
CORRESPONDENCE RELATING TO THE EXERCISE OF THE PREROGATIVE OF PARDON IN NEW SOUTH WALES.

No. 1.

Sir H. Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received 31st August.)

GOVERNMENT HOUSE,
SIDNEY, 29th June, 1874.

MY LORD,—With reference to Lord Kimberley's despatch of the 17th February, 1873, and to previous correspondence, as to the exercise of the prerogative of pardon, I have the honor to forward a copy of a printed paper which has been laid before Parliament showing the decision arrived at by the Executive Council on this subject.

I have, &c.,
(Signed), HERCULES ROBINSON.

(Inclosure in No. 1.)

1873-4—NEW SOUTH WALES.

Prerogative of Pardon. (Despatches and Correspondence respecting the.)

Presented to both Houses of Parliament by Command.

(No. 1.)

His Excellency the Governor to the Secretary of State for the Colonies.

GOVERNMENT HOUSE,
SIDNEY, 14th July, 1869.

MY LORD,—Considerable inconvenience has been experienced here by the practice of nearly always referring petitions for remission of sentences to the presiding Judge or Magistrate, even when no point of law or evidence might be involved.

2. The time of the Governor also is often unnecessarily occupied (although that is a matter of less consequence) by the reconsideration of cases upon petitions by prisoner's friends, although perhaps the case may have been more than once before disposed of.

3. The Colonial Secretary has submitted to me the accompanying paper, with a view to some alteration of practice being made. The question, however, of the personal responsibility of the Governor in granting or withholding remissions of sentences arises; and before deciding the matter absolutely as far as relates to that part of the subject, both Mr. Robertson and myself would be glad to be favored with your Lordship's views in the matter, as to what weight the recommendation of the Colonial Secretary ought to have with the Governor—whether, in fact, the latter is bound by his instructions to act on his own independent judgment or not.

4. I have noted in the margin of Mr. Robertson's paper my views with regard to a point on which I do not quite agree with him.

I have, &c.,
(Signed), BELMORE.