

CONSTITUTION AND GOVERNMENT.

Victoria is one of the six States forming the Commonwealth of Australia; and is, except as regards matters dealt with by the Federal Parliament, a self-governing colony under the British Crown. By the Victorian Constitution, the Parliament was empowered generally "to make laws in and for Victoria in all cases whatsoever"; and in addition was granted special powers to alter the Constitution, to impose customs duties, regulate the sale and occupation of Crown lands and mining. Such powers are merely restricted to this extent:— That certain measures are to be reserved for the Royal Assent, such, for instance, as matters inconsistent with treaty obligations, divorce, currency, military or naval discipline, imperial trade and shipping, and rights of British subjects not resident in the colony: but the Royal Assent is never withheld so long as such measures are not "repugnant to the law of England." The powers of the Victorian Parliament have been considerably curtailed by the federation of the Australian Colonies, and the transfer of various functions to the Commonwealth Parliament. Although the matters which will ultimately be dealt with by that body will abrogate from the State Parliament many of its present functions, the internal development of the State still depends upon the local Parliament; the power of taxation for State purposes (other than by Customs and Excise) is retained; Crown lands, agriculture, mining, and factory legislation also remain; neither the State railways nor the public debts have yet been touched by the Commonwealth; whilst it will probably be many years before that Parliament will be able to assume all the multifarious functions assigned to it, and which must in the interim be dealt with by the States. The Victorian Parliament has also delegated to municipal bodies certain matters of a local nature, and a complete system of municipal government has been established. A full account of the Local Government System of Victoria is given in the issue of this work for 1892, Vol. I., pars. 36 to 50.

Division of
Govern-
mental
functions.

Reform of
the State
Constitu-
tion.

The Constitution of Victoria was briefly described in the issue of this work for 1895-8, page 9, and more fully in the issue for 1883-4, page 610; but since then a Reform Act has been passed, and has now received the Royal Assent on the 7th April, 1903. This Act, entitled the "Constitution Act 1903," provides for a reduction in the number of responsible Ministers from 10 to 8, and their salaries from £10,400 to £8,400; in the number of members of the Legislative Council from 48 to 35, including one special representative for the State railways and public servants, but an increase in the number of Electoral Provinces from 14 to 17—each being now represented by 2 members elected for 6 years—1 retiring every three years by rotation, except at a general election, when one-half of the members are to be elected for only three years; a reduction in the property qualification of members of the Council from £100 to £50 as the annual value of the freehold, and in that of electors qualifying as lessees or occupying tenants from an annual value of £25 to one of £15; also a reduction in the number of members of the Legislative Assembly from 95 to 68—including 2 to be specially elected by the railway officers, and 1 by the State public servants, and in that of the electoral districts from 84 to 65.

A dissolution of both Houses is to take place within six months after the Royal Assent to the Act has been given and Acts have also been passed determining the boundaries of the new constituencies. Power is given to any Minister who is a member of the Assembly to sit in the Council—or vice versa—in order to explain the provisions of any measure connected with any department administered by him. The Council is to be empowered to suggest alterations in any Appropriation Bill once at each of three stages of the Bill, viz.—(a) when in Committee, (b) on the Report of the Committee, (c) on the third reading. The remedy provided to meet disagreements between the two Houses is the simultaneous dissolution of both after a Bill has been twice submitted to, and rejected by, the Council—viz., once before, and once after, a dissolution of the Assembly in consequence of such first rejection. The "Reform Act" has now received the Royal Assent.

Voting by
post at
Elections.

To facilitate the exercise of the franchise in sparsely populated districts, the "Voting by Post Act 1900" was passed on the 17th October, 1900. This measure enables any elector, who is resident, or is likely to be staying, on the polling day more than five miles from the nearest polling booth, or who is prevented by reason of sickness or infirmity from voting personally, to obtain a ballot paper entitling him to vote by post for any candidate in his district standing for either

House of Parliament. This Act came into force on 1st December, 1900, and was to continue in force for three years, and thence until the end of the next ensuing session of Parliament. The first experience of the working of this Act was at the Commonwealth Elections held in March, 1901, at which 1,269 postal ballot papers were used in 18 out of the 19 contested districts for the House of Representatives, being about 1 per cent. of the total votes recorded. The number of electors who voted by post for the Senate throughout the whole State was 1,227 or 1 in every 114 who voted.

On 30th August, 1899, by an Act amending the Constitution, it was provided that after the expiration or dissolution of the then existing Parliament, no person should on any one day vote in more than one electoral district at an election for the Assembly. Plural voting, however, is still permissible in elections for the Upper House, but owing to the large area of the provinces, it is improbable that the right is exercised to any extent.

Plural
voting
abolished.

In cases where a person is entitled to become an elector and his name does not appear on the Ratepayers or General Roll, such person may, by an Act passed in 1898, take out a Right and apply to a Court of Petty Sessions for a Certificate enabling him to vote. At the general elections for the Assembly held in November, 1900, the total number of votes recorded on such Certificates was 10,472, or 8·12 per cent. of the total votes polled. In some of the metropolitan electorates, the proportion of electors using Voters' Certificates was remarkably high, thus it was 22 per cent. in Carlton South, 18 per cent. in Fitzroy, 17 per cent. in Melbourne North, 16 per cent. in Melbourne West and Daylesford, and 14 per cent. in Brighton.

Voters'
Certificates.

The number of informal votes at the General State Elections held in November, 1900, was 679, about $\frac{1}{2}$ per cent. of the total votes polled.

Informal
votes.

The numbers of electors on the rolls of both Houses of the State Legislature in 1902-3 were as follow. For the total and adult population and the number of electors in each electorate, see Part Population of the Statistical Register of Victoria for the years 1901 and 1902:—

ELECTORS ON THE ROLL, 1902-3.

			Legislative Council.		Legislative Assembly.
Ratepayers' Roll	...	...	135,848	...	213,988
General Roll	...	...	294	...	42,647
Total	...	...	136,142	...	256,635

Electors
who voted,
Legislative
Council.

More than usual activity was displayed at the elections for the Legislative Council held in 1901, when 6 of the 18 seats were contested, and 58·0 per cent—the highest on record—of the electors in contested provinces recorded their votes. In the preceding seven years, 1894 to 1900, not more than one or two seats in any one year were contested, and the proportion who voted averaged barely 37 per cent.; ranging from nearly 31 per cent. in 1898 and 1899 to $40\frac{3}{4}$ in 1900 and $48\frac{1}{4}$ in 1896. In the years 1871 to 1893, the average was 48·8; varying from a maximum of 56·7 in 1884 to 35·7 in 1893. There were no contested elections for the Legislative Council during 1902.

Proportion
of members
and elec-
tors of both
Houses to
population.

By the "Reform Act," lately assented to by His Majesty, a reduction is provided for, as previously stated, in the number of members of the Upper House from 48 to 35, and of the Lower House from 95 to 68. The number of electors in 1902-3 for the former was 136,142, which will probably be increased to 163,142 by the operation of the new Act; whilst the electors for the latter House numbered 256,635. And as the estimated population of the State at the end of 1902 (exclusive of the shipping) was 1,203,450—of whom about 310,800 were adult male British subjects—it follows that each member of the Upper House will in future represent 34,384 persons, or 8,880 adult male British subjects, instead of 25,070 persons, or 6,475 adult males under the existing Constitution; and each member of the Lower House, 17,698 persons or 4,571 adult males, as against 12,668 persons or 3,272 as formerly.

Constitu-
tions in
Australian
States
and New
Zealand.

In the last edition of this work a short account was given of the Constitutions of the different States and New Zealand, and still later particulars will be found in the "Australian Statistics," 1901-2, pages 46 and 47.

Parliament
ary repre-
sentation
in Austra-
lasia and
Canada
compared.

A comparison of the relative parliamentary representation in Victoria and other countries is not of great value, unless account be taken of the different surrounding circumstances. Thus, a comparison with the United Kingdom, Germany, and France, is irrelevant on account of the vast differences in density of population and the want of similarity in the functions assumed by the central governments. It is only natural to expect that in States where the population is scattered, the number of persons per member would be less than in densely populated States, such as New York (America).

In comparing the Australian States with the Provinces of Canada—where the area, population, and dominant race are similar to those in the former—allowance must still be made for the difference of the division of functions between the

Federal Parliament on the one hand and the local Parliaments on the other. In Canada the following matters are controlled by the Dominion Parliament, which are in Victoria still dealt with by the local Parliament:—Police and gaols, railways, lands (partly), fisheries, agriculture (partly), mining, statistics, banking, savings banks, bills of exchange, &c., bankruptcy and insolvency, naturalization, and criminal law. Notwithstanding this unequal division of labour, it is found that the number of members in the State Lower Houses in Australia is nearly the same as in the Canadian Provinces—395 in the former and 391 in the latter—whilst the number of members in the Australian House of Representatives is only 75 as against 213 in the Canadian House of Commons. The following table shows the number of members of the popular houses, both local and federal, and the population to each member in Australia, New Zealand, and Canada:—

State, Province, or Federation.	Population to the Square Mile.	Number of Members.		Population to each Member.	
		State Assembly.	Federal Assembly.	State Assembly.	Federal Assembly.
States of Australia—					
Victoria	13·6	68*	23	17,728	52,413
New South Wales	4·3	125	26	11,244	54,056
Queensland	·7	72	9	7,151	57,206
South Australia	·4	42	7	8,709	52,256
Western Australia	·2	50	5	4,303	43,028
Tasmania	6·6	38	5	4,660	34,515
Total Australia	1·3	395	75	9,833	51,784
Colony of New Zealand	7·4	80	...	10,099	...
Provinces of Canada—					
Ontario	9·5	94	92	23,223	23,728
Quebec	4·8	74	65	22,282	25,368
Nova Scotia	22·3	38	20	12,094	22,978
New Brunswick	11·8	46	14	7,198	23,651
Manitoba	3·9	40	7	6,374	36,421
British Columbia	·4	38	6	4,701	29,776
Prince Edward Island	51·6	30	5	3,442	20,652
N. W. Territories	·1	31	4	5,950	46,107
Total Canada	1·3	391	213	13,747	25,216

A comparison of the State Assembly of Victoria with that of each of the United States of America is fair, as the functions exercised are approximately the same, with the important exceptions that there are no State-owned railways in the latter, and that several powers which may at any time be

State Assemblies in Victoria and United States.

* As provided for in the new Constitution Act.

assumed by the Federal Government are still exercised by the Australian State:—

State.	Population per Square Mile.	Number of Members.	Population to each Member.
Victoria	13·6	68	17,728
States of America—			
New York	147·8	150	48,453
Ohio	101·3	109	38,143
Illinois	85·0	153	31,513
New Jersey	241·0	60	31,394
Pennsylvania	139·4	204	30,942
Indiana	69·2	100	25,165
Michigan	41·1	100	24,210
Texas	11·5	128	23,818
Iowa	39·8	100	22,318
Missouri.....	44·7	140	22,190
Kentucky	53·1	100	21,472
Wisconsin	36·9	100	20,690
Tennessee	48·1	99	20,410
California	9·4	80	18,563
Virginia	43·7	100	18,542
Alabama	35·0	100	18,287
North Carolina	36·2	120	15,782
Minnesota	21·0	119	14,718
Arkansas	24·4	100	13,116
Georgia	37·3	175	12,665
Maryland	97·5	98	12,143
Louisiana	28·4	116	11,945
Kansas	17·9	125	11,764
Massachusetts	337·4	240	11,689
South Carolina	43·8	124	10,809
Connecticut	18·2	255	3,562
22 other States	7·1	1,809	5,519
Total American States ...	25·5	5,104	14,900

Municipal or local government is almost universal throughout Victoria, all but about $\frac{3}{4}$ per cent. of its whole area being divided into urban or rural municipal districts. The former are called cities, towns, and boroughs, and the latter shires. They are regulated under the several Local Government Acts, each municipality being a body corporate, with perpetual succession and a common seal, and capable of suing and being sued, and of purchasing, holding, and alienating land. The councils of municipalities have power to levy rates, which, together with subsidies received from the State, form their chief sources of income. Their functions are to make, maintain, and control all streets, roads, bridges, ferries, culverts, water-courses, and jetties within their respective boundaries; also, under proper by-laws, to regulate

Local
govern-
ment—
Municipali-
ties, &c.

the markets, pounds, abattoirs, baths, places of recreation, charitable institutions, and the arrangements for sewerage, lighting, water supply, prevention of fire, and carrying on of noxious trades, and to act as local Boards of Health.

Other functions of a special character have been delegated to boards or trusts, of which the following are the more important:—Melbourne Harbor Trust, constituted to provide for the maintenance and improvement of the Port of Melbourne; Melbourne and Metropolitan Board of Works, for the water supply and sewerage of the metropolis; Melbourne Tramways Trust, for the construction, on behalf of the municipalities, of cable and other tramways in Melbourne and suburbs, which have been leased to a company for a term of years; two fire brigade boards; and Irrigation and Water Supply Trusts, for the conservation, distribution, and supply of water in country districts. A full account of the municipal system of government existing in Victoria, also of the Metropolitan Board of Works and the Fire Brigades Boards, was given in the issue of this work for 1892, Vol. I., paragraphs 36 to 50.

The Act constituting the Federal Council of Australasia, which had been in force since the 14th August, 1885, was repealed and superseded by the "Commonwealth Constitution Act" on the 9th July, 1900, although the Acts passed by it continue to have the force of law in the States legislated for, until repealed by the Federal Parliament. A list of the Acts passed by the Council appeared in the issue of this work for 1895-8, pars. 39 and 40.

Repeal of
Federal
Council
Act.

The eighth and final session of the Federal Council was held in Melbourne on the 24th January, 1899, and lasted only four days. It was attended by representatives from all the States now embraced in the Commonwealth, except New South Wales and South Australia. A Bill to provide means for the protection of Australia against exotic diseases by the establishment of an effective system of Federal Quarantine was introduced, but the Council adjourned while it was under consideration. A resolution was also passed expressing the Council's regret that the subject of trade restrictions in the New Hebrides had not yet been finally dealt with by the Imperial Government.

Proceedings
of eighth
session.

A series of conferences of Australasian Premiers, inaugurated in 1895 primarily for considering the question of federation, have continued to be held annually. The first of these was important as being that at which germinated the official movement, which eventually culminated in the present Federation of the six Australian States. At subsequent conferences various matters of general interest, besides federation, were

Conference
of Premiers
prior to
Federation.

discussed, and opinions expressed by means of resolutions, whilst in several cases agreements were made to take concerted action in regard to important affairs. Particulars of the conferences held prior to 1899 will be found in the previous issue of this work, paragraphs 41 and 42. The principal business transacted by more recent conferences held in Melbourne on the 3rd February, 1899, in Sydney on the 24th January, 1900, and in Melbourne on the 19th April, 1900, was as follows:—

CONFERENCE OF 1899.

The Conference of 1899 dealt solely with the amendments required by New South Wales, by resolutions of both Houses of that State, in the Commonwealth Bill 1898, as approved by the Convention.

FIRST CONFERENCE OF 1900.

Resolutions.

MEETING OF STATISTICIANS AND CENSUS.—That a census be taken in each Colony during 1901, and that a Conference of Statists be held to make arrangements therefor, and to prepare and publish a return showing how many members each original State shall be entitled to in the House of Representatives, the basis of such return being agreed upon and laid down by the Premiers.

BUBONIC PLAGUE.—That precautions should be taken to prevent any outbreak of the disease spreading, and that measures should be adopted to stamp out the disease and immediately advise the other Colonies.

APPOINTMENT OF FEDERAL DELEGATES to visit England.—That in compliance with the request contained in the despatch received from the Secretary of State for the Colonies, each Colony should appoint a delegate, and that such delegates should represent all the federating Colonies in unitedly urging the passage of the Bill through the Imperial Parliament without amendment, and in explaining any legal or constitutional questions that may arise.

THE NEW HEBRIDES.—That a telegram in the following terms be forwarded to the Secretary of State for the Colonies:—"Reported in press cables that French newspapers insist on the necessity of settling the fate of the New Hebrides. Australian opposition to French annexation has in no way diminished, and, without wishing to embarrass the Imperial Government at the present juncture, express an earnest hope that no steps will be taken to give France greater control unless Australasian Governments first consulted."

SECOND CONFERENCE OF 1900.

This Conference was held to consider the position in regard to the amendments proposed to be made by the Imperial Parliament in the Commonwealth of Australia Constitution Bill.

Soon after the establishment of Federation, conflicting interests and differences of opinion between the States' Governments on the one hand and the Federal Government on the other became manifest; and in order to get the benefit of an interchange of ideas, and, if possible, to arrive at some agreement in regard to matters in dispute, a joint conference between the States' and Federal Ministers sat in Melbourne

Joint
conference
of State
and
Federal
Ministers,
1901.

from the 1st to the 4th November, 1901. The most prominent subject discussed was the "Property Acquisition Bill," by which the Federal Government proposed to compensate the States for the value of property handed over by crediting each State for the value of its property transferred, debiting it on a population basis (as "new" expenditure) for its share of the whole of the property taken over from all the States, and then paying or receiving (as the case might be) the difference in cash. Thus the whole matter would be settled once for all by a mere adjustment between the States, without the creation of any liabilities on the part of the Commonwealth, and without affecting its sources of revenue, although it would acquire by one stroke properties estimated as worth over ten millions sterling. The States' Ministers, however, contended that, even if the payment of such compensation be regarded as "new" expenditure, the Commonwealth should in any case take over corresponding portions of the States' debts, and pay the interest thereon out of its fourth share of the net Customs and Excise revenue; but if it is, as they believe it ought to be, regarded as "transferred" expenditure, the interest would be deductible in the same manner as working expenses, which was considered only fair, seeing that at least during the book-keeping period each State reaps the benefit of its own capital expenditure; and hence it was urged that (a) each State should be charged with the interest on value of properties taken over with the transferred services, and (b) have returned to it either the capital value of transferred properties, or preferably the interest represented by such capital value. In regard to this view, however, it must be borne in mind that the properties were transferred permanently, but that the duration of the book-keeping clauses is limited. The real trouble appears to be that the whole of the Commonwealth and portion of the States' expenditure are defrayed out of the same purse, and there is no line of demarcation between them so long as the former does not exceed the limit of one-fourth of the net revenue from Customs and Excise. The following is a list of other subjects discussed at this conference:—State and Federal Offices in same building; payment for services rendered by State to Commonwealth; and officers occupying dual positions in State and Commonwealth; establishment of ironworks; administration of New Guinea; transport of members of defence force; quarantine and light-houses; and the "Pacific Island Labourers Bill."

Owing to the advisability of the States' Governments first agreeing among themselves before urging their views on the Federal Government, as well as to the desirability of co-operation in regard to Interstate matters not yet brought within the sphere of Federal politics, conferences of State Premiers continued to be held after Federation. One was

Conferences
of Premiers
after
Federation.

held in Sydney, on the 15th and 16th May, 1902, at which numerous questions were discussed and the following resolutions were adopted:—

Urging upon the Federal Ministry that transferred State properties should be valued by the Federal Government, valuations having been, or being, made by each State; and that the mode of payment should be by the taking over of an equivalent amount of the State debts.

Protesting against the large sum upon the estimates for the staff of a Public Works Department, and that Federal works for the present can be carried out by the Public Works Departments of the several States.

As to the performance of Federal duties by State officers, and *vice versa*.

That the establishment of a High Court is a matter of urgent necessity.

That it is undesirable to impose Customs duties on Government imports; and that any encouragement which it is considered desirable to give to the production of articles required for Government purposes, should be given in the shape of bonuses on production, rather than by Customs duties on imports.

That transport for Defence purposes be paid for by the Federal Government; and that a scheme of uniform charges be prepared.

That the maritime and industrial interests of Australia will suffer by the discontinuance of meteorological warnings from Queensland, and urging that, pending Federal legislation, telegrams on these matters be free.

Protesting against any Table of Precedence which affects State Governments and officials, and State functions, receiving approval without first being submitted to the State Governments.

To arrange for a conference of experts to consider and advise on the question of securing uniform legislation as to inspection, carriage and storage of explosives.

Conference
of Premiers,
1903.

Another conference was held in Sydney from the 15th to the 22nd April, 1903, at which a very large number of questions was discussed. The most important result achieved by this conference was the temporary settlement, pending the appointment of the Interstate Commission, of the rival claims on the waters of the River Murray, by South Australia for navigation, and by Victoria and New South Wales for irrigation. The agreement entered into between the Premiers of the three States interested was for a period of 5 years from the 1st May, 1903, and was subject to the ratification of their respective Parliaments. The basis of the agreement is the maintenance, in normal years of low river discharge, of a level on the gauge at Morgan (S.A.), during the 7 months, July to January, of at least 4 feet, and during the 5 months, February to June, of a minimum volume flowing in the river channel at the eastern boundary of South Australia of 150,000 cubic feet per minute. Until the actual level has been ascertained, New South Wales and Victoria must during the former period limit their respective diversions to 290,000 and 147,000 cubic feet per minute respectively, but if the level be above or below that stipulated, a pro rata increase may, or decrease must be made; and during the latter period of 5 months—until the volume flowing has been ascertained—must limit their diversions to 190,000 and 100,000 cubic feet per minute respectively; but if there is any surplus it shall be divided pro rata between the three States of New South Wales, Vic-

toria, and South Australia, in the proportions of 10, 5, and 3, whereas any deficiency must be made good by reduced diversions in the two former States. It is stated that the total flow of the Murray in a normal low year is 774,000 cubic feet per minute during the 7 months, and 440,000 during the 5 months above referred to. Certain tributaries of the Murray, which make no effective contributions to it except in time of floods, are exempt from the terms of the agreement, viz.:—The Campaspe, Broken, Avoca, and Wimmera rivers in Victoria; and the Wakool, Lachlan, Bogan, Macquarie, Castle-reagh, Naomi, and Gwydir rivers in New South Wales.

In view of the danger of the Federal Government possessing a large surplus which might tend to extravagance, as well as of the financial stability of the States, the following resolution—important as expressing the State Premiers' views on the question—was agreed to after a good deal of consideration:—"Having regard to the fact that the debts of the various States were incurred upon the security of the revenues of the States, and as the greater part of the revenues has been transferred to the Commonwealth in the Customs and Excise duties, and having regard to the fact that the permanent financial stability of the States must depend upon either (a) the continuance of the application of the principal part of those revenues to payment of the interest of the debts, or (b) the imposition of very largely increased direct taxation, it is resolved that, in order to secure to the several States' Governments the guarantee contemplated by the Constitution, the provisions of the Constitution with respect to the taking over of the debts of the States, or a proportion thereof, should be brought into operation as soon as possible." Resolutions were also carried expressing the desirability of Federal Legislation to remove the anomaly with respect to aliens, who, although naturalized in one State, still continue to be regarded as aliens in another State; in favor of the adoption by means of Federal legislation of the metric system of weights and measures; that "it is to the best interest of the public that disqualifications upon members of either the Federal or State Parliaments, as such, from becoming candidates for the State or Federal Parliaments respectively should be removed," and it was accordingly agreed to take steps to remove such disqualifications so far as regards candidates for the State Parliaments; that mutual action was desirable in regard to the Interstate use of loan account credits in London; and that the appointment of a High Commissioner for Australia would not obviate the necessity of independent State representation in London. The questions of differential railway rates, and the existing heavy charges for underwriting Australian loans in London, were also discussed, as well as several other matters of minor importance.

Federation.
Conference
of Premiers
to consider
New South
Wales
amend-
ments.

A short account was given, in the last issue of this work, of the Federal movement up to the time of the non-acceptance, by the requisite majority, of the Draft Commonwealth Bill by the electors of New South Wales, and of the subsequent adoption of certain resolutions by the Legislative Assembly of that Colony—embodying the amendments in the Bill desired by it. These resolutions were duly considered at a conference of Premiers of the six Australian Colonies held in Melbourne in February, 1899, when, after private discussion, a compromise was arrived at. It was agreed that at the joint sitting of the two Houses for the purpose of settling disagreements between the Houses, the decision of an absolute majority of the total number of the members of both Houses should be final; that the operation of Clause 87, providing that at least three-fourths of Customs revenues be returned to the States, be limited to a period of ten years, during which period the Parliament may grant financial assistance to any State; that the seat of Government be in New South Wales, distant not less than 100 miles from Sydney, and of an area of not less than 100 square miles, all Crown lands therein to be granted without payment, but that the Parliament shall sit at Melbourne until it meets at the seat of Government; that the alteration of the boundaries of a State be subject not only to the consent of the Parliament of the State (as already provided) but also to the approval of the State electors, and that any alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives be subject to the like approval of a majority of electors of the State. With regard to the resolutions affecting (e) inland rivers, (f) money bills, (g) judicial appeal from States, and (j) number of senators, it was decided that no alteration could be made; and with regard to resolution (i) it was agreed that Clause 127, as to mode of altering the Constitution, be amended to provide that if either House twice, with an interval of 3 months, passes any law altering the Constitution (by an absolute majority the first time), and the other House fails to pass it, the proposed law may be submitted to the Federal electors in each State; and that no alteration affecting the limits of any State shall become law unless approved of by the electors in that State. Permission was also given to Queensland, in case that colony entered the Federation at its establishment, to divide the State into electorates for the Senate, reserving power to the Parliament to make the system of election uniform throughout the Commonwealth. It was also agreed that the Bill as proposed to be altered, be referred to the electors of New South Wales

in the first instance, and afterwards to those of the other colonies, and that the decision of a simple majority should be sufficient for the acceptance or rejection of the Bill.

The Bill, with the amendments agreed upon by the Premiers, was then submitted—after the passing of Enabling Acts—to the electors of the several colonies except Western Australia, which for the time held aloof. The Referendum was held in South Australia on the 29th April, 1899, in New South Wales on the 20th June, in Victoria and Tasmania on the 27th July, and in Queensland on the 2nd September of the same year, and the Bill was accepted by overwhelming majorities in Victoria, Tasmania, and South Australia, and by a majority of nearly one-third in New South Wales, and of about one-fourth in Queensland. The features of this Referendum, as compared with the previous one, were the intense interest taken in the question as indicated by the heavy polling in nearly all the colonies, running as high as 70 per cent. of the electors on the rolls in Queensland, whereas the highest proportion on the previous occasion was only 50 per cent.; and the largely increased majorities in favour of the Bill, notwithstanding a stationary opposition in South Australia, and a much more pronounced opposition in New South Wales. The voting was as follows:—

Second Referendum.

Colony.	Electors who voted.			Total Voters.	
	For the Bill.	Against the Bill.	Informally.	Number.	Percentage of Electors on Rolls or qualified to vote.
Victoria	152,653	9,805	1,325	163,783	57·00
New South Wales	107,420	82,741	1,166	191,327	63·45
Queensland	38,488	30,996	348	69,832	69·59
South Australia ...	65,990	17,053	10,909	93,952	62·17
Tasmania	13,437	791	111	14,339	41·83

In compliance with the request contained in a despatch from the Secretary of State for the Colonies, considered at a Conference of Premiers held in Melbourne on 25th January, 1900, it was decided to send a delegate from each colony to England to be ready with explanations and assistance when the Commonwealth Bill was being dealt with by the Imperial Parliament, and that such delegates should unitedly urge the passing of the Bill without amendment. The delegates appointed were as follow:—

Despatch of Federal Delegates to visit England.

- | | |
|---|-----------------|
| Hon. Edmund Barton, Q.C., M.L.C. ... | New South Wales |
| Hon. Alfred Deakin, M.L.A. | Victoria |
| Hon. J. R. Dickson, M.L.A. | Queensland |
| Right Hon. C. C. Kingston, P.C., Q.C., M.H.A. | South Australia |
| Hon. Sir Philip Fysh, K.C.M.G., M.H.A. ... | Tasmania |

The Government of Western Australia despatched Mr. L. H. Parker, Q.C., as their delegate, with instructions to

try and procure an amendment of Clause 95, to provide that that colony should be enabled for five years after the imposition of the Federal Tariff to levy the same Intercolonial Customs Duties as it received at the time of the passing of the Act, instead of such duties diminishing by one-fifth each year as provided. The Hon. W. P. Reeves, Agent-General for New Zealand, was chosen as delegate for that colony, with a view of urging the following amendments:—(1) That New Zealand should be permitted to join, at any time or within a specified term, as an original State; (2) That New Zealand litigants, in the meantime, should have the right of appeal to the High Court as well as to the Privy Council; (3) For a joint system of naval and military defence between that colony and the Commonwealth.

Amend-
ments
by the
Imperial
Parliament

After several conferences between the delegates, the Colonial Office, and Imperial Crown Law Officers, a conference of Australian Premiers in Melbourne on 19th April, 1899, and the interchange of cabled messages and instructions to the delegates from the Premiers of the Federating States, a compromise was at length arrived at in regard to certain amendments desired by the Imperial authorities. The amendments ultimately incorporated in the Imperial Act were as follow:—The words in Clause 2, "This Act shall bind the Crown," were omitted. In Clause 3 provision was made for the admission of Western Australia (without, however, the stipulation referred to in the preceding paragraph), "if Her Majesty is satisfied that the people of Western Australia have agreed thereto." Clause 74 was amended providing that no appeal should be permitted to the Privy Council from a decision of the High Court upon any question as to the limits inter se of the constitutional powers of the Commonwealth and those of any State or States, or as to those of any two or more States, unless the High Court should certify that the question is one that ought to be determined by the Privy Council. As to other decisions, the Royal Prerogative to grant special leave of appeal from the High Court to the Privy Council is reserved, but the Parliament may make laws limiting the matters in which such leave may be asked, but such laws shall be reserved by the Governor-General for Her Majesty's pleasure. With these amendments the Bill was passed through the Imperial Parliament, and received the Royal Assent on the 9th July, 1900.

Acceptance
of the Act
by Western
Australia.

On the 31st July, 1900, the Act, as passed by the Imperial Parliament, was referred by referendum to the electors of Western Australia, who accepted it by a substantial majority; the voting being 44,800 for, and 19,691 against the Act—the total number of votes polled being 65,030 (including 539 informal votes), or 67·7 per cent. of the electors.

The following are the leading features of the "Commonwealth of Australia Constitution Act," passed by the Imperial Parliament:—

Leading features of the Commonwealth Constitution.

Constitution indissoluble, and to come in force by Imperial Proclamation.

The Parliament is to consist of the Queen, a Senate, and a House of Representatives. Governor-General appointed to act for the Queen.

Parliament.

Senate to consist of six members from each State; number may be increased or diminished, but so that equal representation of the States be maintained. Qualification of electors of Senate and of Senators to be same as that of House of Representatives. Each elector shall vote only once.

Senate.

House of Representatives shall have twice the number of members of the Senate; and the number of members for each State shall be in proportion to population, but not less than five for any State. Qualification of electors to be that of the more numerous House in each State. Each elector to vote only once. Qualifications of a member—(a) 21 years of age, (b) to be an elector or entitled so to be, (c) resident three years, (d) natural born or naturalized five years.

House of Representatives.

The general powers of the Parliament are 39 in number, the principal of which are to make laws for trade, taxation, bounties, borrowing, postal services, naval and military, statistics, currency, banking, insolvency, corporations, divorce, marriage, old age pensions, immigration and emigration, railways, &c. Exclusive powers in regard to the seat of Government, State departments transferred, other matters declared by the Constitution to be within the exclusive power of the Parliament.

Powers of Parliament

Money Bills not to originate in, nor to be amended by the Senate, which House may, however, return the Bill requesting any omission or amendment. Equal power in all other matters. Tacking Bills prohibited.

Money Bills.

Provision for dead-locks.—Joint dissolution, and if again passed in lower House and rejected in Senate a joint sitting to be held, and if passed by an absolute majority of the total members of both Houses, disputed Bill to become law.

Dead-locks.

A Bill having passed both Houses the Governor-General shall either assent, withhold assent, reserve the Bill or return it, and recommend amendments.

Executive power vested in Queen and exercisable by Governor-General in Council who may appoint Ministers of State.

Executive.

State departments of Customs and Excise transferred to Commonwealth on its establishment. Departments of posts, naval and military, defence, light-houses, &c., and quarantine, on a date or dates to be proclaimed.

Departments transferred

High Court of Australia established; appellate and original jurisdiction.

Judicature.

Collection of Customs to pass. Custom and Excise duties to be uniform, and intercolonial free-trade established within two years after the establishment of the Commonwealth, after which period the Federal Government shall have exclusive power to levy such duties as well as bounties in the production or export of goods.

Finance and Trade.

Of the net revenue from Customs and Excise not more than one-fourth to be applied by Commonwealth towards its expenditure. This provision is liable to variation or repeal after 10 years from the establishment of the Commonwealth.

Right of States to reasonable use of river waters for conservation or irrigation reserved.

Water rights.

Interstate Commission appointed to regulate trade and commerce, and prevent discriminations being made by any State which may be deemed unreasonable or unjust to any other State.

Interstate Commission.

Constitutions, powers, and laws of States protected. State Debts may be taken over.

State Debts.

Admission of new States provided for. Commonwealth to protect States against invasion or domestic violence.

Protection to States.

Seat of Government to be fixed by the Parliament at some place in New South Wales, but at least 100 miles from Sydney, and to be federal territory.

Federal Capital.

Constitution may be altered by an absolute majority of both Houses, or of one House if passed twice successively with three months interval; subject to the approval of a majority of the electors voting in a majority of the States, and in the whole Commonwealth.

Alteration of Constitution.

Governor-General and Proclamation of Commonwealth.

The Right Hon. the Earl of Hopetoun, P.C., K.T., G.C.M.G., G.C.V.S., was on the 29th October, 1900, appointed Governor-General and Commander-in-Chief of the Commonwealth, and arrived at Sydney on the 16th December. The Proclamation of the Commonwealth and the swearing-in of the Governor-General took place at Sydney on the 1st day of January, 1901, in the presence of representatives of most of the principal countries of the world, and of a vast assemblage from all parts of the Commonwealth and elsewhere. The Governor-General continued in office until the 9th May, 1902, when he was, at his own request, recalled.

First Commonwealth Ministry.

At the Proclamation ceremony the members of the first Commonwealth Ministry were sworn in. The following are their names and the respective offices filled by them:—

Prime Minister and Minister for External Affairs: The Right Hon. Edmund Barton, P.C.

Attorney-General: The Hon. Alfred Deakin.

Treasurer: The Right Hon. Sir George Turner, P.C., K.C.M.G.

Minister for Home Affairs: The Hon. Sir William John Lyne, K.C.M.G.

Minister for Trade and Customs: The Right Hon. Charles Cameron Kingston, P.C., Q.C.

Minister for Defence: The Hon. Sir James Robert Dickson, K.C.M.G. Died January, 1901, succeeded by Sir John Forrest.

Postmaster-General: The Right Hon. Sir John Forrest, P.C., G.C.M.G. Succeeded in January, 1901, by Hon. J. G. Drake (re-arrangement of portfolios).

Honorary Ministers: Richard Edward O'Connor, Esq., Q.C.; The Honorable Neil Elliott Lewis, succeeded by the Hon. Sir Philip Fysh, K.C.M.G.

First Commonwealth Elections.

The first elections to the Commonwealth Parliament were held in March, 1901. For the House of Representatives 4 of the 23 Victorian electorates were uncontested. The proportion of the electors entitled to vote who availed themselves of the franchise was 56 per cent., against 63·5 at the State general elections held in November, 1900. The following table gives particulars of the elections in each State:—

State.	Number of Members.		Number of Electors.		Electors who Voted.		Percentage of Electors who Voted.	
	Senate.	House of Representatives.	Total.	In contested Districts for House of Representatives.	Senate*	House of Representatives. †	Senate.	House of Representatives.
Victoria	6	23	280,661	233,051	149,012	130,610	53.09	56.04
New South Wales ..	6	26	331,765	317,902	218,456	211,035	65.81	66.38
Queensland	6	9	103,806	103,806	51,336	62,656	49.45	60.35
South Australia ..	6	7	154,281	154,281	62,952	62,892	40.80	40.76
Western Australia ..	6	5	87,920	70,230	28,733	25,945	32.68	36.95
Tasmania	6	5	39,528	39,528	18,822	18,572	47.62	46.99
Commonwealth	36	75	997,961	918,798	529,311	511,710	53.04	55.69

* Including informal voters as follow:—8,769 in Victoria, 38,674 in New South Wales, 3,371 in Queensland, 1,478 in South Australia, 5,793 in Western Australia, and 419 in Tasmania.

† Including informal voters as follow:—1,051 in Victoria, 4,070 in New South Wales, 1,575 in Queensland, 985 in South Australia, 525 in Western Australia, and 533 in Tasmania.

The first Parliament of the Commonwealth was opened in Melbourne on the 9th May, 1901, by His Royal Highness the Duke of Cornwall and York, K.G., K.T., K.P., G.C.V.S., who was authorized as His Majesty's High Commissioner by letters patent. Besides the Duke and Duchess and suite, the Governor-General, and Members of Parliament, there were present at this memorable function an assemblage of 12,000 people—embracing official representatives from other British Colonies, the Foreign Consuls, Admirals and Captains of visiting war ships (British and Foreign), Commonwealth and State Government officials, representatives of Provincial Bodies, Societies, and Institutions, as well as leading Australian citizens and visitors. The celebrations, which took place to commemorate this important historical event, and the visit of their Royal Highnesses (which lasted from the 6th to the 16th May), embraced several processions, extensive city decorations and illuminations, a levée, a royal review, numerous receptions and dinners, fireworks, naval, military, and other sports, &c.

Opening of the first Commonwealth Parliament.

Since the inauguration of Responsible Government, thirty-one Ministries have held office in Victoria. The following are the names of the Premiers of the last five of these Ministries, the dates of their assumption of and retirement from office, and the number of days they continued to hold office:—

Ministries.

MINISTRIES, 1894 TO 1902.

Name of Premier.	Date of Assumption of Office.	Date of Retirement from Office.	Duration of Office.
27. George Turner ...	27th September, 1894	5th December, 1899	Days. 1895
28. Allan McLean ...	5th December, 1899	19th November, 1900	349
29. Sir George Turner, P.C., K.C.M.G.	19th November, 1900	12th February, 1901	85
30. Alex. James Peacock	12th February, 1901	10th June, 1902 ...	483
31. William Hill Irvine ...	10th June, 1902 ...	Still in office ...	

The present is the eighteenth Parliament since the inauguration of Responsible Government in Victoria. The following were the number of sessions held in each of the last two Parliaments, the dates of opening and of closing or dissolution; also the duration of each session. For particu-

State Parliaments.

lars respecting previous Parliaments, see "Victorian Year-Book," 1895-8, page 55:—

STATE PARLIAMENTS.

Number of Parliament.	Number of Session.	Date of Opening.	Date of Prorogation or of Dissolution.	Duration of Session.
17	1	25th October, 1897...	21st December, 1897	Days. 58
	2	28th June, 1898 ...	20th December, 1898	176
	3	27th June, 1899 ...	20th February, 1900	238
	4	27th June, 1900 ...	18th October, 1900 ...	113
18	1	13th November, 1900	16th January, 1901 ...	64
	2	18th June, 1901 ...	23rd December, 1901	188
	3	27th May, 1902 ...	15th September, 1902	111

The names of the present Governors of the Commonwealth and of the States and New Zealand and the dependencies, and the dates of their assumption of office, are as follow:—

	Name.	Date of Assumption of Office.
Commonwealth ...	The Right Honorable Hallam Baron Tennyson, K.C.M.G. (Governor-General)	17 July, 1902 (Acting) 16 Jan., 1903 (Appointed)
Victoria ...	Colonel Sir George Sydenham Clarke, K.C.M.G., R.E., F.R.S. Sir John Madden, K.C.M.G., LL.D. (Lieutenant-Governor)	10 Dec., 1901 29 April, 1899
New South Wales	Vice-Admiral Sir Harry Holdsworth Rawson, K.C.B. Sir Fred. M. Darley, G.C.M.G. (Lieutenant-Governor)	May, 1902 29 Oct., 1900
Queensland ...	Major-General Sir Herbert Charles Chermiside, R.E., G.C.M.G., C.B. Right Honorable Sir Samuel W. Griffith, P.C., G.C.M.G. (Lieutenant-Governor)	March, 1902 29 Oct., 1900
South Australia ...	Sir George Ruthven Le Hunte, K.C.M.G. Sir Samuel J. Way, P.C. (Lieutenant-Governor)	1 July, 1903 29 Oct., 1900
Western Australia	Admiral Sir Frederick George Denham Bedford, K.C.B.	24 March, 1903
Tasmania...	Captain Sir Arthur Elibank Havelock, G.C.M.G., G.C.I.E.	8 Nov., 1901
New Zealand ...	The Right Honorable the Earl of Ranfurly, K.C.M.G.	10 Aug., 1897
Fiji ...	Sir Henry Moore Jackson, K.C.M.G.	1902
New Guinea (British) ...	Honorable Christopher Robertson (Acting Administrator)	