

Mr. Rees.

LEGISLATIVE COUNCIL APPOINTMENTS  
CANCELLATION.

ANALYSIS.

Title.  
Preamble.  
1. Short Title.

2. Disqualification of certain members of the  
Legislative Council.  
3. "The Disqualification Act, 1878," incorpo-  
rated with this Act.

A BILL INTITULED

AN ACT to disqualify certain Members of the Legislative Council Title.  
under their present Appointments.

WHEREAS, prior to the expiration of the last Parliament, the late Preamble.  
5 Ministry had caused it to be understood that they would not recom-  
mend to His Excellency the Governor of New Zealand the appoint-  
ment of any members of the Legislative Council until after the new  
Parliament had met: And whereas the recent elections for the House  
of Representatives were adverse to the late Ministry, and proved that  
10 Ministers did not possess the confidence of the country, of which  
facts they were well aware: And whereas the then Premier, Sir  
Harry Atkinson, with the full knowledge and consent of his  
colleagues, advised His Excellency the Governor to call to the  
Legislative Council several gentlemen, whose names were sub-  
15 mitted for that purpose: And whereas the object and purpose of such  
advice was to obtain for the political party to which the late Ministry  
belonged absolute control of the said Legislative Council and of the  
legislation of this colony: And whereas it is highly unconstitu-  
20 tional and improper that a Ministry not possessing the confidence  
of Parliament and the country should, immediately before resign-  
ing, advise the Representative of the Crown largely to increase  
the numbers of the Second Chamber by their own adherents, for the  
purpose of controlling the legislation of the colony: And whereas  
His Excellency the Governor, in partial acceptance of the advice so  
25 tendered, was pleased to call six gentlemen whose names were  
so submitted to him to the Legislative Council, and also under the  
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same circumstances to call Sir Harry Atkinson, the out-going Premier, to the Legislative Council, and to appoint him Speaker thereof: And whereas such appointments were not only made upon advice which was unconstitutional and improper under the circumstances, but were also subversive of parliamentary government, as well as dangerous to the liberties and inimical to the interests of the people of this colony, affording an evil example to all Parliaments to come: And whereas the said appointments, under the advice and circumstances aforesaid, have imposed heavy burdens upon the public revenues of New Zealand, and such advice was given and such burdens were imposed contrary to the wishes and desires of the people of the colony and of the majority of the House of Representatives, and in disregard of petitions presented to His Excellency by many thousands of the people of New Zealand:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act shall be "The Legislative Council Appointments Cancellation Act, 1891."

Disqualification of certain members of the Legislative Council.

2. That, from and after the passing of this Act, Sir Harry Albert Atkinson, K.C.M.G., James Fulton, John Davies Ormond, John Blair Whyte, Charles John Johnston, William Downie Stewart, and Charles Christopher Bowen, Esquires, are hereby disqualified from sitting or acting in the said Legislative Council, or from taking any part in its proceedings, under or by virtue of the appointments of the twentieth and twenty-second days of January, one thousand eight hundred and ninety-one respectively, by which they were called to the said Council.

"The Disqualification Act, 1878," incorporated with this Act.

3. Should any of the persons named in the last preceding section sit in the said Council, or take part in its deliberations, or in any way or manner act in the fulfilment of the duties, or participate in the advantages arising out of the aforesaid appointments, then he or they, as the case may be, shall be deemed to have committed a breach of "The Disqualification Act, 1878," with which Act this Act shall be deemed incorporated.