ; to act as the interpreter of the national mind ; to select its truest representative ; and to give effect to its will, are offices involving grave responsibility. and calling for more than ordinary intelligence and judgment. To do these things is part of the business of an English monarch. Constitutional Kings and Queens cannot but have, like humbler people, their own political opinions and personal preferences. *The high impartiality and the controlling sense of public duty which, amid the changes of party government, have for a generation kept the private feelings of the Sovereign in abeyance, deserve record and honour.*”—[*Daily News*, December 5, 1868.]

We know from an unimpeachable source the patriotic view which the reigning Sovereign has always taken of her duty on the occasion of a change of Ministry. The wise and lamented Prince, who was her dearest adviser in life, has told us how scrupulously

Queen Victoria guards herself from any personal feeling or any consideration in conflict with the feeling of her Parliament and her people, in selecting her First Minister. Speaking in the House of Lords, on the death of the Prince Consort, Earl Russell said :—

“I happen to know from the late Prince himself the view he took of the duty of the Sovereign in such a case. He stated to me, not many months ago, that it was a common opinion that there was only one occasion on which the Sovereign of this country could exercise a decided power, and that was in the choice of the First Minister of the Crown. The Prince went on to say, that in his opinion that was not an occasion on which the Sovereign *could exercise a control or pronounce a decision*; that when a Minister had retired, from being unable to carry on the Government, there was at all times some other party which was prepared to assume the responsibilities of office, *and was most likely to obtain the confidence of the country*. But, he said, a transfer having been made, whether the Minister was of one party or the other, he thought that the Sovereign ought to communicate with him in the most confidential and unreserved manner with respect to the various measures to be brought forward, the fortunes of the country and the events that might happen—that whether he belonged to one party or another, the utmost confidence should prevail between the Sovereign and the Minister who came forward in Parliament as the ostensible possessor of power.”—[Hans. Debates v. clxy, p. 44.]

Earl Russell went on to give the weight of his own opinion on the beneficial effect of this unbiassed and scrupulous conduct on the part of her Majesty in the working of Constitutional government. He continued :—

“I do, my Lords, attribute in great measure to that opinion which the Sovereign held in common with the Prince, the fact that there has been no feeling of bitterness among any party in this country arising from exclusion, and that all parties during these twenty years, have united in rendering that homage to the Sovereign which the conduct of her Majesty has so well deserved, and the country still reaps the benefit of the good counsel which the Prince Consort gave to the Crown.”—[Hans. Debates v. clxv, p. 44.]

It appears, then, that it is not only the exclusive right, but the duty of the Crown, in view of the public interest, to exercise an independent judgment in selecting the First Minister, and that her present Majesty has uniformly disregarded her own feelings and preferences in the performance of this duty. It is equally clear that it is not the practice for retiring Ministers, as such, to offer or to be requested to give advice on such a grave and delicate subject, and that any such practice would be in conflict with the theory of Ministerial responsibility. This part of the case is very lucidly stated by Mr. Todd :—

“A retiring Minister may, if requested by the Sovereign, suggest that any particular statesman should be empowered to form a new Administration, but such advice should not be obtruded on the Sovereign unasked. *Being debarred by his own resignation, or dismissal from office, from the constitutional right to tender advice to the Crown, he can only do so, if required, in the quality of a Peer or a Privy Councillor ; being still responsible in that capacity for any advice he may give to the Sovereign.*”—[Todd's Parliamentary Government, v. 1, p. 222.]

I have stated the case as I find it elucidated by the most trustworthy records and authorities, and I do not believe a single authenticated instance from modern practice in England can be adduced in opposition to the view I have explained. The Governor, as the representative of the Crown, has few duties to

perform which devolve exclusively on his function as Governor, and of these few duties the most important are to decide independently when advice is tendered to dissolve Parliament, and to decide independently on committing the executive power to new hands. In calling a Member of Parliament to the service of the Crown, he is not—to use the words of the Prince Consort, as quoted by Earl Russell—“to exercise a control or pronounce a decision” in determining the special character of the change, but he is, like her Majesty, to select the person who, in his judgment, taking into consideration political experience, party relations, capacity for public business, and representative character, is “most likely to obtain the confidence of the country.”

Sydney, April 18.

LETTER II.

THE PREROGATIVE OF DISSOLUTION.

It is said that Lord Belmore's reasons for the late dissolution will, when they become known, be satisfactory to the public mind. What species of argument can have been employed to justify that transaction to the Secretary of State seems at present beyond conjecture. In view of the whole range of the Governor's intercourse with the Minister, from the date of the acceptance of office until the date of the advice to dissolve, the Dissolution appears without precedent or justification. On the supposition of a case so improbable as that the Governor had allowed himself to be drawn into a position which did not leave him entirely free to exercise his judgment on the state of circumstances which arose, it may be that the acting on the Minister's advice could be justified under the qualification of the embarrassments imposed upon him. But the exigencies of any such case in no way remove, but rather aggravate, the questionable character of the transaction. The Governor ought to be entirely free and unfettered, “to discern the real meaning of popular or Parliamentary contests,” on all such occasions, and to act on a true interpretation of them. When the late Earl Gray advised the memorable dissolution on the Réform Bill of 1831, he declared that *nothing but success* would justify the advice he had given, and the same doctrine was held in the House of Lords on a recent occasion. If dissolving the Parliament of the country was a game of haphazard, any person who happened to be Minister could, of course, advise it without blame, and any person who happened to be Governor could assent to the advice without regard to the public interests. But it is the exercise of an extreme power under the Constitution, to be resorted to only in extreme cases, and when there is a rational belief that the views of the Legislature are not in accord with the views of the country. Hence the obligation upon those concerned, both the giver and the

receiver of the advice, "to discern the real meaning" of the conflict out of which the advice arises.

All the features of the late Dissolution are open to criticism and, I think, severe censure. The comparative newness of the late House, the embarrassed state of public business caused by Ministers themselves in not convening Parliament at an earlier date,* the general manifestation of an adverse public opinion, the large majorities in the Assembly by which the Administration was defeated,† the Supply not granted for the current year,—all these grave circumstances were against the Dissolution. Not only the considerations arising out of this state of things, but the very important circumstance that the Governor was about to vacate his Government, and the knowledge of the fact that his successor could not arrive in the colony for many months, was an additional reason of great weight why the House ought not to have been dissolved.

It is a most unusual thing for the Governor of a colony to dissolve Parliament on the eve of giving up his Government; and it seems to me extremely doubtful whether such an exercise of power can be justified by any reasoning from precedent or analogy in the Government of England. The examples of the English system do not, and cannot, apply in all cases to the systems of Parliamentary Government established in the colonies. The conditions of political existence are in many respects essentially different. Thus, there exists no true type of Sovereignty in relation to our Parliament, the Crown being practically held in abeyance in all intercourse with this branch of the Government, and its place supplied by an Imperial officer for a fixed term of years. But the forms of intercourse between the Sovereign and the British Parliament are preserved and adapted to our condition as much as possible. It will, therefore, be admitted, I presume, that where the conditions are not the same, the spirit of the Constitution ought to exact conformity of action in the closest approach to Imperial practice which our different circumstances will permit. It is not possible to conceive of the Crown dissolving the Imperial Parliament on the eve of abdication or of death. On the contrary, every precaution has been taken to render it impossible for such event to occur at a time when the nation is without a Parliament. Although by common law the Parliament expires with the King, a statute was passed in the reign of Anne which continues it in existence six months after the death of the Sovereign, and requires it immediately to assemble, although it may stand adjourned or prorogued at the time. In the event of a dissolution having been granted previous to the demise of the Crown, the Act 6 Anne, c. 7, revives the defunct Parliament for a like period. Admitting the difference between a change of Governors and a change of Sovereigns, it is a difference inevitable from the nature of things, and not one designed as an

* The public press, with few exceptions, expressed an opinion unfavourable to the Administration, and public meetings had been held in nearly every district in condemnation of the Ministerial Land Bill.

† The majorities were 27 to 23, and 38 to 19.

improvement upon the Constitution which is our model, nor one that can be held to justify a flagrant disregard of constitutional rule and expediency. If it is considered neither expedient nor safe for the nation to be without a Parliament on the accession of a new Sovereign, it cannot be desirable, to say the least, that this colony should be without a Parliament when it receives a new Governor.

But the dissolution was altogether unjustified by English precedent or usage. In 1831 Parliament was dissolved on the advice of Earl Grey, who said that "he should not have been justified in recommending it if he had not felt assured that the course he proposed to pursue would be ratified by the decision of the nation." The result proved that Earl Grey had "discerned the real meaning" of the contest. After the passing of the Reform Act, the Parliament elected under the old state of the law was dissolved, December 3, 1832, to make way for the election of the reformed House of Commons. Sir Robert Peel, in 1834, being called upon to form an Administration as the successor to Earl Grey and Lord Melbourne, advised a dissolution on the broad intelligible ground that he proposed an entirely new policy. The next dissolution was on the accession of her present Majesty, in 1837, and had no political significance. In 1841, Lord Melbourne, being defeated on a motion of want of confidence, by Sir Robert Peel, by a majority of *one* (312 to 311) in a full House, advised her Majesty to dissolve, which advice was accepted. The appeal to the country was made on the policy of lightening the burdens on trade and commerce. Sir Robert Peel's second Administration remained in office till 1846, when, after carrying the repeal of Corn Laws, he was defeated by a combination of Whigs, Radicals, and Protectionists. That great Minister was then at the height of his popularity, and the Parliament was five years old; he did not, however, advise a dissolution, but retired from office. In 1847 Parliament, under the first Administration of Lord John Russell, was dissolved by effluxion of time. In 1852, Lord Derby, coming into power, announced the policy of returning to modified protective duties, and on that policy he obtained a dissolution. In 1857 Mr. Cobden moved a vote of censure on the Chinese War under Lord Palmerston's first Administration, which was carried by a majority of 16. On the advice of Lord Palmerston Parliament was thereupon dissolved. So well had the veteran Premier "discerned the real meaning" of the contest, that he came back to the House of Commons with a clear majority of 85, while Mr. Cobden himself lost his seat. The second Derby Administration was, in 1859, defeated on their Reform Bill, and obtained a dissolution. Under Lord Palmerston's second Administration, Parliament was dissolved, in 1865, without political significance, having lasted more than six years. Lord Palmerston died before the assembling of the new Parliament, and Earl Russell became Premier, Mr. Gladstone assuming the lead of the House of Commons. This Administration was defeated on the 18th June, 1866, by Lord Dunkellin's amendment on their Reform Bill, and they resigned office, though it was generally understood that the Queen would have granted them a dissolution. The last dissolution

was in 1868, when Mr. Disraeli appealed to the new constituencies under his own Reform Act, on Mr. Gladstone's proposal to disestablish the Irish Church. On finding the electoral returns against them, Mr. Disraeli and his colleagues resigned before all the elections were concluded—namely, on the 2nd December, the writs being returnable on the 10th. The following is a copy of the Prime Minister's circular to his supporters :

"If Parliament were sitting I should not have adopted this course ; but as the public acts of a Ministry should not be misunderstood, and as there are no other means of explaining their motives, I have taken the liberty of thus addressing the Conservative members in both Houses of Parliament.

"When Her Majesty's Government, in the spring of this year, were placed in a minority in the House of Commons on the question of Disestablishing the Church in Ireland, they had to consider that the policy proposed had never been submitted to the country, and they believed that the country would not sanction it.

"They therefore felt it their duty to advise Her Majesty to dissolve Parliament ; but to make an appeal to the obsolete Constituency would have been an absurdity, and the candid opinion of the country coincided with that of Parliament, that no course could be satisfactory unless the voices of the enlarged electoral body were ascertained. All means were, therefore, taken by the Ministry to expedite that appeal, and a special statute was passed for the purpose.

"Although the General Election has elicited, in the decision of numerous and vast constituencies, an expression of feeling which, in a remarkable degree, has justified their anticipations, and which, in dealing with the question in controversy, no wise statesman would disregard, it is now clear that the present Administration cannot expect to command the confidence of the newly elected House of Commons.

"Under these circumstances, Her Majesty's Ministers have felt it due to their own honour, and to the policy they support, not to retain office unnecessarily for a single day. They hold it to be more consistent with the attitude they have assumed, and with the convenience of public business at this season, as well as more conducive to the just influence of the Conservative party, at once to tender the resignation of their offices to her Majesty, rather than to wait for the assembling of a Parliament in which, in the present aspect of affairs, they are sensible that they must be in a minority.

"In thus acting, Her Majesty's Government have seen no cause to modify those opinions upon which they deemed it their duty to found their counsel to the Sovereign on the question of the Disestablishment and Disendowment of the Church. They remain convinced that the proposition of Mr. Gladstone is wrong in principle, probably impracticable in conduct, and, if practicable, would be disastrous in its effects.

"While ready at all times to give a fair consideration and willing aid to any plan for the improvement of the Church in Ireland, to the policy which they opposed last Session, rife, as they believe it to be, with many calamities to society and the State, they will continue in whatever position they occupy, to offer an uncompromising resistance.

"B. DISRAELI.

"Downing-street, December 2, 1868."

Here are all the dissolutions of the Reformed Parliament from 1831 to 1868, and where will anything be found giving a colour of sanction to the dissolution of the Assembly in February last ? Parliamentary Reform, the Financial Policy of the Country, the justice of a Foreign War, the Disestablishment of the Church, were the broad questions submitted to the electors. But what is more deserving of notice is the hesitation and forbearance with which English statesmen, especially those at the head of the Liberal party, approach the prerogative of dissolution. With the single exception

of the appeal made by Lord Melbourne, their advice has always been justified by the result. They have on all occasions "discerned the real meaning" of the contest, and been successful.

Nothing can be more unwarranted by reason and precedent than the notion, loosely entertained by some few politicians, that a Ministry is entitled to a dissolution when they encounter defeat in Parliament because the House was elected under the Administration of their predecessors. That would be reducing a principle of the Constitution to a mere rule of child's play—"It was *your* turn last, it is *my* turn now!" The circumstances under which the existing Legislature was elected may be fairly considered, with many other circumstances, when the whole question of the expediency of dissolving it is under review; but not because other persons filled the offices of Government when the election took place. Those circumstances would form matter for consideration as part of the case for the decision of the Crown just to the extent that the questions of policy formerly submitted to the electors may be held to affect the questions again to be submitted, but only in reference to the public interest, and not in deference to the supposed claim of a defeated Ministry.*

In the arrangements for the elections and the assembling of the new Parliament, our Administration is equally at fault. In England the new House of Commons must be called together by law within *thirty-five* days from the issue of the writs. On the 30th instant, Sir James Martin will have continued himself in office *eighty-nine* days without a Parliament, since he caused the late Assembly to be dissolved. The English writs are issued with the least possible delay; here they were delayed several days to suit the electioneering plans of the Ministers. The election for East Sydney was then hurried through within five days, and that for West Sydney within seven days, notwithstanding the long delay which has since taken place in convening the new Parliament, the principal Ministers themselves being candidates for those Electorates. No time ought to be lost in restraining by Legislation the power of Ministers to trifle—not to say tamper—with the Constitution, and to impair the public value of their own appeal to the people, by making the arrangements for a General Election subservient to their own official interests.

Sydney, April 22.

LETTER III.

THE "INTERMINISTERIUM."

The word coined by Sir George Cornwall Lewis will best designate the state of things into which Sir James Martin has contrived to bring this colony. To talk of Responsible Govern-

* See speech of Mr. Gladstone in the House of Commons, May 4, 1868. Also speech of Earl Grey in the House of Lords, same date.

ment while this state of things, by whatever name it may be designated, is permitted to continue, would be a travesty on the meaning of terms, and a satire on the self-delusion of the community. The Attorney-General, condemned by the late Parliament, condemned by his late constituents, and, finally, raised to a seat in the Assembly only as second on the poll, by a constituency which returned Mr. William Cummings first; the Solicitor-General, condemned by the late Parliament, condemned by his late constituents, and finally excluded from the Assembly by a second constituency, whose suffrages he sought; to whom under these circumstances, is the Law Department responsible? The Secretary for Lands, condemned by the late Parliament, condemned by his late constituents, and finally excluded from the Assembly by a second constituency whose suffrages he sought;—to whom under these circumstances, is it possible to hold the Lands Department responsible? The Secretary for Public Works, condemned by the late Parliament, condemned by his late constituents, condemned by a second constituency, and finally excluded from the Assembly by a third constituency, whose suffrages he sought;—where, under these circumstances, shall we look for a visible shadow of responsibility in the management of the Works Department? Where, since the Parliaments of Charles I, when the people were goaded to desperation by crying grievances unredressed and by penal dissolutions, shall we look for anything like this in the Government of England?

Let us see what will be the disorganised state of the Administration when the new Parliament assembles on the 30th of this month. The Attorney-General and Premier will have been seventy-eight days in office since his defeat by his late constituents—the electors of East Sydney. The Secretary for Lands will have been the same period in office, since his defeat with his chief, without a seat, or the prospect of securing a seat, in Parliament. The Secretary for Public Works will have been seventy-one days in office since his defeat by his late constituents, the electors of Parramatta, without a seat, or the prospect of securing a seat, in Parliament. The Administration will have lost its Solicitor-General, who, after his successive defeats, resigned his office, and the same day accepted employment as acting Crown Prosecutor. These are the facts which leave us without a Ministry in any true Constitutional sense, and disclose to us the character of the “Interministerium” now existing. There can be no dispute about the nature of the facts.

Now, let us see what is the political support of the principal actors in the Interministerium, as revealed by the electoral returns. In estimating the true value of this evidence, it must always be borne in mind that the Premier, of his own free choice, *appealed from the decision of the Legislature to the judgment of the electors*. In East Sydney, where the appeal properly lay, Sir James Martin was defeated by a majority of 1197 votes; in East Macquarie he was subsequently elected by 495 votes out of an electoral roll of 2768, not one elector in five voting for the Prime

Minister of the country. After his defeat in East Sydney, Mr. Wilson was a candidate for Liverpool Plains, the Colonial Secretary going to that electorate personally to advocate his claim; he was again defeated on a poll of 151 votes out of an electoral roll of 2855, only one elector in nineteen being induced to vote for him. After his defeat in Parramatta, Mr. Byrnes offered himself both to St. Leonards and Hartley; in the first electorate he was defeated on a poll of 341 votes out of an electorate roll of 2098, giving him one elector in six; and in the second electorate he was defeated on a poll of 185 out of a roll of 2072, giving him one in eleven. After his defeat in West Sydney, Mr. Windeyer personally canvassed the constituency of New England, where he was defeated on a poll of 205 out of a roll of 2650 electors, giving him the support of one in thirteen. To intensify these disastrous defeats before the Tribunal to which the Ministers themselves appealed, there remain the heavy censures of the late Assembly still hanging over their heads. To say, in the face of these facts, that the Government of this country, during the last three months has been, or can possibly be, responsible to Parliament and People would be perfectly farcical. Who can make the Minister for Lands, with the unlimited powers of favouritism which the management of the public domain gives to him, care for Parliament? Who can make the Minister for Works, with nearly all the public expenditure in his hands, care for Parliament? Is not the government of the Interministerium, as much as that of Louis Napoleon ever was, a Government in contempt of Parliament and People? Would not the appointment to the Offices of Lands and Works of any two fairly competent persons in this city, who had not sustained defeat at the hands of the electors, and who would, therefore, have the prospect of probable election before them, be more in conformity to the Constitution?

And what has been done during the Interministerium? The very first act was the appointment of the Hon. Geoffrey Eagar to the office of Under Secretary to the Treasury. Personally, Mr. Eagar is undoubtedly qualified for that office. But what are the public reputation and political connections of this gentleman, and how far did they, in any just estimate, impose an obstacle to his appointment? In two Administrations, for periods extending over four years, he was Sir James Martin's colleague as Colonial Treasurer. So extreme was the Premier's admiration for Mr. Eagar that on a public occasion he pronounced him "a far greater man than Mr. Gladstone;"* and Mr. Eagar, as is well known, has been the devoted partizan and active political supporter of the Premier up to the present moment. When Sir James Martin's opponents take office, probably within the next few days, the office conferred on Mr. Eagar must necessarily bring him into close and continuous relation with the Treasurer of the new Administration on the most delicate questions of public policy and the most confidential affairs of Government. The next

* Speech of Mr. (now Sir James) Martin at a Public Banquet given to Mr. Eagar.

Treasurer may be, very likely will be, an old political antagonist of his Under Secretary. Supposing the Minister to be the most unsuspecting and confiding man in the world, and supposing the subordinate to be not only greater than Mr. Gladstone, but above the common weaknesses of flesh and blood altogether, ought persons entrusted with such onerous duties to be placed in such a relation to one another? Mr. Eager cannot unlive his political career, with its antipathies and jealousies on the one hand and its attachments and hopes on the other. If the Opposition in Parliament should speak of what is going on in the Treasury, will not suspicion at all times naturally turn to him as their prompter, though his conduct may be integrity itself?

This unprecedented appointment was the first work of the Interministerium. What has followed? Appointments of all kinds, in no way necessary for improving the efficiency of the public service, have been made with as much freedom as if a Ministry existed strong in the confidence of Parliament. This lavish exercise of patronage has included the undue promotion of near relatives of the Ministers themselves. Official examinations have been held by the defeated Ministers, on the conduct of Government servants, who, in the exercise of their privileges as electors, espoused the cause of Opposition candidates, and severe censures have been dealt out to the delinquents, while similar conduct in the same class of persons who supported Ministerialists has been suffered to pass without rebuke or inquiry. All the privileges of power have been unrestrainedly enjoyed, although the defeat of the Ministry in Parliament three months ago has been confirmed by the decision of the electors. The meeting of the new Parliament has been unjustifiably postponed to prolong the condemned possession of official patronage at a time when it was more urgent than at any former time that Parliament should meet without a single day's unnecessary delay. Three months have passed without any Supply from the authority in the State which alone can grant it, and the exigencies of government have been met by an arrangement with a monetary institution which is not made known to the public, and which, in all probability, Parliament will never approve.

The Ministers were virtually out of office when the Interministerium commenced, and going through the form of retirement is all that now remains. But it is to be hoped that the people will not look in vain to their representatives for the adoption of measures to save the colony from any similar state of confusion in future years.

Sydney, April 25th.