

THE LEGISLATIVE COUNCIL.

THE first Legislature of the New Colony of Victoria will assemble to-morrow, at noon, and as we are not of the happy few to whom Government information is vouchsafed, we can only judge from analogy with similar proceedings in other colonies, what the formulæ will be in our own.

First, then, we shall have a Commission, consisting, doubtless, of the Colonial Secretary, the Attorney General, and the Solicitor General, appointed to receive the oaths of members. Immediately after the administration of the oaths, the Speaker will be chosen, and should any debate occur, the Clerk of the Council will officiate as Speaker, and put the question. Should there be no debate, or no opposition, the Speaker will take the chair as a matter of course, as the Speaker elect. On the following day, Wednesday, the House will present the Speaker elect to His Excellency the Lieutenant Governor, for his approval of the choice of the House; and on Thursday, at noon, the House will assemble to hear the opening address of His Excellency the

Governor, and the opinion of his Government, as far as opinions are given in such documents, upon the current topics of the day, or of such of them as His Excellency wishes to bring under the notice of the Council. These, we opine, will be but few; for so anxious is the Government for a short session; and so desirous to put off the evil hour of inquiry as long as possible, that we rather fancy, on this account, that no very large amount of paper will be wasted in transcribing his Excellency's address.

On the subject of the opening of the House, we adjoin an extract from a very good authority upon such matters, as to the forms adopted on the assembly of a new Parliament in the mother country, which, *mutatis mutandis*, forms a model for our own.

On the meeting of a new Parliament it is the practice for the Lord Chancellor, with other Peers appointed by commission under the great seal for that purpose, to open the Parliament, by stating "That her Majesty will, as soon as the members of both Houses shall be sworn, declare the causes of her calling this Parliament; and it being necessary a Speaker of the House of Commons should be first chosen, that you, gentlemen of the House of Commons, repair to the place where you are to sit, and then proceed to the appointment of some proper person to be your Speaker; and that you present such person whom you shall so choose here, to-morrow (at an hour stated), for Her Majesty's Royal approbation." The Commons then proceed at once to the election of their Speaker. If any debate arises, the clerk at the table acts as Speaker, and standing up, points to the members as they rise. He also puts the question. When the Speaker is chosen, his proposer and seconder conduct him to the chair, where, standing on the upper step, he thanks the House and takes his seat. It is usual for some members to congratulate him when he has taken the chair. As yet he is only Speaker-elect, and as such presents himself on the following day in the House of Lords, when it has been customary for him to acquaint the lords commissioners, that the choice of the Commons "has fallen upon him," that he feels the difficulties of his high and arduous office, and that "if it should be Her Majesty's pleasure to disapprove of this choice, Her Majesty's faithful Commons will at once select some other member of their House better qualified to fill the station than himself." It is stated by Hatsell, that there have been only two instances "in which neither this form, of having the royal permission to proceed to the election of a Speaker, nor the other, of the King's approbation of the person elected, have been observed. The first is the election of Sir Harbottle Grimstone, on the 25th April 1660, to be Speaker of the Convention Parliament which met at the Restoration; the other is the election of Mr. Powle, 22nd January 1688-9, in the Convention Parliament at the Revolution." The only instance of the royal approbation being refused is in the case of Sir Edward Seymour, in 1678. Sir John Topham indeed was chosen Speaker in 1450, but his excuse was admitted by the King. Sir Edward Seymour, who knew that it had been determined to accept his excuse, omitted the usual form. Of late years, the Speaker's address, upon this occasion, has been very considerably modified.

When the Speaker has been approved, he lays claim on behalf of the Commons, "by humble petition, to all their ancient and undoubted rights and privileges," which being confirmed, the Speaker with the Commons retires from the bar of the House of Lords.

Both Houses then proceed to take the oaths required by law. In the Commons, the Speaker takes them before any other member. Three or four days are usually occupied in this duty before the Queen declares to both Houses, in person or by commission, the causes of calling the Parliament. From this time business proceeds regularly. The first thing usually done in both Houses is to vote an address in answer to her speech from the throne.

Before any business is undertaken, prayers are read; in the House of Lords by a bishop, and in the House of Commons by their chaplain. The Lords usually meet at five o'clock in the afternoon, the Commons at four.