

## VICTORIA.

# PARLIAMENTARY DEBATES.

### First Session of the Seventh Parliament.

#### LEGISLATIVE COUNCIL.

*Tuesday, April 25, 1871.*

Opening of Parliament by Commission—Commission to Swear in New Members—Death of Sir J. F. Palmer.

The Seventh Victorian Parliament was opened this day, by Commission. The Commissioners appointed by His Excellency the Governor for the purpose were His Honour Mr. Justice Barry and His Honour Mr. Justice Molesworth.

At noon, the Clerk of the Parliaments (Mr. G. W. Rusden) read the following

#### PROCLAMATION.

“By His Excellency the Right Honorable JOHN HENRY THOMAS VISCOUNT CANTERBURY, of the City of Canterbury in the County of Kent, and BARON BOTTESFORD, of Bottesford in the County of Leicester, in the Peerage of the United Kingdom of Great Britain and Ireland, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria, &c., &c., &c.

“WHEREAS by the Constitution Act it is amongst other things enacted that it shall be lawful for the Governor to fix such places within Victoria, and, subject to the limitation therein contained, such times for holding the first and every other session of the Council and Assembly, and to vary and alter the same respectively in such manner as he may think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: And whereas the said Council

and Assembly are called ‘The Parliament of Victoria,’ and it is expedient to fix the time for holding the next session thereof: Now therefore I, the Governor of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation fix Tuesday, the twenty-fifth day of April instant, as the time for the commencement and holding of the next session of the said Council and Assembly, called the Parliament of Victoria, for the despatch of business, at twelve of the clock at noon, in the Parliament Houses, situate in Parliament-place, Spring-street, in the City of Melbourne; and the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

“Given under my hand and the seal of the colony, at Melbourne, this fourth day of April, in the year of our Lord One thousand eight hundred and seventy-one, and in the thirty-fourth year of Her Majesty’s reign.

“CANTERBURY.

“By His Excellency’s Command,

“J. McCULLOCH,

“Chief Secretary.

“GOD SAVE THE QUEEN!”

The Commissioners immediately afterwards entered the Chamber, and directed that the attendance of the Members of the Legislative Assembly should be requested. The Members of the Assembly having appeared at the bar,

Mr. JUSTICE BARRY said—Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly, His Excellency the Governor, not thinking fit to be here in person to-day, has been pleased to order the holding

and opening of this Parliament, and has caused letters patent, under the seal of the colony, to be issued, authorizing us to do, on His Excellency's part, all things that may be necessary to be performed in this Parliament. This will more fully appear from the letters patent, which will now be read.

The letters patent having been read by the Clerk,

Mr. JUSTICE BARRY said—Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly, I have to inform you that on Thursday, April 27th, His Excellency the Governor will declare to you in person the cause of his calling this Parliament together; and, it being necessary that a Speaker of the Legislative Assembly should first be chosen, His Excellency requests that the Members of the Legislative Assembly will, in their Chamber, proceed to the choice of a Speaker.

The Commissioners and Members of the Legislative Assembly then withdrew.

The PRESIDENT (the Hon. W. H. F. Mitchell) took the chair and read the prayer.

#### DECLARATIONS OF QUALIFICATION.

The following members delivered to the Clerk the declarations required by the seventh clause of the Legislative Council Amendment Act (32 Vict., No. 334):—The Honorables the President, T. T. a'Beckett, W. A. C. a'Beckett, R. S. Anderson, N. Black, W. Campbell, G. W. Cole, J. Cumming, A. Fraser, J. Graham, J. Henty, W. Highett, R. C. Hope, T. McKellar, J. O'Shanassy, W. H. Pettett, F. Robertson, P. Russell, R. Simson, W. Skene, R. Turnbull, and B. Williams.

#### COMMISSION TO SWEAR IN NEW MEMBERS.

The PRESIDENT announced that, in virtue of a commission received from His Excellency the Governor, which he now laid on the table, he would be prepared to swear in any new members who might be introduced.

#### DEATH OF SIR J. F. PALMER.

The PRESIDENT, referring to the death of the Hon. Sir J. F. Palmer, announced to the House that he had been in communication with the family of the late President, and had learned from them

that, although it was not proposed that the funeral—which was to take place on the following day—should be of a public character, it would be agreeable to them if honorable members would attend as special mourners.

The House adjourned at twenty-four minutes to one o'clock, until Thursday, April 27.

### LEGISLATIVE ASSEMBLY.

*Tuesday, April 25, 1871.*

Swearing of Members—Election of Speaker.

Proceedings commenced at noon precisely, by the Clerk (Mr. J. Barker) reading the Proclamation convoking the Parliament.

The Usher of the Legislative Council then appeared at the bar, and intimated that the Commissioners appointed by the Governor to open Parliament requested the attendance of members of the Legislative Assembly in the chamber of the Legislative Council.

The members present, accompanied by the chief officers of the House, at once proceeded thither. On their return, Mr. Justice Barry, one of the Commissioners, was introduced, and took his seat in the Speaker's chair.

The letters patent appointing Mr. Justice Barry to administer the oath of allegiance were then read, and the members present (with the exception of Mr. Joseph Jones, who made affirmation) were sworn in the following order:—

Ararat ...	...	{ William McLellan
		{ William Wilson
Avoca ...	...	{ J. M. Grant
		{ B. G. Davies
Ballarat, East ...	...	{ John James
		{ Robert Walsh
Ballarat, West ...	...	{ W. C. Smith
		{ Joseph Jones
Belfast ...	...	{ H. J. Wrixon
Bourke, East ...	...	{ Robert Ramsay
		{ W. J. Lobb
East Bourke Bo-	Bo-	{ W. T. N. Champ
roughs ...	...	{ J. B. Crews
Bourke, South ...	...	{ James Fergusson
		{ M. L. King
Bourke, West ...	...	{ J. C. Riddell
		{ J. T. Smith
Brighton ...	...	{ Thomas Bent

Creswick	...	J. S. Stewart
		T. M. B. Philipps
Castlemaine	...	J. B. Patterson
		W. A. Zeal
		James Farrell
		William Bates
Collingwood	...	George Harker
		W. M. K. Vale
		Robert Walker
Crowlands	...	John Woods
Dundas	...	J. A. MacPherson
Emerald Hill	...	John Whiteman
Evelyn	...	William Watkins
Geelong, East	...	J. M. Garratt
		John Richardson
Geelong, West	...	R. de Bruce Johnstone
		Graham Berry
Gippsland, North		F. L. Smyth
Gippsland, South		F. C. Mason
Grenville	...	William Clarke
		Thomas Russell
		George Cunningham
Grant, South	...	J. R. Hopkins
		J. F. Levien
Kilmore	...	Lawrence Bourke
Kyneton Boroughs		Martin McKenna
Maldon	...	William Williams
		J. J. Casey
Mandurang	...	Thompson Moore
		William Fraser
Maryborough	...	Duncan Gillies
		Edward Cohen
Melbourne, East...		Frederick Walsh
		J. G. Burt
Melbourne, North		John Curtain
		Edward Langton
Melbourne, West...		Charles Mac Mahon
Mornington	...	James McCulloch
Murray District	...	William Witt
Murray Boroughs		Patrick Hanna
Normanby	...	Thomas Cope
Ovens	...	G. B. Kerferd
		G. V. Smith
Polwarth and South		
Grenville	...	Wm. Robertson, jun.
Portland	...	Howard Spensley
Richmond	...	J. G. Francis
		L. L. Smith
Ripon and Hampden		Francis Longmore
Rodney	...	John Macgregor
		Angus Mackay
Sandhurst	...	Robert Burrowes
		David Thomas
Sandridge	...	J. W. Stephen
St. Kilda	...	
Villiers and Heytes-		William Bayles
bury	...	Michael O'Grady
Warrnambool	...	William Plummer
Williamstown	...	A. T. Clark
Wimmera	...	James MacBain

The following members were absent:—

NAME.	MEMBER FOR
C. Gavan Duffy	... Dalhousie
T. H. Fellows	... St. Kilda.

On the completion of the ceremony of swearing honorable members, Mr. Justice Barry left the chair, bowed to the House, and retired.

### ELECTION OF SPEAKER.

Mr. WILLIAMS rose, and, addressing the Clerk of the Assembly, observed—Mr. Barker, I have much pleasure in moving that the Hon. Charles Mac Mahon be elected Speaker of this House. In doing so I venture to submit that the great experience of the honorable gentleman as a member of this House, his acquaintance with its forms, and his other qualifications, furnish sufficient reason why he should be selected to preside over our deliberations. Without further comment, I beg to move, in due form, that the Hon. Charles Mac Mahon do take the chair of this House as Speaker.

Mr. KING.—I have very much pleasure in seconding the proposition of the honorable member for Maldon. I think this House could not select a more eligible Speaker than the honorable and gallant member for West Melbourne (Captain Mac Mahon). The honorable and gallant gentleman possesses all the necessary qualifications for the office; and I feel satisfied, from his personal appearance, his experience in Parliament, the part he has taken in the debates of this House for so many years, his acquaintance with the forms of the Assembly, and the general tenor of his previous career, that we shall find in him a firm and determined Speaker, and an able and dignified successor to our late Speaker, the Hon. Sir Francis Murphy. With these observations I beg to second the proposition that the honorable and gallant member for West Melbourne should be our Speaker.

No other nomination being made,

Captain MAC MAHON rose in his place and said—Mr. Barker, I have to return my sincere thanks to the honorable gentlemen who have proposed me for the office of Speaker, and to say that I am sensible of not being worthy of the encomiums which they have thought fit and proper to pass upon me, more particularly the flattering compliment paid to me by the honorable member for West Bourke (Mr. King). I am perfectly well aware of my deficiencies for such a high position

as the chair of this House. I can only say that, should the House think fit to do me the great honour of placing me in that position, it will be my study to use the best of my poor abilities to conduct the business of the House in the manner in which, I am sure, we all wish to see it conducted. I must express my regret that an accident should have prevented from being here to-day a gentleman (Mr. Duffy) who probably possesses qualifications for the office of Speaker greater than any I possess; and I am sure that this expression of regret will be concurred in, no matter how any of us may differ in opinion from the honorable member. With these few remarks, I beg now to submit myself respectfully to the pleasure of the House.

Captain Mac Mahon was then conducted by his proposer and seconder to the chair, on reaching which

The SPEAKER said—I have to present my most respectful thanks to the House for the high honour which it has done me; and I trust that, although I may be wanting in the necessary experience which was possessed to a very great degree by my predecessor, the indulgence of the House will be extended to me until that deficiency is in some measure supplied. I feel certain, from the tone displayed at the recent elections, that both sides of the House will join in supporting the chair, so that the business of the country may be conducted with dignity. I again thank the House for the very great honour it has done me in placing me in this proud position.

Sir J. McCULLOCH.—Mr. Speaker, I beg to congratulate you upon the distinguished position to which you have been called by this House. The office you now fill is one of considerable honour; it is a position that any man may well aspire to; and there are connected with it duties and responsibilities of no ordinary kind. There is no doubt that upon the conduct of the Speaker depend very much indeed the character of the debates in this House, and the proper management of public business. It must be admitted that you enter upon your duties under considerable disadvantages, for they are quite new to you, notwithstanding your long experience in this House, and, moreover, you follow a gentleman who occupied the position of Speaker here for so long a period; at the same time I feel assured that you will conduct the business of the House

irrespective of party or persons, and with the single desire to preserve the dignity and honour of this Chamber. I may add that I believe, to secure that end, and to maintain the character of our debates, members on all sides of the House will cheerfully unite in supporting you in your decisions. Mr. Speaker, I beg again to congratulate you on the position you now hold.

Mr. KERFERD.—Mr. Speaker, I desire to follow the observations which have fallen from the Chief Secretary, and to convey to you my personal gratification at seeing you placed in the exalted position which you now occupy by the vote of this House. I am satisfied, from my long acquaintance with you, that your high sense of honour will at all times lead you to see that every member of this House stands equal in the eye of the Speaker, and that you will afford to each member the right to address you upon all occasions. This is a very important duty; and I am quite sure, from my knowledge of you, that you will discharge the duty impartially—that you will give every member a fair opportunity of conveying, through you, to the House and to the people of the country, his opinions on the great questions that will be submitted for consideration to this Chamber. I, for one, will endeavour at all times, as far as I can, to support your authority—to see that the dignity of the Speaker is maintained, and the order of the House preserved.

Mr. GILLIES.—I should not have risen to offer any observations on this occasion, but that I believe it is usual for those members who sit on the opposition side of the House to follow the example of the head of the Government, and congratulate the newly elected Speaker on the position which he occupies as chairman of the House. I do so congratulate you, with the greatest pleasure indeed; and I can assure you, Mr. Speaker, that the gentlemen around me will cheerfully join the leader of the House in the endeavour to support and maintain your rulings from the chair, in order that the business of this Assembly may be conducted in a proper and reasonable manner. I am sure, sir, that you have had sufficient experience in Parliament to justify me in saying that you will very shortly master all the details necessary to the conduct of public business; and I also feel certain that you will, by just decisions—by decisions

given to the best of your judgment—do all in your power to command the respect of the House. Under these circumstances, I have great pleasure, on behalf of the honorable members seated on this side of the House, in joining in the congratulations on the position which you now occupy, and which I believe you will fill honorably and to the satisfaction of all parties.

Sir J. McCULLOCH announced that His Excellency the Governor would attend at the Government-offices on the following Thursday, at 1 p.m., for the purpose of receiving the Speaker.

The House adjourned at a quarter past one o'clock p.m., until Thursday, April 27.

## LEGISLATIVE COUNCIL.

*Thursday, April 27, 1871.*

State Opening of Parliament by the Governor—Fencing Bill—Address in Reply to the Governor's Speech—The late Sir J. F. Palmer—Address to Lady Palmer—Chairman of Committees—Sessional Arrangements—Ventilation of the Chamber—Elections Committee.

The PRESIDENT took the chair at two o'clock, and read the prayer.

### DECLARATIONS OF QUALIFICATION.

The following members delivered to the Clerk the declarations required by the seventh clause of the Legislative Council Amendment Act (32 Vict., No. 334):—The Honorables W. Degraives, F. S. Dobson, C. J. Jenner, N. Fitzgerald, H. M. Murphy, and J. F. Strachan.

### STATE OPENING OF PARLIAMENT.

The Usher announced the approach of His Excellency the Governor; and immediately afterwards His Excellency entered the Chamber, attended by his suite.

The members of the Legislative Assembly having been summoned,

HIS EXCELLENCY read the following speech:—

“MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

“MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

“I have called you together this early in order that provision may be made in due time for the requirements of the ensuing financial year, and also that the

large amount of practical legislation now awaiting settlement may as soon as possible engage your attention.

“The subject of public instruction stands foremost in importance. The principles of the measure which will be submitted to you have been already before the country, and will at an early period of the session demand your consideration. It is the confident anticipation of my advisers that you will deal with this national question in a national spirit, and endeavour to settle our educational system on a comprehensive and efficient basis, which will not readily be secured unless the subject be dealt with as one apart from and superior to party conflicts.

“The question of mining legislation requires the attention that is due to such a prominent interest of this country. A Bill will be submitted to you which, it is hoped, will present a fair settlement of the difficult and long-contested question of mining on private property, and Bills for the amendment of the law relating to the constitution and management of mining companies, and for the preventing of accidents in mines, will also be brought under your consideration.

“Connected with mining, though not limited to its interests, is the subject of water supply. This important question has constantly engaged the consideration of my advisers, and they have, through the courtesy of the Government of India, been enabled to secure the services of an hydraulic engineer of high attainments, who has already been occupied in an inquiry into the principle and the construction of the water supply works now in progress in Victoria, and whose opinion on the character of these works, and advice as to the extension of similar undertakings, will be of great value.

“A Bill will be laid before you for giving practical effect to these investigations, and for providing for advances, on certain conditions, of loans for water supply purposes to local bodies throughout the country.

"A measure to amend the Land Act 1869 will be introduced early in the session ; and also a Bill to settle, on a satisfactory basis, the law relating to fencing, which is now the source of both trouble and injustice to occupiers of the lands.

"The experience of some years past shows that the criminal law requires amendment, so that a more efficient mode of punishment should be provided for criminals who are not adequately deterred from crime by the fear of imprisonment, and that young offenders, who are more apt to be contaminated than reformed by a gaol, should be subjected to a punishment of a summary character. A Bill to effect these objects, and also a Bill providing more effectually for the management and safe custody of convicts, will be laid before you.

"A measure to remedy defects in the Justices of the Peace Statute will be laid before you during the session. You will also be asked to consider a Bill for improving the law relating to the control and regulation of the police force.

"A Bill will be submitted for amending the Postal Act, with a view of affording to the people increased facilities at a reduced cost.

"Your attention will be asked to a measure for establishing a Marine Board, to which will be entrusted the administration of the laws and regulations relating to shipping, and our ports and harbours.

"MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

"The Estimates for 1871-2 will be laid before you without delay. They have been framed with a due regard to economy and the requirements of the public service.

"MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

"MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

"Reports from the Royal commissions that I appointed to inquire into the subjects of intercolonial legislation and

charitable institutions have been presented to me, and I have directed them to be laid before you. They form a valuable addition to our means of information on those subjects, and will engage the careful consideration of my advisers, whom they will materially assist in the task of bringing before you satisfactory legislation on those important subjects.

"A Bill for railway extension will be brought under your consideration. My advisers are deeply impressed with the necessity of economy in the construction of such works, and they trust that, by a judicious expenditure of the money available, the most important districts will, ere long, be supplied with railway communication.

"I am glad to be able to congratulate you on the termination of the war in Europe, which inflicted such calamities on the two nations engaged, and indirectly affected the prosperity of other countries. Though I hope we may now anticipate a prolonged peace, the Government have not relaxed their endeavours to place the country in a proper state of defence. The construction of batteries and the mounting of guns have been prosecuted with vigour, and the constitution and discipline of the local force and naval reserve corps have been carefully attended to. The arrival of the *Cerberus* after her successful voyage adequately completes the defences of our bay.

"I have to congratulate you on the recent decision of the Privy Council, which so clearly declares the law regarding the privileges of Parliament.

"In conclusion, I would express a hope that your deliberations will tend, under Providence, to improve the condition and advance the best interests of the people of this country."

Copies of the speech were handed by the Governor's aide-de-camp to the President and to the Speaker.

The members of the Assembly then withdrew, and His Excellency and suite also left the Chamber.

## FENCING BILL.

The Hon. T. T. A'BECKETT, with leave of the Council, moved, without notice, for leave to bring in a Bill to amend the laws relating to fencing.

Leave was given, and the Bill was brought in and read a first time.

## ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

The PRESIDENT read His Excellency's speech delivered to Parliament.

The Hon. F. ROBERTSON moved—

"That a select committee be appointed to prepare an address in reply to His Excellency the Governor's speech, and that such committee consist of the following members, viz.:—The Honorables T. T. a'Beckett, A. Fraser, J. Graham, R. Simson, W. Campbell, W. Highett, and the mover."

The Hon. R. SIMSON seconded the motion, which was agreed to.

The committee retired, and were absent some time. On their return they brought up the following report, which was read by the Clerk:—

"To His Excellency the Right Honorable JOHN HENRY THOMAS VISCOUNT CANTERBURY, of the City of Canterbury in the County of Kent, and BARON BOTTESFORD, of Bottesford in the County of Leicester, in the Peerage of the United Kingdom of Great Britain and Ireland, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria, &c., &c.

"May it please Your Excellency,

"We, Her Most Gracious Majesty's most dutiful and loyal subjects, the Members of the Legislative Council of Victoria in Parliament assembled, beg leave to approach Your Excellency with renewed expressions of our loyalty and attachment to Her Majesty's throne and person.

"We thank Your Excellency for having called us together thus early in order that provision may be made in due time for the requirements of the ensuing financial year, and also that the large amount of practical legislation now awaiting settlement may as soon as possible engage our attention.

"We concur with Your Excellency that the subject of public instruction stands foremost in importance; and we thank Your Excellency for informing us that the principles of the measure which will be submitted to us have been already before the country, and will at an early period of the session demand our consideration. We assure Your Excellency that we shall deal with this national question in a national spirit, and endeavour to settle our educational system on a comprehensive and efficient basis, which will not readily be secured unless the subject be dealt with as one apart from and superior to party conflicts.

"We concur with Your Excellency that the question of mining legislation requires the attention that is due to such a prominent interest of this country. We thank Your Excellency

for acquainting us that a Bill will be submitted to us which, it is hoped, will present a fair settlement of the difficult and long-contested question of mining on private property, and that Bills for the amendment of the law relating to the constitution and management of mining companies, and for the regulation of mines and preventing accidents therein, will also be brought under our consideration.

"We concur with Your Excellency that connected with mining, though not limited to its interests, is the subject of water supply for this country. We thank Your Excellency for informing us that this important question has constantly engaged the consideration of your Excellency's advisers and that they have, through the courtesy of the Government of India, been enabled to secure the services of an hydraulic engineer of high attainments, who has already been occupied in an inquiry into the principle and the construction of the Water Supply works now in progress in Victoria, and whose opinion on the character of these works, and advice as to the extension of similar undertakings, will be of great value."

"We thank Your Excellency for informing us that a Bill will be laid before us for giving practical effect to these investigations, and for providing for advances on certain conditions of loans for water supply purposes to local bodies throughout the country.

"We thank Your Excellency for informing us that a measure to amend the Land Act 1869 will be introduced early in the session; and also a Bill to settle, on a satisfactory basis, the law relating to fencing, which is now the source of both trouble and injustice to occupiers of the lands.

"We thank Your Excellency for informing us that the experience of some years past shows that the criminal law requires amendment, so that a more efficient mode of punishment should be provided for criminals who are not adequately deterred from crime by the fear of imprisonment, and that young offenders, who are more apt to be contaminated than reformed by a gaol, should be subjected to a punishment of a summary character, and that a Bill to effect these objects, and also a Bill for providing more effectually for the management and safe custody of convicts, will be laid before us.

"We thank Your Excellency for informing us that a measure to remedy defects in the Justices of the Peace Statute will be laid before us during the session, and that we shall be also asked to consider a Bill for improving the law relating to the control and regulation of the police force.

"We thank Your Excellency for informing us that a Bill will be submitted for amending the Postal Act, with a view of affording to the people increased facilities at a reduced cost.

"We thank Your Excellency for acquainting us that our attention will be asked to a measure for establishing a marine board, to which will be intrusted the administration of the laws relating to shipping and our ports and harbours.

"We thank Your Excellency for informing us that reports from the Royal commissions appointed by Your Excellency to inquire into the subjects of intercolonial legislation and charitable institutions have been presented to Your Excellency, and that Your Excellency has directed them to be laid before us.

"We thank Your Excellency for informing us that a Bill for railway extension will be brought under our consideration, and that Your Excellency's advisers are deeply impressed with the necessity of economy in the construction of such works, and informing Your Excellency that we trust that, by a judicious expenditure of the money available, the most important districts will, ere long, be supplied with railway communication.

"We are glad that Your Excellency is able to congratulate us on the termination of the war in Europe, which inflicted such calamities on the two nations engaged, and indirectly affected the prosperity of other countries; that we are gratified to know that, though it is to be hoped that we may now anticipate a prolonged peace, the Government have not relaxed their endeavours to place the country in a proper state of defence; that the construction of batteries and the mounting of guns have been prosecuted with vigour, and the constitution and discipline of the local force and naval reserve corps have been carefully attended to; the arrival of the *Cerberus* after her successful voyage adequately completes the defences of our bay.

"We assure Your Excellency that we receive with much satisfaction Your Excellency's congratulations on the recent decision of the Privy Council, which so clearly declares the law regarding the privileges of Parliament.

"In conclusion, we express to Your Excellency a hope that our deliberations will tend, under Providence, to improve the condition and advance the best interests of the people of this country."

Mr. ROBERTSON.—Mr. President, I beg to move that the report which has just been read to the House be now adopted. There are many topics referred to in His Excellency's speech which must necessarily exercise a most important influence on the material interests of this country, and conspicuously amongst them is that which is first mentioned—the subject of public instruction—and I feel persuaded that when this great question receives attention at the hands of Parliament, although no doubt it will give rise to a considerable amount of feeling, each branch of the Legislature will bring to bear upon it so large a share of moderation and forbearance as will enable the Legislature, notwithstanding the conflicting opinions which we know exist on the question, to pass a measure that will meet not only the requirements but the expectations of the country. There is next referred to, in His Excellency's speech, the question of mining legislation; and this again is one which undoubtedly calls for immediate attention. We are promised that there will be submitted to us a measure dealing with the perplexing question of mining on private property. We are all aware that this will be a most difficult problem to settle satisfactorily, and

honorable members can only hope that the measure to be introduced will be acceptable to all the parties interested, and calculated to give an additional impetus to the advancement of the mining interests of the country. "Connected with mining," says His Excellency in the speech, "though not limited to its interests, is the subject of water supply;" and I may at once say that I congratulate the Ministry on the promptitude they have shown in securing the services of a well-qualified hydraulic engineer to examine into and report upon the condition of the waterworks of the colony. I hope that much time will not elapse before it can be shown that the very large sum of money already expended on these works may yet be brought to a profitable and satisfactory result, for I believe that the interest involved in this question is second to none in the colony. We are promised also a measure by which it is proposed to amend the present land law. The working of that Act has clearly shown that there are grave necessities for amendment, and I think it is well that at an early stage of the session the Legislature should be invited to make those amendments. Whilst upon this topic, I will say that there is one matter especially to which, in connection with it, I desire to direct the attention of the honorable member representing the Government in this House—and I do it with all sincerity—it is this, I would ask the Government, whilst this proposed reform is being sought to be carried out, to bring to bear upon the general question the large amount of administrative talent and experience which we know they possess in making radical changes in the department itself, so that the enormous amount of business which its officials have to perform may be as much facilitated as practicable. In making this allusion, I desire most particularly to guard myself against the assumption that I am implying that the officials of the department in question are either in any degree incompetent or wanting in zeal in the discharge of their responsible and important duties; but the business in that department has assumed such huge proportions that, under the existing system, I am persuaded it cannot be carried on in a manner that will be satisfactory to the public generally. It is for this reason that I have availed myself of this occasion for directing the attention of the Ministry to the point, for I am sure that no better opportunity than the present can be afforded to the country



of making the requisite changes in the department. It is not my desire to occupy the attention of the House by referring to the other questions referred to in the speech, whilst moving the adoption of the address in reply which has just been read; but I feel that I may with sincerity congratulate the House and the country on one peculiar feature of His Excellency's speech, and that is the total absence—notwithstanding the numerous measures which are to be introduced to the attention of the Legislature—of any that are of the vexatious character which have occupied the consideration of this House on previous occasions. To my mind this is a feature which augurs well for the future of the country; and I feel that the present Parliament has been called together under very auspicious circumstances, if on that account only. I trust that the good feeling which prevailed during last session—evidenced as it was by the treatment of measures of the conflicting character the absence of which I have just now alluded to—will be as observable in our future deliberations, and that this session—those difficulties having been cleared away—will be distinguished by a large amount of practical legislation; that the number of useful measures with which it is proposed that we shall deal will become law, and will conduce to the prosperity of the country.

The Hon. A. FRASER said—In rising, Mr. President, to second the adoption of this address, I may at once admit that the honorable gentleman who preceded me has anticipated me in all that I intended to address to the House. I am only, therefore, now rising to support the views which he has expressed, and especially with reference to the subject of public instruction. I regard the measure that it is promised shall be submitted to us as one of the most important that can be brought under the consideration of Parliament, and I am persuaded, not only that when it arrives at this Chamber it will receive the attention that every measure of similar importance has ever received, but that, in giving to it that attention and consideration, a conclusion will be arrived at which will prove acceptable to the whole House. I hope that what is done will be done in a good and kindly spirit, and with the understanding that we are performing the duties devolving upon us in an honest manner. Again, as to the question of mining, there is undeniable need of alteration in the

present law. With reference to the question of water supply, I can only say that I hope such a mess will not be made in the future as has been made in the past. A gentleman of high professional repute has been brought down from India as an hydraulic engineer, and I trust that his exertions and knowledge of the subject with which he is about to deal will be such as will produce an extension of the water supply through all the mining districts of the colony. Another subject referred to in His Excellency's speech is the admitted necessity for amendment of the criminal law, and I am very much pleased to find this subject prominently mentioned. I trust that when the existing law is amended it will be done in such a way as effectually to reach that class of criminals who are guilty of offences against children and women; and that the amended law will be rigidly carried into execution by those whose function it will be to administer it—that there will not be for the future the laxity of administration in such cases that we have too frequently seen in reference to many other laws. I am convinced that honorable members in this House will give such an amending measure every consideration; and I entertain no doubt that they will readily agree to any propositions that are likely to put a stop to the awful crimes of the character I have referred to that have so frequently been brought to light in this community. As to the question of our colonial defences, I really think that we may rest in a feeling of perfect tranquillity now that we have the batteries and the *Cerberus* in Hobson's Bay. That enormous vessel will, I fear, be found to be an enormous expense to the country; but we shall, at any rate, be able to sleep at ease in our beds so long as she is in the bay, well commanded and well directed, although I earnestly hope that the time will never arrive when we shall find it necessary to call into requisition the aid of her guns.

The Hon. W. A. C. A'BECKETT.—I do not intend to move an amendment on the address, but I hold it to be the duty of every member of this House to express any strong view that he may entertain on an occasion like the present, whether it may effect the permanency of the Ministry or not. The speech of the Governor is supposed—by a fiction, perhaps—to shadow forth, in distinct and unambiguous terms, the future policy of the Government, and I contend that the speech which we

have heard to-day fails in that particular, and may be looked upon as little more explicit than an ordinary summary of intelligence for Europe, divested of the customary references to Providence and the weather, and so forth. I take, for instance, the paragraph which states—

“The subject of public instruction stands foremost in importance. The principles of the measure which will be submitted to you have been already before the country.”

Now, I think, we have a right to demand to know where and upon what occasion these principles have been authoritatively enunciated. Has it been either in the speeches of Ministers or of their supporters? If in the one or the other, it should certainly have been set forth more clearly. A prominent point has been made of the arrival of Lieutenant-Colonel Sankey to superintend the waterworks of this country. Now, it has been reported that this gentleman has never been engaged in the particular branch of the profession which he has been brought here specially to superintend. However, if such be the case, let us hope that he will pick up the requisite experience and knowledge here. There is another matter that the Ministry, through the Governor's speech, give a decided opinion upon. They congratulate us “on the recent decision of the Privy Council, which so clearly declares the law regarding the privileges of Parliament.” No doubt, so far as a clear definition of the law goes, it may be subject for congratulation, but I must say—although I may not render myself popular by doing so—that I do not think the decision itself is a matter of congratulation. I do not think it was ever intended—according to the spirit of legislation during the last two hundred years—that a political body should have the power of imprisoning without cause being shown before the Supreme Court. Again, I notice omission of any reference to the question of tariff, and that omission strikes me as being very remarkable. Surely the Ministry cannot be otherwise than aware that there is a large majority of the Legislative Assembly pledged if not to finality on this point, at least to increased protective duties; and if this position of finality—hinted at in, at all events, the speech of one of the Ministers—is to be definitely adhered to, it should have been now declared. There is another position of finality at which the Government seem to have completely arrived, and that is on

*Hon. W. A. C. a'Beckett.*

the question of our defences. The speech contains this statement:—

“I am glad to be able to congratulate you on the termination of the war in Europe, which inflicted such calamities on the two nations engaged, and indirectly affected the prosperity of other countries. Though I hope we may now anticipate a prolonged peace, the Government have not relaxed their endeavours to place the country in a proper state of defence. The construction of batteries and the mounting of guns have been prosecuted with vigour, and the constitution and discipline of the local force and naval reserve corps have been carefully attended to. The arrival of the *Cerberus* after her successful voyage adequately completes the defences of our bay.”

I think that, although the *Cerberus* and the batteries may adequately protect Williamstown, they are insufficient for the general protection of the country. I do not pretend to stake my opinion against that of the commissioners who were specially appointed to report on the question, but I have always believed that there should be an efficient battery at the Heads; because if hostile vessels cannot enter there it is clear they cannot arrive in Hobson's Bay. I hope that the general question of our defences will engage the further attention of Parliament.

The motion was then agreed to, and it was resolved that the address should be presented to His Excellency by the President and such members of the House as desired to accompany him.

#### THE LATE SIR J. F. PALMER.

The Hon. T. T. A'BECKETT.—Mr. President, the address in reply to His Excellency's speech having been adopted, I feel quite sure that I shall be acting in accordance with the feeling of every honorable member of this House if, before proceeding to the general business of the country, I invite the House to express its sympathy with the widow of our late revered President in the great loss which she has just sustained. At the commencement of last session we learned with, I am sure, the most sincere sorrow that Sir James Palmer would no longer be able to continue in the honorable position which he had so long occupied within these walls; and the very commencement of the present session has been marked by our having been called upon to follow his honoured remains to the grave. When we learned last year that his public life had been brought to a close, we lost no time in expressing, in language prompted by feelings of the deepest respect—or I may say affection—

our high sense of what that public life had been ; and we also expressed our earnest hope that, under circumstances favorable to its enjoyment, his domestic life would be prolonged for many years by his retirement from the active sphere of public usefulness. That hope has unhappily not been realized. As, therefore, this House has already placed on record its sense of the great public services rendered by the deceased gentleman—and more especially those in connexion with his parliamentary career—it might be thought superfluous if I were again to refer to them now. I think it is the desire of the House on the present occasion rather to express sympathy with the living than to pass an eulogium on the dead. The long and intimate association which many members of this House have enjoyed with the late President enables them to understand in an especial manner the great grief that his loss must have occasioned to his bereaved widow. I feel assured that the House will readily concur in addressing to Lady Palmer an assurance of its heartfelt condolence with her in her deep affliction, and I trust I may be permitted to move, without notice, that a committee be appointed to prepare an address.

Leave was given, and the motion was agreed to.

Mr. T. T. A'BECKETT moved—

“That the following be the members of the committee, viz.:—The Honorables the President, W. Campbell, J. O'Shanassy, J. F. Strachan, J. Graham, W. Highett, J. Henty, G. W. Cole, and the mover.”

The Hon. A. FRASER seconded the motion, which was agreed to.

#### CHAIRMAN OF COMMITTEES.

The Hon. R. TURNBULL.—Mr. President, with permission of honorable members, I beg to move, without notice, that the Hon. R. C. Hope be elected Chairman of Committees of this Council.

The Hon. A. FRASER seconded the motion, which was agreed to.

The Hon. R. C. HOPE said—Mr. President, I beg to return honorable members my thanks for the honour which has been again conferred upon me by my election to the office of Chairman of Committees in this House.

#### SESSIONAL ARRANGEMENTS.

The Hon. T. T. A'BECKETT moved—

“That Tuesday, Wednesday, and Thursday, be the days on which the Council shall meet for the despatch of business during the present

session, and that four o'clock be the time of meeting on each day ; and that on Wednesday in each week the transaction of Government business take precedence of all other business.”

The Hon. W. HIGHETT suggested that the time of meeting should be a quarter past four instead of four o'clock. By such an alteration the inconvenience pointed out last session, under which country members had sometimes laboured in not being able to reach the House in time, would be obviated.

The Hon. J. F. STRACHAN observed that, having called attention last session to the inconvenience referred to by Mr. Highett, he had hoped that the Minister of Customs would have been able to induce the Minister of Railways to make such an alteration in the time at which the train from the Western district reached Melbourne as would have rendered unnecessary a change in the time of the Council meeting.

Mr. T. T. A'BECKETT said that he could not hold out any hope of the suggested alteration being made, as the hour at present fixed for the arrival of the afternoon train from the westward was part of a complicated system which would be entirely disturbed by such an arrangement. He would offer no opposition to an alteration in the time of the House meeting.

Mr. STRACHAN then moved, as an amendment, that the hour of meeting be half-past four o'clock.

Mr. T. T. A'BECKETT accepted the amendment.

The motion, as amended, was then agreed to.

#### STANDING COMMITTEES.

On the motion of the Hon. T. T. A'BECKETT, the standing committees for the session were constituted as follows :—

STANDING ORDERS COMMITTEE.—The Honorables the President, W. Campbell, J. O'Shanassy, H. M. Murphy, and T. T. A'Beckett.

LIBRARY COMMITTEE (JOINT).—The Honorables the President, J. O'Shanassy, R. C. Hope, R. S. Anderson, and C. J. Jenner.

PRINTING COMMITTEE.—The Honorables R. S. Anderson, A. Fraser, J. Henty, J. Graham, and F. Robertson.

REFRESHMENT ROOMS COMMITTEE (JOINT).—The Honorables P. Russell, R. Turnbull, R. Simson, the President, and W. H. Pettett.

PARLIAMENT BUILDINGS COMMITTEE (JOINT).—The Honorables the President, J. F. Strachan, N. Black, N. Fitzgerald, and W. Degraives.

### VENTILATION OF THE CHAMBER.

The Hon. G. W. COLE called attention to the necessity which existed for an alteration in the internal arrangement of the chamber, so as to avoid the draughts from the outer passages, which were exceedingly troublesome. He moved that the subject be referred to the Parliamentary Buildings Committee, with a request that they would deal with it.

The motion was agreed to.

### ELECTIONS COMMITTEE.

The PRESIDENT laid on the table his warrant appointing the Honorables T. T. a'Beckett, W. Campbell, R. C. Hope, J. Cumming, W. Highett, J. O'Shanassy, and P. Russell, as the Committee of Elections and Qualifications.

The House adjourned at nine minutes to four o'clock, until Tuesday, March 2.

## LEGISLATIVE ASSEMBLY.

*Thursday, April 27, 1871.*

Presentation of the Speaker to the Governor—State Opening of Parliament—Gaols Statute Amendment Bill—Address in Reply to the Governor's Speech.

The SPEAKER took the chair at one o'clock p.m., and immediately afterwards proceeded to the Government-offices, accompanied by the members present.

On his return,

The SPEAKER said—I have the honour to report to the House that, according to the usual custom, I have attended at the Government-offices, and presented myself to His Excellency the Governor as the Speaker of this House, and that His Excellency has been pleased to make the following reply:—

“Mr. Speaker,—I learn with satisfaction that you have been selected by the Legislative Assembly for the office of Speaker, and I feel pleasure in expressing to you the confidence which I feel that you will maintain the dignity of that high office, and discharge the arduous and important duties intrusted to you with honour to yourself and advantage to the public.”

At five minutes past two o'clock, the Usher of the Legislative Council brought a message from His Excellency the Governor, requesting the attendance of honorable

members in the chamber of the Legislative Council.

The members present, headed by the Speaker, and attended by the Clerk, the Clerk-Assistant, and the Serjeant-at-Arms, proceeded to the chamber of the Legislative Council.

Business was afterwards suspended until half-past four o'clock, when the Speaker again took the chair.

### GAOLS STATUTE AMENDMENT BILL.

Mr. WRIXON moved for leave to bring in a Bill to amend the Statute of Gaols.

Sir J. McCULLOCH seconded the motion, which was agreed to.

The Bill was then brought in, and read a first time.

### THE GOVERNOR'S SPEECH.

#### ADDRESS IN REPLY.

The SPEAKER notified that, pursuant to the Governor's summons, the members of the House attended in the chamber of the Legislative Council that afternoon, when His Excellency delivered his speech on opening the session.

The speech having been read,

Mr. GARRATT rose and said—Mr. Speaker, I am informed that it is an ancient custom to select a junior member of the House, or at any rate one of the newly elected members, to move the usual address in reply to the Governor's speech. I have been requested to perform that duty on this occasion, and I therefore beg the kind indulgence of honorable members under the circumstance of my being called upon to address the House at so early a stage in my parliamentary career. I will proceed to submit, in the first place, the formal resolution relating to the speech to which honorable members have just listened:—

“That this House do resolve that a respectful address be presented to His Excellency the Governor, expressive of our loyalty to our Most Gracious Sovereign, and thanking His Excellency for having called us together thus early, in order that provision may be made in due time for the requirements of the ensuing financial year, and also that the large amount of practical legislation now awaiting settlement may as soon as possible engage our attention. Expressing our concurrence with His Excellency that the subject of public instruction stands foremost in importance, and thanking His Excellency for informing us that the principles of the measure which will be submitted to us have been already before the country, and will at an early period of the session demand our consideration. Assuring His Excellency that we shall deal with

this national question in a national spirit, and endeavour to settle our educational system on a comprehensive and efficient basis, which will not readily be secured unless the subject be dealt with as one apart from and superior to party conflicts. Concurring with His Excellency that the question of mining legislation requires the attention that is due to such a prominent interest of this country. Thanking His Excellency for acquainting us that a Bill will be submitted to us which, it is hoped, will present a fair settlement of the difficult and long contested question of mining on private property; and that Bills for the amendment of the law relating to the constitution and management of mining companies, and for the regulation of mines and preventing accidents therein, will also be brought under our consideration. Concurring with His Excellency that connected with mining, though not limited to its interests, is the subject of water supply for this country. Thanking His Excellency for informing us that this important question has constantly engaged the consideration of His Excellency's advisers, and that they have, through the courtesy of the Government of India, been enabled to secure the services of an hydraulic engineer of high attainments, who has already been occupied in an inquiry into the principle and the construction of the water supply works now in progress in Victoria, and whose opinion on the character of these works, and advice as to the extension of similar undertakings, will be of great value. Thanking His Excellency for informing us that a Bill will be laid before us for giving practical effect to these investigations, and for providing for advances, on certain conditions, of loans for water supply purposes to local bodies throughout the country. Thanking His Excellency for informing us that a measure to amend the Land Act 1869 will be introduced early in the session, and also a Bill to settle, on a satisfactory basis, the law relating to fencing, which is now the source of both trouble and injustice to occupiers of the lands. Thanking His Excellency for informing us that the experience of some years past shows that the criminal law requires amendment, so that a more efficient mode of punishment should be provided for criminals who are not adequately deterred from crime by the fear of imprisonment, and that young offenders, who are more apt to be contaminated than reformed by a gaol, should be subjected to a punishment of a summary character, and that a Bill to effect these objects, and also a Bill providing more effectually for the management and safe custody of convicts, will be laid before us. Thanking His Excellency for informing us that a measure to remedy defects in the Justices of the Peace Statute will be laid before us during the session, and that we shall also be asked to consider a Bill for improving the law relating to the control and regulation of the police force. Thanking His Excellency for informing us that a Bill will be submitted for amending the Postal Act, with a view of affording to the people increased facilities at a reduced cost. Thanking His Excellency for acquainting us that our attention will be asked to a measure for establishing a marine board, to which will be intrusted the administration of the laws and regulations relating to shipping and our ports and harbours. Thanking His Excellency for informing us that the Estimates for 1871-2 will

be laid before us without delay, and that they have been framed with a due regard to economy and the requirements of the public service. Thanking His Excellency for informing us that reports from the Royal commissions appointed by His Excellency to inquire into the subjects of intercolonial legislation and charitable institutions have been presented to His Excellency and that His Excellency has directed them to be laid before us. Thanking His Excellency for informing us that a Bill for railway extension will be brought under our consideration, and that His Excellency's advisers are deeply impressed with the necessity for economy in the construction of such works, and informing His Excellency that we trust that, by a judicious expenditure of the money available, the most important districts will, ere long, be supplied with railway communication. Assuring His Excellency that we are glad His Excellency is able to congratulate us on the termination of the war in Europe, which inflicted such calamities on the two nations engaged, and indirectly affected the prosperity of other countries. That we are gratified to know that, though it is to be hoped that we may now anticipate a prolonged peace, the Government have not relaxed their endeavours to place the country in a proper state of defence. That the construction of batteries and the mounting of guns have been prosecuted with vigour, and the constitution and discipline of the local force and naval reserve corps have been carefully attended to, and that the arrival of the *Cerberus* after her successful voyage adequately completes the defences of our bay. Assuring His Excellency that we receive with much satisfaction His Excellency's congratulations on the recent decision of the Privy Council, which so clearly declares the law regarding the privileges of Parliament. In conclusion, expressing to His Excellency a hope that our deliberations will tend, under Providence, to improve the condition and advance the best interests of the people of this country."

I think the House will be unanimously of opinion that the calling together of Parliament at this somewhat early period will be of very great advantage—that it will enable us to consider the financial condition of the country before the financial year has progressed too far, and also that it will enable the House to give a careful consideration to the very many important measures which will be brought before it, and which the country demands consideration at our hands. There can be no doubt, also, that the importance of the education question fully justifies the prominence given to it in His Excellency's speech, and I think the House will agree that the Bill which has been before the country for some months past to a very great extent represents the public feeling of the country. ("No" and "Hear.") At any rate the leading features of the Bill, with which we are all acquainted, will, I trust, meet with the approval of the House. We are aware that the leading

features of the Bill are the providing for the appointment of a Minister of Public Instruction, the promotion of secular education only, and the introduction of a compulsory clause. I think the House will agree with me that for a long time past the want has been felt of some connecting link between the Board of Education, or those having the control of the education of the country, and this House; and on that ground, I think, we have cause for congratulation that the proposed Bill will deal with that question by the appointment of a Minister of Public Instruction. It will be a great advantage to have a Minister responsible to this House for the due administration of the law relating to public instruction to whom we can appeal on all matters connected therewith, and by whose instrumentality the Legislature can exercise a wiser and more direct control over the large amount of public money spent in promoting education than it has the power to do at present. I believe, too, that the House will be very largely of opinion that the time has come when all legislation on the question of public education should tend in the way of secular education only. The time has gone by when this House and the country will agree to any sort of legislation having a tendency to go back to anything like a denominational system of education. I hope that the features of the Bill which relate to secular education will meet with the approval of the House. I trust, also, that the other leading features of the measure, namely, the introduction of the compulsory clause, will likewise be approved of. The bare fact that some 40,000 or 50,000 children in the colony are found to be wholly without education furnishes, to my mind, a very strong reason why the compulsory clause should be introduced into any Bill relating to public education. ("No.") I confess I can scarcely understand how any opposition can be got up against such a fair and reasonable proposition. The subject of mining on private property, we are told, will receive the consideration of the House, and a Bill is to be introduced dealing with that question. From various causes legislation on the subject of mining on private property has for years past been very slow, and the question still remains unsettled. There can be no doubt, however, of its importance, and that mining will receive a very considerable impetus if the question is once

settled. I think we may congratulate the Government on the proposal to introduce a Bill which will deal with it, and also on the promise to submit measures for the amendment of the law relating to the constitution and management of mining companies, and for the prevention of accidents in mines. Akin to these subjects is the question of water supply. That matter is of importance not only to the mining community, but to all large centres of population; and, although we perhaps have to lament the partial failure of the system already introduced—I refer more especially to the partial failure of the Coliban scheme—I think the House must congratulate the Government on the fact of having taken perhaps the best steps that could have been taken under the circumstances, by securing the services of a gentleman of very large practical experience in the person of Colonel Sankey, who, I am given to understand, possesses very high attainments as an hydraulic engineer. I think that the country will reap considerable advantage from the visit of that gentleman, and from the reports which he will no doubt lay before the Government. Care should be taken, however, that those reports are perfectly independent—that they really come from Colonel Sankey, altogether uninfluenced by any of the officers of the department, or anything which might have a tendency to prevent the reports being thoroughly impartial. I think that the House has also cause for congratulation in the fact that it is proposed to advance loans to local bodies throughout the country for water supply purposes. Of course care will have to be taken that the schemes are thoroughly well defined, and of such a character as to justify the State in advancing money to the local bodies who may desire to supply themselves with water under this arrangement. An Amending Land Bill is also to be introduced, and will no doubt receive the careful consideration of the House. I trust that the measure will have a tendency to remove the legal technicalities and objections which now exist, and to give in every possible way increased facilities for the settlement of the people on the lands of the colony. Another important subject referred to in the Governor's speech is the proposed introduction of a Fencing Bill. I am sure that the experience of every member of the House will teach him the importance

of a measure of that kind, for every member, at some time or other, has had the matter forced upon his attention in a variety of ways. We are also informed that an amendment of the criminal law is contemplated, and that a Bill dealing with the subject will be introduced. There can be no doubt to my mind that the time has arrived when the great increase of offences against women and children should be dealt with in some other way than is provided for by the present criminal law. However much we may regret the necessity for the introduction of any harsh treatment, I think the House will be of opinion that the time has arrived when the lash will probably have to be adopted in order to correct some of the evils of which we now complain. The reduction of the postage rates is a matter of very considerable importance, and I certainly must congratulate the House upon the promise of the Government to make still further reductions in that respect. Although any reduction in the postal rates may possibly cause a temporary loss of revenue, I believe that the House and the country will be prepared to submit to a temporary loss from the conviction that it will be more than amply counterbalanced by the very great advantages accruing from the increased postal facilities which will be afforded to the public. We are also informed that reports will be laid before the House from the Royal commissioners appointed to inquire into the subjects of intercolonial legislation and charitable institutions. No doubt those reports will afford some very valuable information, upon which, at some time or other, legislation will be based. One gratifying fact in connexion with the inquiry into the subject of intercolonial legislation is that it may lead to the establishment of a Customs union throughout the Australian colonies, and in that way, possibly, assimilate the Tariffs of the various colonies so as to be of very considerable advantage to the whole. I am happy to state that I believe the colony of New South Wales has already taken steps to assimilate its Tariff to the Tariff of Victoria, which has hitherto been productive of so much good in developing the resources of the country and in encouraging our local industries. The subject of railway extension is also to engage our attention. I am sure that the House will be of opinion that the time has come when railways must be very largely extended. It will be useless, however, to

talk about any great extension of railways, unless combined with railway extension we can secure a considerable reduction in the cost of construction. I am exceedingly pleased, therefore—and I am sure that the House will be—to learn that the Government contemplate carrying out the extended system of railways on a very much less costly scale than what we have hitherto indulged in. By this means, I trust that those portions of the country which do not yet possess the advantages of railway communication will be supplied; and, if I may be permitted to make the remark, as one of the representatives of the Western district, I hope that the “black” line will receive the very cordial support of the House. I am sure that the House must feel inclined very sincerely to congratulate itself and the country on the termination of the war in Europe, which has been such a great calamity to the two countries engaged in it, and has indirectly affected the trade and interests of this colony. I trust that peace may long be preserved. It is some consolation to learn that something has been done in the way of putting this colony in a comparative state of defence. Our local forces, both naval and military, have been well organized, and should the colony ever be plunged into war, they will, no doubt, be able to defend our shores. At any rate we have the satisfaction of knowing that the safe arrival of the *Cerberus* will afford us considerable protection, and will prevent an enemy from doing any great amount of damage on our sea-coast.

Mr. ROBERTSON.—Mr. Speaker, I rise for the purpose of seconding the motion proposed by the honorable member for Geelong East (Mr. Garratt); and I may at once preface my remarks by observing that the honorable member has made such an able speech that there is really very little for me to say. There is one subject, however, upon which I disagree with some of the opinions expressed by the honorable member, namely, the question of education. I do not go to the same lengths that the honorable member does, although I certainly believe in the adoption of the compulsory system. I hear that it is likely that amendments will be made in the Bill when it comes before the House, and I only hope that the Government will accept such amendments in the measure as will make it acceptable to all classes and sects of the community. I think that the Government are to be

congratulated upon the promise to introduce a very large number of useful measures during the session, and I hope that the members of the House will have an opportunity of discussing every one of them. I believe that it rests with honorable members themselves, to a great extent, for, from what I hear, it certainly is the intention of the Government to introduce every one of the measures which they have promised. The subject of railway extension is one in which I take much interest, and which I think is certainly one of very great importance to the country generally. The present is not the time for me to advocate the claims of any particular district for railway communication to be extended to it, but the proper time will doubtless arrive when it may be necessary for me to do so. In the meanwhile, I can only say that I am glad to perceive that the Government intend to take into their consideration the advisability of establishing a cheaper system of railway construction. Out of four or five propositions of that character which will in all probability be submitted to them, I think that it will not be difficult to find one which will very properly take the place of the present expensive system, which has been in use here ever since railway construction was first commenced in the colony. In reference to the *Cerberus*, I think that, while congratulating ourselves upon the possession of perhaps the most powerful war-steamer afloat for harbour defences, we should not forget to acknowledge the tact and courage displayed by her commander, Captain Panter, and the able assistance afforded him by the officers of the ship under his command. I hope that the Government will not consider that, in seconding the motion which has been submitted by the honorable member for Geelong East, I am in any way pledging myself to all the measures which they intend to introduce. I desire to be distinctly understood that, when I took my seat upon these cross-benches, I intended to remain there as an independent member, until I found a party with whom I could serve. Before resuming my seat, I must thank honorable members for the exceedingly courteous manner in which they have received my remarks. I feel sure that, no matter how long I may have a seat in the House, I shall never forget the consideration shown to me on the first occasion I made a speech here.

*Mr. Robertson.*

Mr. L. L. SMITH moved that the debate be adjourned until the following Tuesday. He said that he did so because he believed that there was likely to be a considerable amount of discussion on the Governor's speech, especially from the fact that it omitted all reference to the present Tariff; that it mentioned nothing about equal electoral districts, upon which the country had a very strong opinion; and because the Government, after deluding the public to believe that they intended that the Education Bill which they submitted last session should be passed into law, now came down and said that the question should not be one of party conflict at all. As the Governor had invited the members of the Legislature to a banquet that evening, honorable members would probably not be desirous of commencing the debate until the next sitting of the House.

Mr. WOODS seconded the motion for the adjournment of the debate.

Sir J. McCULLOCH said that if it was the wish of the House to postpone the consideration of the address in reply to the Governor's speech, the Government had no desire to throw any obstacle in the way. It was the right of all honorable members to express their opinion on the policy of the Government as enunciated in His Excellency's speech; but if the adoption of the address was merely to be postponed, without any discussion taking place on the subject on Tuesday, there was no necessity for the motion of the honorable member for Richmond (Mr. L. L. Smith). If it was the wish of the House generally that the question should be postponed, the Government would assent to the motion.

Mr. VALE thought that it was somewhat unwise for the Government, on the one hand, to invite the House to rejoice that it had met so early to deal with public business, and, on the other hand, to avoid the responsibility of meeting on Friday. It was rather an unsatisfactory sign. If honorable members were not inclined to debate the address in reply to the speech that evening, there was no reason why the House should not meet next day.

The motion for the adjournment of the debate was then agreed to.

The House adjourned at twenty-five minutes past five o'clock, until Tuesday, May 2.