

1880.

VICTORIA.

DISSOLUTION OF ASSEMBLY.

Ordered by the Legislative Assembly to be printed, 7th September 1880.

NORMANBY,

*Governor.**Message No. 6.*

In return to the Address from the Legislative Assembly, requesting that the Governor will cause to be laid upon the Table of the House "copies of all minutes or memoranda submitted to His Excellency by his late Ministers, advising the dissolution of the last Legislative Assembly, or containing the grounds and reasons of such advice, and also copies of His Excellency's reply thereto," the Governor now transmits herewith copies of the memoranda referred to.

Government Offices,
Melbourne, 6th September 1880.

MEMORANDUM FROM THE HONORABLE THE PREMIER TO HIS EXCELLENCY THE GOVERNOR.

Mr. Service deems it his duty to invite His Excellency's attention to the division that took place last night on the proposals of the Government for the Reform of the Constitution.

This question of Reform of the Constitution has been a prominent one from the earliest period of the existence of the Constitution Act, and fundamental changes were made in that Act during the first Session of the first Parliament.

From that time to the year 1878 differences between the two branches of the Legislature arose, with the effect of greatly increasing public interest in the question, and various measures of Reform have, from time to time, been proposed to Parliament, without procuring any satisfactory result.

In the year 1878, in consequence of a serious conflict which had recently occurred between the Legislative Assembly and the Legislative Council, this question assumed such great prominence in the public mind that a settlement of it became indispensably necessary. Accordingly Mr. Berry, who was then Premier, submitted with that object to the Legislative Assembly a measure which passed through its several stages by large majorities, and which was received but not proceeded with by the Legislative Council.

Thereupon Mr. Berry, authorized by a majority in the Legislative Assembly, went to England with a view to obtain from the Imperial Parliament what was termed an "Enabling Act." Failing to procure such an Act, Mr. Berry returned from England and introduced in the Legislative Assembly another Reform Bill differing in its provisions from his previous Bill, but this, upon its third reading, failed to pass in the Legislative Assembly. His Excellency was thereupon pleased to grant a dissolution of Parliament for the purpose of enabling Mr. Berry to submit that specific Bill to the country, and the result of that appeal was such that Mr. Berry felt compelled to resign without meeting Parliament.

Prior to the dissolution referred to, Mr. Service, as leader of the Opposition, submitted to the Legislative Assembly certain propositions for the Reform of the Constitution, and these propositions assumed very considerable prominence during the progress of the election which followed.

Mr. Service having accepted the office of Premier, upon the retirement of Mr. Berry, embodied these propositions in a Bill, which he submitted to the Legislative Assembly, and notwithstanding that that House had been elected under the auspices of Mr. Berry, he succeeded, on the second reading of the measure, in obtaining in its favor forty-one votes as against forty-three.

On the introduction of this Bill, its provisions were fully explained, and by means of the public press and elaborate discussions in Parliament, the whole of the country has been made well acquainted with them, and forty-one journals have declared in their favor, whilst seventeen only have opposed them.

Numerous public meetings, of a very influential character, have been held throughout the colony, and have affirmed the desirability of passing the Bill into law, and have expressed the opinion that, if it should be rejected by Parliament, a dissolution ought to be accorded to Mr. Service, in order that the country might have an opportunity to give effect to its views upon the subject. Moreover, a large number of influential petitions from all portions of the country have been presented to the Legislative Assembly expressing unqualified approval of the Bill, and praying that it might pass.

Mr. Service is of opinion that his proposals are regarded by a very large majority of the people of this colony as a moderate and satisfactory settlement of this long-vexed question; and he believes that, if his Bill is now submitted to the country, a new Assembly would be returned in which a good working majority would be found in favor of the provisions of that Bill.

In addition to these considerations, it is evident that no other proposal for reform of the Constitution is likely to command so large a measure of support in the Legislative Assembly as now constituted as the Bill which was last night rejected.

It is conceded by all parties that the question of Reform should be settled as early as possible, and this view was shared in by the late Secretary of State for the Colonies.

So much sacrifice has been made, and so much interest has been taken, by the public throughout the country, to ensure an early settlement of this disturbing but important question, that it would be little short of a national calamity if any opportunity were now lost to promote that desirable end.

The speediest and most effectual way to attain this object would therefore appear to be to dissolve Parliament, and to submit to the country the proposals contained in the Bill so submitted to the Assembly by Mr. Service, and rejected by it.

In conclusion, Mr. Service desires to state that in view of the recent general election he would not feel warranted in advising His Excellency to dissolve Parliament were it not that he feels assured that that course is the only means of securing the satisfactory settlement of the question of Reform.

Mr. Service therefore advises His Excellency to dissolve Parliament with a reluctance which is overcome only by the full belief that it is the most prudent course available in the interest of the country.

JAMES SERVICE,
Premier.

25th June 1880.

MEMORANDUM FROM HIS EXCELLENCY THE GOVERNOR TO THE HONORABLE
THE PREMIER.

The Governor has carefully considered the important Memorandum handed to him by Mr. Service yesterday, in which the Government advise an immediate dissolution, and while he feels fully all the objections that may be urged, and the inconvenience that must necessarily be caused by the dissolution of a Parliament which has been so recently elected, it appears to him at the same time that it is absolutely necessary for the well-being of the colony that some solution of the question of Constitutional Reform should be arrived at with as little delay as possible.

With this view he did not hesitate on the advice of his late Government to grant a dissolution, in order that the Bill introduced by Mr. Berry might be submitted to the decision of the country, and it is evident that the answer to that appeal must have been quite conclusive, at any rate to the minds of the late Government, or they would not have tendered their resignation as soon as the returns were known, without even waiting for the meeting of Parliament.

The main features of the Reform Bill introduced by the present Government which has just been defeated were, at the time of the late dissolution, distinctly placed before the constituencies as the platform upon which the supporters of Mr. Service claimed their support, and it would therefore lead to the belief that the principles of the Bill are such as receive the approval of the country, nor have subsequent events tended in any way to shake that belief.

The Governor freely admits that if the same spirit of mutual moderation and forbearance, the same mutual respect and consideration, which uniformly actuates the relations between the Houses of Lords and Commons in England had been always evinced in the relations between the Council and the Assembly it is not probable that any Reform would have been required, or, at any rate, the Bill having been defeated, the question might have been delayed till some more convenient time.

This, however, has not been the case; dead-locks have on several occasions taken place, strong feelings have been excited, and for the last three years Constitutional Reform has been the one question which has agitated the country to the exclusion of many measures which demand the attention of Parliament. Under these circumstances the Governor considers that it would be impossible to leave this question in its present state.

Did he see any prospect in the present Parliament of forming another Government which would be capable of dealing with this subject without a dissolution, he might hesitate to accept the advice tendered; but as the division itself appears to him to show that such an attempt would be hopeless, he feels bound to accept the advice tendered by Ministers.

If an appeal to the country is to be made upon the Reform Bill, it is evidently desirable that it should be made immediately, in order that the new Parliament may meet again in time to vote Supplies necessary for carrying on the service of the country, and also to devote their attention to the question of Reform, and other important matters, with as little delay as possible.

NORMANBY.

Government House,
Melbourne, 26th June 1880.