

PART I.—CONSTITUTION* AND GOVERNMENT.

9. In Victoria the Executive power is in the hands of a Governor Executive. appointed by the Crown, who acts on the advice of a responsible Ministry of not more than ten members holding paid offices, consisting of a Premier chosen by the Governor from representatives of the dominant section of the Legislative Assembly for the time being, and nine other members selected by the Premier, usually, but not necessarily, from amongst the members of both Houses of Parliament. A Ministry continues in power only so long as it retains the confidence of Parliament.

10. The legislative authority is vested in two Houses of Parlia- Parliament. ment, viz., the Upper House or Legislative Council, consisting of 48 members returned for fourteen provinces, each member being elected for six years; and the Lower House or Legislative Assembly, which consists of 95 members, elected for three years (unless dissolved sooner by the Governor), returned for 84 districts or electorates. The qualification for the Upper House is as follows:—*For members*, a minimum age limit of 30 years, and the possession of freehold property of an annual rateable value of £100; *for electors*, the possession of freehold property rated in some municipal district at not less than £10 per annum, or being the lessee, assignee, or occupying tenant of property of an annual rateable value of not less than £25. Graduates of universities within the British dominions, barristers and solicitors, doctors, ministers of religion, certificated schoolmasters, matriculated students of the Melbourne University, and officers in the army and navy also have votes for the Legislative Council. For the Lower House, the minimum age for members is 21 years, and there is no property qualification; whilst a vote is allowed to every natural-born or naturalized male of the age of 21 years or upwards, untainted by crime, who is on any Municipal Ratepapers' Roll †; or who, not being on such roll, is a freeholder of property of the capital value of £50 or the annual value of £5; or who is resident in the colony twelve months and in the district one month. Persons on the Municipal Ratepayers' Rolls, and freeholders not enrolled as ratepayers, have each the privilege of obtaining one vote in each province or district (as the case may be) in which they are rated for or own property of the requisite value. Hence it follows that an owner and his occupying tenant can both be enrolled as voters in respect to the same property—the former being entitled to be placed on the General and the latter on the Ratepayers' Roll. ‡ Women § are not eligible as members of or electors for either House of Parliament.

11. Foreigners cannot become members of the Upper House unless Foreigners
must be
naturalized. they have been naturalized and resident in the colony for ten years; or of the Lower House unless naturalized for five years, and resident for two years. They are, however, qualified to vote at elections of members of the Upper House after having been naturalized for three years, and

* For an account of the Victorian Constitution, see *Victorian Year-Book*, 1883-4, page 610 *et seq.*

† In Melbourne and Geelong both the owner and the occupier are entitled to be enrolled as ratepayers; but in all other municipalities either the occupier (who has the prior right) or the owner (but not both) is so entitled. There is no minimum limit as to the value of a property for which an occupier can be enrolled, but owners of unoccupied land of an annual rateable value of less than £10 cannot be enrolled as ratepayers.

‡ See paragraph 16 *post.*

§ A Bill for the enfranchisement of women was passed by the Lower, but rejected by the Upper, House in 1898.

resident for one year, and for the Lower House after having been naturalized, and resident twelve months.

Persons
incapable of
becoming
members.

12. Judges ; ministers of religion ; persons holding any office or place of profit under the Crown, or employed in the Public Service for salary, wages, or emolument (except Responsible Ministers); persons who are interested in any bargain or contract entered into on behalf of Her Majesty ; uncertificated bankrupts and insolvents ; and persons attainted of treason, or convicted of any felony or infamous offence within any part of Her Majesty's dominions, are incapable of being elected or continuing to be members of either House of Parliament ; neither can the same person be a member of the two Houses at the same time.

Salaries of
Ministers.

13. *The Constitution Act*, as amended by an Act passed in 1895,* provides for the sum of £10,400† being set aside annually for the payment of ten Ministers, of whom not more than eight may be members of the Assembly, but at least four must be members of either the Council or Assembly.

Members
may not
accept
offices of
profit.

14. No person who is a member of either House of Parliament or has not ceased to be one for a period of six months may accept any office or place of profit under the Crown, except the office of Responsible Minister, Judge of the Supreme Court, Agent-General, President or Chairman of Committees of the Legislative Council, or Speaker or Chairman of Committees of the Legislative Assembly. Should he do so, he is liable to forfeit the sum of £50 for every week he may hold such office or place, together with full costs of suit to any person who may sue for the same.

Payment of
members.

15. Members of the Legislative Council receive no payment for their attendance in Parliament, but every member of the Legislative Assembly, who is not in receipt of any official salary or annual payment from the State, is entitled to receive reimbursement of his expenses in relation to his attendance in the discharge of his Parliamentary duties at the rate of £300‡ per annum out of the consolidated revenue.

Electors.

16. The names of ratepayers in municipal districts are placed on the rolls of the Legislative Assembly—also on those of the Legislative Council if qualified—without action on their own part, but non-ratepayers, including freeholders, residing in another electorate and not enrolled as ratepayers, wishing to vote for either House of Parliament, must take out “electors’ rights,” which are issued free of charge in respect to the Assembly, but for which a fee of Sixpence is charged in respect to the Council. These “rights” must be renewed every three years. In 1891 an Act § was passed with a view of more closely scrutinizing the electoral rolls for the Legislative Assembly, and of expunging therefrom the names of all persons not entitled to vote, including criminals, drunkards, &c.

Plural
voting.

17. Persons on the Ratepayers’ Roll, and freeholders on the General Roll, for several provinces or electoral districts may vote in all such at the same election, but no one may vote more than once in the same

* Imperial Act, 18 and 19 Vict., Schedule I. ; and 54 Vict. No. 1075.

† Originally £14,000 for nine Ministers.

‡ In pursuance of general schemes of retrenchment brought in and given effect to by the Government, this was reduced by 5 per cent., or to £285, in the financial year 1892-3, and by a further 5 per cent., or to £270, making 10 per cent. in all, in 1893-4. In 1895 the amount was reduced to £240, but restored to the original sum, viz. £300, in 1897.

§ *Purification of Rolls Act* 1891 (55 Vict. No. 1242). This Act has been further amended by *The Constitution Act Amendment Act* 1898 (No. 1601).

province or electoral district, although he may have several properties rated independently therein.*

18. Of the electoral districts for the Legislative Assembly, 11 are represented by 2 members each, and 73 by 1 member each. Six of the electoral provinces for the Council are represented by 4 members each, and 8 by 3 members each. Members to each district.

19. There are two Rolls of Electors for each House of Parliament—the Ratepayers' and the General. For the Legislative Assembly, the former is compiled from Municipal Lists prepared annually between the 23rd and 29th October, and the latter from General Lists prepared immediately after the 1st November; both rolls are revised in February, and are printed and come into operation on 1st April. For the Legislative Council, the Ratepayers' Roll is compiled after 12th November, but does not undergo revision; and the General Roll is prepared after 1st December, is revised in January, and comes into operation on 12th February. A Supplementary General Roll for the Assembly is also commenced immediately after 1st May, revised in August, and completed by 1st September; whilst that for the Council is compiled after 1st June, and comes into operation on 12th August. Ratepayers are enrolled as a matter of course, but other persons can only be enrolled by taking out rights. The numbers of electors on the rolls of both Houses of the Legislature in 1897 and 1898 are shown in the following table:— Electors on the rolls.

ELECTORS ON THE ROLLS, 1897 AND 1898.

Description of Roll.	Legislative Council.		Legislative Assembly.	
	1896-7.	1897-8.	1896-7.	1897-8.
Ratepayers' Roll	132,556	129,525	203,361	205,888
General Roll	1,019	1,020	50,794	46,672
Total	133,575	130,545	254,115	252,560

20. According to the return to an order of the Legislative Assembly dated 3rd August, 1898, the approximate number of non-residential voters on the Ratepayers' Rolls for the Legislative Assembly was 27,445, or about 13 per cent. of the total enrolment for 1897-8. It has also been ascertained that the freeholders on the General Roll numbered 917, or 2 per cent. of the whole, who, it may fairly be assumed, also appeared at least once on the Ratepayers' Roll, leaving a balance of 45,755 distinct voters on the General Roll. It would thus appear that the total number of distinct electors for the Lower House in the whole colony was 224,198. It should be explained that as a measure of the plural vote the above number (27,445), if correct, would be somewhat excessive, for a ratepayer may be enrolled twice or oftener for different divisions of an electoral district, although entitled to vote only once for that district; but it is probable that the number of non-residential voters is understated owing to the indefinite and inaccurate character of many of the names and addresses, on which the information was based. Distinct Electors on Ratepayers' Rolls.

* A Bill for the abolition of plural voting was under the consideration of Parliament in 1898, but did not become law.

Electoral
provinces,
electors,
Legislative
Council.

21. The following table shows the names of the electoral provinces, their estimated populations at the end of 1896, and the number of electors on the rolls of each province in 1897-8 :—

LEGISLATIVE COUNCIL.—POPULATION, MEMBERS, ELECTORS, AND
VOTES POLLED.

Electoral Provinces.	Estimated Population, 1896.	Number of Members.	Electors on the Rolls, 1897-8.
Melbourne	104,287	4	14,077
North Yarra	107,450	3	9,298
South Yarra	128,609	4	13,101
Southern	96,431	3	10,173
South-Western	60,296	3	7,194
Nelson	50,308	3	5,409
Western	53,287	3	6,435
North-Western	89,723	4	11,745
Northern	73,317	4	8,231
Wellington	76,886	4	8,452
North-Central	48,543	3	5,341
North-Eastern	78,249	3	8,996
Gippsland	78,198	4	9,158
South-Eastern	91,705	3	12,935
Total	1,137,289*	48	130,545

22. At the elections for the Legislative Council which have taken place since 1870, the proportion of electors who have recorded their votes in provinces where the election was contested has varied from 56·70 in 1884 to 35·67 in 1893, and averaged 48·78.† All the elections since 1893—except the elections for the South Yarra Province in 1895 and the North-Western in 1896, the proportion of electors who recorded their votes being 33·68 and 48·31 respectively—were uncontested.‡

Electoral
Districts,
Legislative
Assembly.

23. The general election for the Legislative Assembly was held on the 14th October, 1897, and 82 of the 95 seats were contested. Returns have been received from all the districts, and these show that 70 per cent. of the electors in contested districts recorded their votes. At the previous general election, which took place on the 20th September, 1894, the proportion of electors in contested districts who voted was 71 per cent. The following table shows for each electoral district the estimated population in 1896, number of members, total number of

* Exclusive of the population in ships and vessels.

† For particulars, see issue of this work for 1894, paragraph 22.

‡ There was also, subsequently, a contested election for the Gippsland Province in 1898, the proportion of electors who recorded their votes being 30·99 per cent.

electors, and number and proportion of electors who recorded their votes at the general election referred to :—

LEGISLATIVE ASSEMBLY.—POPULATION, MEMBERS, ELECTORS AND VOTES POLLED.

Electoral Districts.	Estimated Population, 1896.	Number of Members.	At the General Election, 14th October, 1897			
			Number of Electors—			
			On the Rolls.	Who Voted.		
Total Number.	Percentage of Number on the Rolls					
Albert Park	12,142	1	2,784	2,137	76·76	
Anglesey	13,614	1	3,531	2,505	70·94	
Ararat	9,135	1	1,770	1,272	71·86	
Ballarat East	14,410	1	3,333	2,796	83·88	
Ballarat West	26,224	2	5,660	4,263	73·55	
Barwon	9,356	1	2,401	1,815	75·59	
Benalla and Yarrawonga	11,820	1	2,729	2,025	74·20	
Benambra	8,837	1	2,060	1,388	67·37	
Bogong	10,203	1	1,933	*	*	
Borong	14,226	1	2,497	1,654	66·23	
Bourke East	10,654	1	2,537	1,829	72·09	
Bourke West	10,055	1	1,902	1,366	71·81	
East Bourke Boroughs	41,879	2	8,871	6,237	70·30	
Brighton	15,619	1	3,441	2,424	70·44	
Carlton	15,574	1	3,626	2,758	76·06	
Carlton South	11,992	1	2,310	1,691	73·20	
Castlemaine	14,295	2	3,385	2,798	82·65	
Clunes and Allandale	9,870	1	1,743	*	*	
Collingwood	25,369	2	5,059	3,961	78·29	
Creswick	8,017	1	1,941	1,607	82·79	
Dandenong and Berwick	15,284	1	3,572	2,126	59·51	
Daylesford	9,867	1	1,814	1,244	68·57	
Delatite	12,579	1	2,528	1,640	64·87	
Donald and Swan Hill	19,123	1	6,000	2,434	40·56	
Dundas	10,054	1	2,265	*	*	
Dunolly	8,351	1	2,048	*	*	
Eaglehawk	9,380	1	2,020	1,516	75·04	
Eastern Suburbs	21,683	1	4,904	3,580	73·00	
Emerald Hill	12,241	1	2,521	1,908	75·68	
Essendon and Flemington	22,972	1	5,108	3,293	64·46	
Evelyn	15,066	1	3,410	1,597	46·83	
Fitzroy	25,955	2	6,091	4,040	66·32	
Footscray	16,966	1	3,776	2,368	62·71	
Geelong	23,710	2	5,391	3,669	68·05	
Gippsland Central	12,462	1	2,907	1,897	65·25	
Gippsland East	12,920	1	3,028	1,684	55·61	
Gippsland North	10,551	1	1,985	1,274	64·18	
Gippsland South	11,398	1	2,644	1,521	57·14	
Gippsland West	17,178	1	4,205	2,442	58·07	
Grant	8,685	1	2,347	*	*	
Grenville	14,532	2	3,727	2,882	77·32	
Gunbower	10,490	1	2,736	2,099	76·71	
Hawthorn	19,868	1	4,119	3,096	75·16	
Horsham	10,450	1	1,906	1,302	68·31	
Jolimont and West Richmond	12,265	1	2,452	1,822	74·30	
Kara Kara	9,818	1	2,309	*	*	
Kilmore, Dalhousie, and Lancefield	8,534	1	2,127	1,494	70·23	

* No contest.

LEGISLATIVE ASSEMBLY.—POPULATION, MEMBERS, ELECTORS, AND
VOTES POLLED—*continued.*

Electoral Districts.	Estimated Population, 1896.	Number of Members.	At the General Election, 14th October, 1897		
			Number of Electors—		
			On the Rolls.	Who Voted.	
Total Number.	Percentage of Number on the Rolls.				
Korong	9,528	1	2,244	*	*
Kyneton	9,681	1	2,154	1,670	77·53
Lowan	12,821	1	2,429	1,490	61·34
Maldon	7,459	1	1,781	1,439	80·79
Mandurang	9,950	1	2,025	1,585	78·27
Maryborough	10,148	1	2,306	*	*
Melbourne	8,627	1	3,996	2,751	68·84
Melbourne East	19,321	2	4,322	3,190	73·80
Melbourne North	15,716	1	2,938	2,360	80·32
Melbourne South	10,704	1	2,469	1,781	72·13
Melbourne West	11,918	1	2,324	1,861	80·07
Mornington	20,321	1	4,395	2,181	49·62
Normanby	9,456	1	1,873	*	*
Numurkah and Nathalia	10,895	1	2,092	*	*
Ovens	8,657	1	1,954	*	*
Polwarth	11,910	1	3,128	2,454	78·45
Port Fairy	6,921	1	1,936	1,454	75·10
Port Melbourne	10,917	1	2,538	1,947	76·71
Portland	8,312	1	1,743	1,184	67·92
Prahran	14,243	1	2,851	2,167	76·00
Richmond	26,241	2	5,372	3,786	70·47
Ripon and Hampden	11,964	1	2,656	1,867	70·29
Rodney	20,945	2	4,881	3,190	65·36
Sandhurst	25,340	2	5,099	3,912	76·72
Sandhurst South	10,096	1	2,218	1,625	73·26
Shepparton and Euroa	10,432	1	2,162	1,539	71·18
South Yarra	14,368	1	2,491	1,991	79·92
St. Kilda	17,617	1	3,838	*	*
Stawell	10,056	1	2,216	*	*
Talbot and Avoca	7,550	1	1,882	1,341	71·25
Toorak	20,764	1	4,000	3,063	76·57
Villiers and Heytesbury	10,403	1	2,384	1,786	74·91
Wangaratta and Rutherglen	12,122	1	3,559	2,656	74·62
Warrenheip	8,329	1	1,803	1,426	79·09
Warrnambool	9,038	1	1,912	1,499	78·39
Williamstown	12,850	1	3,231	2,324	71·92
Windermere	5,966	1	1,500	1,252	83·46
	...	...	254,155	...	...
Deduct for uncontested district	...	...	29,168	...	...
	1,137,289†	95	224,987†	158,225	70·33

NOTE.—The number of electors on the rolls on the 3rd June, 1898, was 252,560.

24. At elections for the Legislative Assembly, close upon two-thirds of the electors have generally recorded their votes in contested districts; whereas in elections for the Legislative Council, the proportion has been rarely much above half, as has been already shown.

* No contest.

† In contested districts only.

‡ Exclusive of the population in ships and vessels.

Electors
who voted,
Legislative
Assembly.

The following are the proportions who voted at the last thirteen general elections of members of the Lower House in districts in which the election has been contested:—

PROPORTION OF VOTERS AT GENERAL ELECTIONS FOR THE LEGISLATIVE ASSEMBLY, 1866 TO 1897.

Year of General Election.	Proportion of Electors of Contested Districts who voted. Per cent.	Year of General Election.	Proportion of Electors of Contested Districts who voted. Per cent.
1866	55·10	1883	64·96
1868	61·59	1886	64·70
1871	65·02	1889	66·58
1874	61·00	1892	65·12
1877	62·29	1894	70·99
1880 (February) ...	66·56	1897	70·33
1880 (July)	65·85		

25. The estimated population of Victoria on the 31st December, 1897, was 1,176,248, and there being 48 members and 130,545 electors for the Upper House, there is one member to every 24,505 of the population, and one elector to every 9·01 persons. In like manner, there being 95 members of the Legislative Assembly and 252,560 electors for that House, there is now one member to every 12,382 of the population, and one elector to every 4·66 persons.

Proportion of members and electors of both Houses to population

26. The proportion of members to electors is one to every 2,720 for the Upper House, and one to every 2,659 for the Lower House.

Proportion of members to electors.

27. All the Australasian Colonies now possess Responsible Government, and an Upper and a Lower House of Parliament. In four of these colonies the members of the Upper House are elected, and in the other three they are nominated by the Governor in Council. In the elective Upper Chambers the members retire periodically by rotation—annually in Tasmania, every two years in Victoria (with a few exceptions) and Western Australia, and every three years in South Australia. In the nominee chambers there is no maximum limit to the number of members, but there is a minimum limit of 21 in New South Wales, and 10 in New Zealand; whilst the life tenure is subject to certain restrictions. Thus, in New South Wales, a member may resign, and he vacates his office by being absent for two successive sessions without leave; by becoming a citizen of a foreign State; by becoming bankrupt or insolvent; by becoming a public contractor or defaulter; or by being attainted of treason, or convicted of felony or any infamous crime; and in New Zealand, if a member of this House is absent without leave for more than one session, or makes an acknowledgment of obedience or allegiance to any foreign State, or becomes bankrupt or insolvent, or is convicted of certain crimes, his seat thereby becomes vacant. In the latter colony, two of the Council members are Maoris; and in 1891 the term of office for future members was reduced from life to seven years. Of the persons nominated in Queensland, four-fifths must not be holders of any office of emolument under the Crown, except officers of Her Majesty's sea or land forces

Australasian Colonies—Upper Houses.

on full or half pay, or retired officers on pension. The following is a statement for 1897-8 of the number of members of and districts for that House, and the manner and term of appointment in each colony; also the number of electors in the four colonies in which the appointment is by election:—

UPPER HOUSE IN AUSTRALASIAN COLONIES.—MEMBERS AND ELECTORS, 1897-8.

Colony	Number of Members.	Number of Districts.	Manner of Appointment.	Term of Appointment.	Number of Electors.
Victoria ...	48	14	Elected	Six years	130,545
New South Wales	58	...	Nominated	Life	...
Queensland ...	41	...	Nominated	Life	...
South Australia ..	24	4	Elected	Nine years	45,137
Western Australia	24	8	Elected	Six years	...
Tasmania ...	18	15	Elected	Six years	9,359
New Zealand ...	{ 28 } { 20 }	...	Nominated	{ Life } { Seven years }	...

NOTE.—A complete account of the system of Upper House representation in the different Australasian Colonies will be found in the *Victorian Year-Book*, 1892, Vol. I., paragraph 77 *et seq.*

Lower
Houses

28. The members of the Lower House are elected for a term of five years in Queensland, four years in Western Australia, and three years in all the other colonies—unless sooner dissolved by the Governor. Women have been accorded the franchise for the Lower House in New Zealand in 1893, and in South Australia in 1894, but they are not yet eligible to become members; and the principle of “one man one vote” has been in force in South Australia from 1858, in New Zealand from 1889, and in New South Wales from 1893. In New Zealand four of the members are Maoris, chosen by 23,221 Maori electors. The following table shows the numbers of members, districts, and electors in 1897-8 for the Lower House in each colony:—

LOWER HOUSE IN AUSTRALASIAN COLONIES.—MEMBERS AND ELECTORS, 1897-8.

Colony.	Number of Members.	Number of Districts.	Number of Electors.
Victoria ...	95	84	252,560
New South Wales	125	125	324,338*
Queensland ...	72	61	81,892
South Australia	54	27	137,783†
Western Australia	44	44	30,140
Tasmania ...	37	29	31,613
New Zealand‡ { Europeans	70	62	339,230†
{ Maoris	4	4	21,486†

NOTE.—A complete account of the system of Lower House representation in the different Australasian Colonies will be found in the *Victorian Year-Book*, 1892, Vol. I., paragraph 83 *et seq.* Since then, however, important changes have taken place in New South Wales; and in New Zealand, women as well as men are now eligible to become electors for the Lower House.

* About 13 per cent. of these (on rolls) were not entitled to vote.

† Including female electors, who numbered 60,000 in South Australia, and 142,305 (Europeans) in New Zealand.

‡ The figures in these lines are for December, 1896.

29. In the following table a summary is given, for each Australasian colony, of the estimated population on the 31st December, 1897; the number of members and electors for the Lower House of Parliament in 1897-8; the proportion of inhabitants to a member, of inhabitants to an elector, and of electors to a member; also the percentage of electors who voted at the last general election held in each colony:—

LOWER HOUSES OF PARLIAMENT IN AUSTRALASIAN COLONIES.—
POPULATION, MEMBERS, ELECTORS, AND VOTES POLLED.

Colony.	Estimated Population, 31st December, 1897.*	Lower House, 1897-8.					Last General Election.	
		Number of—		Inhabitants to each—		Electors to a Member.	Year.	Percentage of Electors who voted in contested Districts.
		Members.	Electors.	Member.	Elector.			
Victoria ...	1,176,248	95	252,560	12,382	4.66	2,659	1897	70.33
New South Wales	1,323,460	125	324,338†	10,588	4.08	2,595	1898	56.41 †
Queensland ...	484,700	72	81,892	6,732	5.91	1,137	1896	77.98
South Australia...	363,044‡	54	137,783§	6,723	2.64	2,551	1896	{ 66.24 m. 66.65 f.
Western Australia	161,908	44	30,140	3,679	5.37	685	1897	52.68
Tasmania ...	171,718	37	31,613	4,641	5.43	854	1897	60.20
New Zealand ¶ {	713,045	70	339,230§	10,202	2.1	4,853	1896	{ 75.90 m. 76.44 f.
	39,854	4	21,486||	9,963	1.85	5,371		

NOTE.—The figures for New Zealand are for the year 1896.

30. Electoral Rolls are made up annually in Victoria, New South Wales, and Tasmania; quarterly in Western Australia; every two months in Queensland; decennially in South Australia—the latest being in 1891; and just before an election in New Zealand. In all cases, however, there is at least one annual revision. The method of enrolling electors varies in the different colonies. Thus in Victoria and Tasmania every male ratepayer is entitled to be enrolled by virtue of his name appearing on the Municipal Ratepayers' Rolls, and has the advantage of one vote in each district in which he is so enrolled, but persons with only manhood and residential or freehold qualification (but not on Ratepayers' Rolls) have to take out rights; in New South Wales every elector must take out a right; in Queensland must make application in writing; and in South Australia, Western Australia, and New Zealand must make a claim, accompanied by a declaration, setting forth in all cases his (or her) qualifications.

31. Municipal or local government is almost universal throughout Victoria, all but about 1 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 Local Government Act (54 Vict. No. 1112), as amended by Act 55 Vict. No. 1243, 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

* Except in case of New Zealand, for which the figures relate to 31st December, 1896.

† Nearly 13 per cent. of the electors on the roll in New South Wales were not entitled to vote. Allowing for this, the percentage who voted at the last election was 64 $\frac{3}{4}$.

‡ Including Northern Territory.

§ Including female electors as follows:—60,000 in South Australia, and 142,305 in New Zealand.

|| Adult Maori population of both sexes.

¶ The first line is for European and the second for Maori representation.

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 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
corpora-
tions.

32. 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.*

Federal
Council Act.

33. An Act to constitute a Federal Council of Australasia† “for the purpose of dealing with such matters of common Australasian interest, in respect to which united action is desirable, as can be dealt with without unduly interfering with the management of the internal affairs of the several colonies by their respective Legislatures,” passed the Imperial Parliament and became law on the 14th August, 1885. This Act provides for the constitution of a Council, composed of two representatives—but only one member in the case of a Crown colony—of such of the Australasian Colonies (being not less than four) as should pass an Act or Ordinance declaring that the Imperial Act should have force therein with legislative authority in respect to the matters set out in paragraphs (a) to (g) of section 15 of the Act, any matters referred by Order in Council of Her Majesty at the request of the Legislatures of the Colonies, and such other matters mentioned in paragraph (i) of the same section as may be referred to the Council by the Legislatures of any two or more colonies; power being reserved to Her Majesty, at the request of the Legislatures of the Colonies, from time to time, to increase the number of representatives for each colony.‡ The number of representatives was under this provision increased from two to five, by Order of the Queen in Council, dated 3rd March, 1894, at the request of the Legislatures represented at the fifth session of the Council, with a view to the extension of its efficiency and usefulness. All Acts of the Council have the force of law in all the Colonies in which the Federal Council Act is in operation, excepting Acts dealing with subjects which have to be referred to the Council by Acts of two or more Colonies (under sec. 15 (i)); in which cases the Acts of the Council extend only to the Colonies by whose Legislatures the matters have been referred to the Council, and such other Colonies as may afterwards adopt the same. A meeting of the Council must be held at least once every two years.

* 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.

† *Federal Council of Australasia Act 1885* (48 and 49 Vict. cap. 60).

‡ A full account of the subjects and powers of the Federal Council was given in the *Victorian Year-Book*, 1892, Vol. I., paragraphs 51 to 59.

34. The Federal Council has held seven sessions since its inauguration. The first session was opened on the 25th January, 1886; the second on the 16th January, 1888; the third on the 29th January, 1889; the fourth on the 20th January, 1891; the fifth on the 26th January, 1893; the sixth on the 30th January, 1895; and the seventh on the 26th January, 1897. All the sessions were held in Hobart, and were opened by the Governor of that colony. The eighth meeting is to be held in Melbourne.* At the sixth and seventh sessions, representatives attended from the colonies of Victoria, Queensland, Tasmania, and Western Australia. At the sixth session, when the enlarged Council met for the first time, Victoria was represented by the following honorable members:—George Turner, M.L.A., Premier and Treasurer; Henry Cuthbert, M.L.C., Solicitor-General; J. M. Davies, M.L.C.; Sir J. B. Patterson, K.C.M.G., M.L.A.; and A. Deakin, M.L.A.; and at the seventh session by the following members:—Sir George Turner, K.C.M.G., M.L.A., Premier and Treasurer; Henry Cuthbert, M.L.C., Solicitor-General and Minister of Health; Alfred Deakin, M.L.A.; Sir John McIntyre, M.L.A.; Sir Henry John Wrixon, K.C.M.G., M.L.C. South Australia was represented only at the third, and Fiji only at the first, session; Western Australia was not represented at the fourth session; whilst New South Wales and New Zealand have not up to the present time joined the Council. The sixth session was closed on the 8th February, 1895, and the seventh on the 1st February, 1897.

Dates and places of sessions of Federal Council.

35. At the sixth session no Bills were brought forward, owing to a Conference of Australasian Premiers being held about the same time to consider a basis for the complete federation of the colonies; but resolutions were adopted affirming the desirability of (1) defining the status, and of granting facilities for the winding up of companies carrying on business in two or more colonies, and rendering uniform the laws relating to banking; (2) the immediate establishment of an effectual system of quarantine; (3) adopting a more economic method of raising public loans, to be secured by the Australasian Governments jointly, or by some Federal authority, inviting subscriptions to future issues; and (4) taking early steps with a view to the holding of a second Federation Convention on the lines of the Bill drawn up by the first Convention. An address to the Queen was also adopted, praying for the appointment of an Australasian Representative on the Judicial Committee of the Privy Council Bench, in view of the special features often presented by Australasian appeals.

Proceeding of sixth session of Federal Council.

36. In accordance with this prayer, an Imperial Act was subsequently passed, and assented to by Her Majesty on the 6th July, 1895, providing for the appointment of Colonial Judges on the Judicial Committee of the Privy Council. The Act provides that any present or former Chief Justice or Judge of the Supreme Court in any of the Australian Colonies, Canada, the Cape, Natal, or any other colony (that might be named by Her Majesty in Council), who is a member of the Privy Council, shall be a member of the Judicial Committee of the Privy Council, the number not to exceed five at any one time. Chief Justice Way, of South Australia, was the first Australian Judge so appointed, and he proceeded to England in March, 1897, to assume the duties of his office.

First Australian Judge appointed to Privy Council Bench.

* This meeting was opened on the 25th January, 1899, whilst these pages were in the press.

Proceedings
of seventh
session.

37. At the seventh session two Acts were passed, and resolutions were carried in favour of a further address being presented to the British Government, in support of one adopted in 1891, bearing on the necessity for protecting British trade interests in the New Hebrides, and in favour of the assimilation of the law relative to succession duties upon personal property, in order to prevent duties upon such property being levied more than once. A debate also took place on the question of the desirability of placing the Council on an elective basis, which was opposed by one section which deemed it inadvisable to deal with the constitution of the Council—pending the holding of the Australasian Convention; and, the voting being equal, the motion was declared by the President to have been negatived according to the Standing Orders.

Expenses of
Federal
Council.

38. According to a return laid before the Council at its seventh session, the expenses of the sixth session were £547, being for the most part the cost of reporting and printing the proceedings. The amount was provided for by *pro rata* contributions from the colonies represented, as follow:—Victoria, £348; Queensland, £130; Western Australia, £23; Tasmania, £46. The expenses of the seventh session amounted to £627, distributed thus:—Victoria, £378; Queensland, £152; Tasmania, £53; and Western Australia, £44.

Referring
Acts.

39. Three Referring Acts have been passed by Victoria with a view to legislative authority being exercised by the Federal Council in respect to the thirteen subjects named in the subjoined list; the first Act, referring the first five items, being passed on the 25th November, 1889; the second, referring the sixth and seventh items, on the 19th January, 1893; and the third, referring the remaining items, on the 24th December, 1896. So far as can be ascertained, Queensland has referred the subjects numbered one to eight, both inclusive; Western Australia the subjects numbered three and four, and six to thirteen, both inclusive; and Tasmania the subjects numbered four and seven.

1. The laws relating to Letters Patent.
2. The Naturalization of Aliens of European descent.
3. The status of Corporations and Joint Stock Companies.
4. The recognition in other colonies of orders and declarations of the Supreme Court of any colony in matters of lunacy.
5. Compelling the production to the Supreme Court of any colony of any documents or of any property of any kind, the production whereof may be required for the purposes of any proceedings in the Supreme Court of any other colony.
6. The discipline and government of the garrisons established or to be established and maintained at Thursday Island or King George's Sound or any other place within the Australasian Colonies at the joint expense of those colonies or any of them.
7. The enforcement by the Supreme Court of one colony of any process of the Supreme Court of another colony directed to compelling the production in such last-mentioned court of any unproved will or testamentary document in the possession of any person resident in such first-mentioned colony, and which said will or testamentary document devises or bequeaths property situate in the colony from the Supreme Court whereof such process issues, and is required by the executors or trustees appointed by such will or other testamentary document, and who are resident in such last-mentioned colony, for the purpose of obtaining probate of such will or testamentary document or registering the same in such last-mentioned colony.
8. The establishment of an effectual system of Federal Quarantine.
9. The definition of the status of companies in colonies other than the colony in which they have been constituted; and the facilitating of the winding-up of

companies carrying on business in more than one colony, and the dealing with and giving effect to schemes of arrangement and compromise between any such company and its creditors.

10. The securing as far as possible of the uniformity throughout Australasia of laws relating to banking.

11. The trial and punishment in one colony of offenders against the law of any other colony.

12. The notification of infectious disease to local authorities, as provided for by the *Imperial Infectious Disease (Notification) Act* 1889.

13. The providing of precautions against and remedial measures for tuberculosis or any disease in animals.

40. The Council, since its constitution, has passed Acts with the following objects, viz.:— Acts passed by Federal Council.

For shortening the language used in Acts of the Federal Council of Australasia. No. 1 of 1886.

To facilitate the proof throughout the Federation of Acts of the Federal Council and of Acts of the Parliaments of the Australasian Colonies, and of Judicial and Official Documents, and of the signatures of certain public officers. No. 2. of 1886.

To authorize the Service of Civil Process out of the Jurisdiction of the Colony in which it is issued. No. 3 of 1886.

To make provision for the enforcement within the Federation of Judgments of the Supreme Courts of the Colonies of the Federation. No. 4 of 1886.

To regulate the Pearl-Shell and Bêche-de-mer Fisheries in Australasian Waters adjacent to the Colony of Queensland. No. 1 of 1888.

To regulate the Pearl-Shell and Bêche-de-mer Fisheries in Australasian Waters adjacent to the Colony of Western Australia. No. 1 of 1889.

To facilitate the recognition in other Colonies of Orders and Declarations of the Supreme Court of any colony in matters of Lunacy. No. 1 of 1891.

To make provision for the discipline and government of the garrisons established at King George's Sound and Thursday Island, at the joint expense of the Australian Colonies, or some of them. No. 1 of 1893.

To provide for the naturalization within the Australasian Colonies or some of them of persons of European descent naturalized in any of such colonies. No. 1 of 1897. (Referred to Council by Victoria and Queensland.)

The enforcement, in certain cases, within the Australasian Colonies or some of them, of Orders of the Supreme Courts of such colonies for the production of testamentary instruments. (Australasian Testamentary Process Act.) No. 2 of 1897. (Referred by Victoria, Queensland, Western Australia, and Tasmania.)

41. Almost concurrently with the session of the Federal Council in 1895, there was held in Hobart, at the instance of the Hon. G. H. Reid, Premier of New South Wales, a Conference of the Premiers of all the Australasian Colonies except New Zealand, for the purpose of further considering the subject of federation. At the Conference resolutions were passed affirming federation to be the great and pressing question of Australasian politics; declaring the desirability of committing the duty of framing a Federal Constitution to a Convention directly chosen by the electors in the several colonies; proposing the submission of the Constitution so framed to the electors for a direct vote as to its acceptance or rejection, with the stipulation that, if so accepted by three or more colonies, it should be transmitted to the Queen by the Parliaments of such colonies with a petition for the necessary legislative enactment. An Enabling Bill for this purpose, drafted by Messrs. Turner and Kingston, the Premiers of Victoria and South Australia, was subsequently submitted to the Conference, and, after amendment, agreed to as the draft of a type of Bill suitable for giving effect to the resolutions of the Conference. Conference of Premiers, 1895.

Conference
of
Premiers,
1896, 1897,
and 1898.

42. Further annual Conferences of Premiers were held in Sydney on the 4th March, 1896, in Hobart on the 2nd February, 1897, and in Melbourne on the 7th March, 1898. At the first of these all the colonies except Western Australia and New Zealand; at the second, all the colonies; and at the third, all except New Zealand were represented. The principal business transacted at the various meetings was as follows:—

CONFERENCE OF 1896.

FEDERAL DEFENCE.—Resolved that—(1.) Federation is essential to any complete scheme of Australasian defence. (2.) It is desirable, however, in the meantime, that the military laws of the several colonies should enable the Local Forces to serve in any part of Australia and Tasmania, for the purpose of defence against foreign aggression. (3.) That uniformity in matters of drill, uniform, arms, equipment, and also pay when on active service, should be secured as soon practicable. (4.) That the establishment of a “cordite” factory in Australia is a matter of urgent importance. (5.) That periodical meetings of the Commandants should be held for the purpose of promoting the efficiency of the forces.

OCEAN LIGHT SERVICE.—The recommendations made by the Maritime Conference, held in Hobart, in August, 1894, were adopted, and a Bill to give effect to them was ordered to be drawn up; but in regard to the recommendation that the cost of the “Ocean Light Service” should be defrayed by the colonies on the basis of population, the representatives of Victoria reserved the right to communicate their decision at a later period.

UNDESIRABLE IMMIGRATION.—Resolved, that it is desirable to extend without delay the provisions of the Chinese Restriction Acts to all coloured races. Queensland assented, subject to the right of continuing for the present the provisions of the “Pacific Island Labourers Act” of that colony.

QUARANTINE.—The recommendations agreed upon at the recent meeting of medical officers at Melbourne were adopted by the representatives of New South Wales, Victoria, South Australia, and Queensland, subject to the following modifications:—

- (1.) No ship to be relieved from payment of quarantine expenses.
- (2.) The Federal experts to be at liberty to perform other public duties.
- (3.) Federal experts to be nominated by the colonies wherein they are to serve and approved by the contracting Governments, or a majority thereof.
- (4.) Paragraph 16 to be excised.

Tasmania hesitated to adopt the foregoing resolution, but would gladly come in under the Australian agreement if New Zealand also entered.

ANGLO-JAPANESE TREATY.—Resolved—That the Colonies of Australasia represented at the Conference do not take advantage of the stipulation provided in Article XIX of the Treaty of Commerce between Great Britain and Japan of 16th July, 1894.

FEDERATION.—Resolved—That the deliberations of this Conference have made the urgent necessity for a federation of the Colonies more than ever apparent.

The enactment by New South Wales, Victoria, South Australia and Tasmania, of the Federal Enabling Bill drafted at the Hobart Conference of 1895, constitutes a substantial advance upon a satisfactory basis. It is an additional source of gratification to the Conference to learn from the Representatives of Queensland that the Queensland Government intend to introduce a similar Bill immediately after the meeting of the new Parliament.

CONFERENCE OF 1897.

Resolutions.

TRADE RELATIONS WITH UNITED KINGDOM.—In favour of closer commercial relations between the mother country and the Australasian colonies on a basis of mutual advantage.

QUARANTINE.—That a system of federal quarantine be established, the federal stations being Albany, Thursday Island, and Adelaide. (New Zealand and Tasmania also agreed to join with Hobart and Auckland as quarantine stations, if they concurred in the agreement drafted by Queensland.)

CODIFICATION OF COMMERCIAL LAW.—That in regard to the Codification of Commercial Law of United Kingdom and all colonies, the best course to adopt is to deal with each subject of commercial law by separate Bill, which would expedite the work, and enable the colonies to adopt the portions of the code as passed, with such modifications as the circumstances of the different colonies might require.

NATURALIZATION.—That, except as regards restricted races, the naturalization laws of the colonies should be assimilated, with a view to the recognition of the naturalization certificates of each colony throughout Australasia, and that a Bill should be prepared for the purpose by South Australia.

LEGISLATION *re* EXPORTS OF COLONIAL PRODUCE.—That it is desirable that uniform legislation should forthwith be adopted to prohibit the export of live stock, meat, dairy produce, wine, and fruit not officially certified as of good quality and fit for export. (New South Wales dissenting.)

RESERVATION OF COLONIAL BILLS.—That a Bill for securing to the local Parliaments increased powers of legislation without reservation be prepared by Victoria and South Australia for enactment by the Imperial Government.

JUDICIAL NOTICE OF LAWS OF OTHER COLONIES.—That a Bill be prepared by Victoria providing for judicial notice being taken of laws of other colonies in legal proceedings.

LIGHT-HOUSES.—That the question of the erection of a light-house at the Snares be made the subject of an agreement to be submitted by New Zealand to the Governments of New South Wales, Victoria, and Tasmania for their consideration.

MERCHANDISE MARKS.—That the legislation of the various colonies in respect of Merchandise marks should forthwith be assimilated on the lines of the most recent Imperial legislation, and that New South Wales prepare a Bill to give effect to this resolution.

SUMMONING WITNESSES FROM OTHER COLONIES.—That the necessary steps be taken by Victoria to obtain an alteration in an Imperial Act to provide for the punishment of witnesses disobeying a summons from another colony.

UNIFORM STATISTICS OF IMPORTS AND EXPORTS.—That uniformity of practice should be adopted by the various colonies of Australasia as to the preparation of statistics of imports and exports.

COMPANY LAW.—That the assimilation of the Company law of Australasia is desirable, and that New Zealand prepare a Bill to give effect to this.

OFFICIAL PRECEDENCE.—That the following table of precedence be recommended to the Secretary of State for adoption:—

The Governor, or Officer administering the Government.

The Lieutenant-Governor.

The Officer in Command of Her Majesty's Naval Forces on the Australian Station, if of the rank of an admiral.

The Chief Justice.

The Premier.

Other members forming the Cabinet, in order of precedence among themselves.

The President of the Legislative Council.

The Speaker of the House of Assembly or Representatives.

Other members of the Executive Council and ex-members of the Executive Council duly authorized to use the prefix of "Honourable," according to seniority of title of right to use the same.

The Puisne Judges.

The members of the Legislative Council.

The members of the House of Assembly or Representatives.

The Officer Commanding the local forces.

All other persons to occupy positions prescribed by local table of precedence.

The wives of the foregoing to enjoy the precedence of their husbands. South Australia intimated its intention to prescribe locally the position of the officer commanding the local forces.

That the proposal of the Secretary of State for conferring the permanent title of "Honorable" after ten years' service in the Legislative Council be not accepted, and that the Secretary of State be respectfully requested to allow the previously existing rule to continue in its uniform application to all British colonies. (Queensland, New Zealand, and New South Wales dissenting.)

The Conference also signified its deep sense of the honour conferred upon the Australasian colonies by the invitation to the Premiers to visit England to join in the commemoration of the sixtieth anniversary of the Queen's accession.

CONFERENCE OF 1898.

Resolutions.

COLOURED RACES IMMIGRATION.—That the colonies which have not already done so, pass an Act on the lines of the Natal Act (on the understanding that the same shall be vigilantly enforced), and agree that if, after trial of that Act, any difficulties shall still arise in any one colony, then the colonies will join in such further legislation as may be necessary. (Queensland did not join in this resolution.)

Re DENUNCIATION OF GERMAN AND BELGIAN TREATIES, AND COMMERCIAL RELATIONS WITH THE MOTHER COUNTRY.—That any Federal Tariff should give a preference to articles the produce or manufacture of the United Kingdom. In default of an early Federal Tariff, the Premiers will recommend to their respective Cabinets to alter the Tariffs of the different colonies, so as to give a substantial preference to the United Kingdom and to such colonies.

That if Great Britain and Canada will contribute each one-third of the cost, the four colonies of New South Wales, Victoria, Queensland, and Tasmania will favorably consider the proposal for a Pacific cable, and the provision of the remaining one-third of the contribution. (South and Western Australia dissented, being disposed to prefer the Cape route, stopping at Perth.)

DEFENCES.—That the Port Darwin defence scheme being assented to by the colonies, South Australia contribute on population basis to the initial expenses of the Thursday Island defences, and to their maintenance from the present time; the other colonies of the Australian continent agreeing to make up the deficiency now existing in the maintenance fund, upon the amounts necessary being voted by the respective parliaments. (Queensland dissenting.)

That all the colonies, except South Australia, agree, for the present, not to give notice of termination of existing arrangement in regard to the Australasian Auxiliary Squadron.

QUARANTINE.—That the agreement in respect to Federal Quarantine submitted by the Queensland Government be approved by the Governments of New South Wales, Victoria, South Australia, Queensland, and Western Australia, subject to any necessary modifications.

(Tasmania also agreed to join, if New Zealand would do so, with Auckland and Hobart as quarantine stations.)

AMMUNITION FACTORY.—That, if the Government of Victoria does not elect within three months to establish a Government Small Arms Ammunition Factory, then the Government of New South Wales may hold itself at liberty to establish such a factory in that colony for the manufacture of ammunition from cordite.

The colonies undertook to favorably consider the question of taking supplies from the Government factory, if established, with the reservation, on the part of Victoria, that if the factory be in New South Wales the Victorian Government, having an agreement with the Colonial Ammunition Company for the next sixteen years, cannot make any arrangement for taking supplies from the New South Wales factory.

EVIDENCE ACT.—That the Australasian Colonies Evidence Bill prepared by Victoria be adopted, subject to any alterations that may subsequently be found necessary.

NEW CALEDONIA AND NEW HEBRIDES.—That urgent representations be again made to France through the Imperial authorities to take action to prohibit the sale of arms and ammunition to the natives of the New Hebrides, so that the

disabilities under which British traders in those islands at present labour may be removed ; and that if such action be not taken within a reasonable period, the British Government should remove the restrictions on British subjects, as they are unduly and improperly handicapped thereby.

SILVER COINAGE.—That the Conference consents to the Governments of those colonies, which now have or may hereafter have a branch of the Royal Mint in their territory, making application to the Imperial authorities for the necessary authority for the coinage of silver at the respective branch mints, on conditions similar to those on which silver is coined in England.

Other Business.

BRITISH INTERESTS IN THE PACIFIC. — The President reported that the resolution of the last Conference of Premiers on this subject had been communicated to the Imperial authorities through the proper channel, and that a reply had been received to the effect that Her Majesty's Government are fully alive to the importance of British interests in the Pacific, and will gladly welcome the assistance and co-operation of the colonies in conserving and promoting them.

43. Towards the end of 1889, at the instance of the late Hon. Sir Henry Parkes, G.C.M.G., Premier of New South Wales, negotiations were opened between the various Australasian Colonies, with the view of bringing about a Federal Union of the whole in "one powerful Australian nation," the result being that a conference of representatives of the various colonies interested was held in Melbourne in the early part of 1890, when resolutions were adopted affirming the desirability of Federation, and binding the members of the conference to induce the Legislatures of their respective colonies to appoint delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution.*

Australasian
Federation
Conference,
1890.

44. Delegates to such a Convention—six from each colony—were soon after elected by the Parliaments of all the Australasian Colonies, and the Convention was held in Sydney in March and April, 1891, at which a Draft Bill to establish an Australian Commonwealth was drawn up and agreed to.*

National
Austral-
asian Con-
vention.

45. Although the labours of this Convention were greatly appreciated, and the Bill adopted was universally admitted to have been ably framed, and, as events subsequently proved, needed but little (if any) improvement in its main features, no immediate action was taken owing to objections being raised to certain of its provisions ; and consequently the question remained in abeyance for several years. At length, a fresh movement to accomplish the desired object commenced by the holding of a popular unofficial Conference at Corowa, New South Wales, in May, 1894, at which a resolution affirming the desirability of a speedy Federal Union was enthusiastically carried. This Conference served to arouse public interest and enthusiasm, which led to the holding of another Conference of leading Australasian statesmen and citizens at Bathurst, New South Wales, in November, 1896, at which the question was discussed in all its bearings, and a resolution unanimously adopted in favour of each colony electing members to a Convention which

Conferences
at Corowa
and
Bathurst.

* Particulars respecting the holding of this Convention, together with resolutions adopted and the subsequent steps taken, will be found in the *Victorian Year-Book*, 1890-91, Vol. I., paragraphs 77 to 82.

should frame a Constitution to be submitted by referendum to the people of the several colonies represented at the Convention for acceptance or rejection.

Federal
Enabling
Act.

46. The next step was the drawing up of a Draft Federal Enabling Bill at the Conference of Premiers held early in 1895, as already described.* Such a Federal Enabling Act was passed in Victoria in March, 1896; and similar measures were also enacted in New South Wales, South Australia, Tasmania, and Western Australia; but Queensland and New Zealand held aloof. The Victorian Act, to which the others closely corresponded, provided for the holding of an Australasian Federal Convention, consisting of ten delegates from each colony, empowered to frame a Bill to provide for the establishment of a Federal Constitution under the Crown for enactment by the Imperial Parliament; for the representation of Victoria thereat; and for submitting the Constitution so framed direct to the electors for acceptance or rejection. Any person eligible for membership of either House of Parliament and nominated by 100 electors was eligible as a candidate, and all electors for the Legislative Assembly were qualified to vote for delegates. The day for the election was to be fixed by proclamation, and was, if possible, to be the same as that selected in other colonies. After elections should have been held in three or more colonies a meeting of the Convention was to be convened for such time and at such place as a majority of the Governors should decide, or, if equally divided, as the Governor of the senior colony should decide. A quorum was fixed at one-half of the total number of members. It was further provided that, after framing a Constitution the Convention should adjourn to a place to be fixed by it, and for a period not less than 60 nor more than 120 days thereafter. In the meantime the Draft Bill was to be submitted for the consideration of the Convention on its reassembling, when the Bill as originally framed was to be finally adopted with any amendments which might be agreed to. The remuneration of delegates was fixed at £3 per sitting. As soon as practicable after the close of the Convention, the Bill was to be referred to the direct vote of electors qualified to vote for Members of the Legislative Assembly, each elector being allowed only one vote, a majority of votes to decide the question; but if less than 50,000 affirmative votes were recorded it was to be considered as equivalent to the rejection of the Bill. If two colonies besides Victoria should accept the Bill both Houses may adopt a joint address to the Queen praying that the Bill be passed into law.

Electors who
voted for
delegates.

47. In Western Australia, the delegates were elected by the Members of Parliament, but in all the other colonies by those entitled to vote for the Lower House of Parliament, each colony being constituted a single electorate. The elections were held in Victoria, New South Wales, and Tasmania, on the 4th March, 1897, and in South Australia, on the 6th March. The following table shows the numbers and proportions of electors who voted on that occasion, from which it will be seen that a little more than one-half of the electors voted in

* See paragraph 41 *ante*.

New South Wales ; 3 in every 7 in Victoria ; nearly 1 in every 3 in South Australia ; and 1 in every 4 in Tasmania :—

ELECTION OF DELEGATES FOR AUSTRALASIAN FEDERAL CONVENTION HELD ON 4TH MARCH, 1897.

Colony.	Electors who voted.		Total voters.	
	Formally.	Informally.	Number.	Percentage of electors on the rolls.
Victoria	99,112	4,820	103,932	43½
New South Wales	139,870	2,797	142,667	51¼
South Australia ... ..	...	...	42,738	30·9
Tasmania ... ..	...	...	7,582	25

48. The following are the names of the delegates elected for the various colonies. The representatives for Victoria and Tasmania were each allowed £3 per sitting ; those of New South Wales, travelling expenses only ; those for South Australia, £2 2s. per diem ; those for Western Australia, £3 3s. per diem :—

DELEGATIONS FROM COLONIES.

Victoria.

- The Honorable Sir George Turner, K.C.M.G., M.L.A. (Premier).
- John Quick, Esquire, LL.D.
- The Honorable Alfred Deakin, M.L.A.
- The Honorable Alexander James Peacock, M.L.A. (Chief Secretary).
- The Honorable Isaac Alfred Isaacs, M.L.A. (Attorney-General).
- William Arthur Trenwith, Esquire, M.L.A.
- Sir Graham Berry, K.C.M.G. (Speaker Legislative Assembly).
- The Honorable Simon Fraser, M.L.C.
- The Honorable Sir William Austin Zeal, K.C.M.G. (President Legislative Council).
- Henry Bournes Higgins, Esquire, M.L.A.

New South Wales.

- Edmund Barton, Esquire, Q.C.
- The Honorable George Houstoun Reid, M.L.A. (Premier).
- The Honorable Joseph Hector Carruthers, M.L.A. (Secretary for Lands).
- William McMillan, Esquire, M.L.A.
- William John Lyne, Esquire, M.L.A.
- The Honorable James Nixon Bruncker, M.L.A. (Colonial Secretary).
- The Honorable Richard Edward O'Connor, M.L.C., Q.C.
- The Honorable Sir Joseph Palmer Abbott, K.C.M.G. (Speaker Legislative Assembly).
- James Thomas Walker, Esquire.
- Bernhard Ringrose Wise, Esquire.

South Australia.

- The Honorable Charles Cameron Kingston, Q.C., M.P. (Premier).
- The Honorable Frederick William Holder, M.P. (Treasurer).
- The Honorable John Alexander Cockburn, M.D., M.P. (Minister of Education and Agriculture).
- The Honorable Sir Richard Chaffey Baker, K.C.M.G. (President of the Legislative Council).
- The Honorable John Hannah Gordon, M.L.C.

Josiah Henry Symon, Esquire, Q.C.
 The Honorable Sir John William Downer, Q.C. K.C.M.G., M.P.
 Patrick McMahon Glynn, Esquire, B.A., LL.B.
 The Honorable James Henderson Howe.
 Vaiben Louis Solomon, Esquire, M.P.

Tasmania.

The Honorable Sir Phillip Oakley Fysh, K.C.M.G., M.H.A. (Treasurer).
 The Honorable Sir Edward Nicholas Coventry Braddon, K.C.M.G., M.H.A.
 (Premier).
 The Honorable Henry Dobson, M.H.A.
 The Honorable John Henry, M.H.A.
 The Honorable Neil Elliott Lewis, M.H.A.
 The Honorable Nicholas John Brown, M.H.A.
 The Honorable Charles Henry Grant, M.L.C.
 The Honorable Adye Douglas (President Legislative Council).
 The Honorable William Moore, M.L.C. (Chief Secretary).
 Matthew J. Clarke, Esquire, M.H.A.

Western Australia.

The Honorable Sir John Forrest, K.C.M.G., M.L.A. (Premier, Colonial Secretary, and Colonial Treasurer).
 The Honorable Sir James George Lee Steere, Knt., (Speaker Legislative Assembly).
 George Leake, Esquire, M.L.A.
 * The Honorable Frederick Henry Piesse, M.L.A. (Commissioner of Railways).
 The Honorable John Winthrop Hackett, M.L.C.
 * William Thorley Loton, Esquire, M.L.A.
 Walter Hartwell James, Esquire, M.L.A.
 Albert Young Hassell, Esquire, M.L.A.
 * Robert Frederick Scholl, Esquire, M.L.A.
 * The Honorable John Howard Taylor, M.L.C.

NOTE.—Between the meetings held at Melbourne and Adelaide, the Premiers of the various colonies were created Privy Councillors with the title of "Right Honorable"; and Mr. Edmund Barton became an M.L.C. The following members attended as representatives for Western Australia at Sydney and Melbourne in place of those marked with an asterisk (*):—

The Honorable Henry Briggs, M.L.C.
 The Honorable Frederick Thomas Crowder, M.L.C.
 The Honorable Harry Whittall Venn, M.L.A.
 The Honorable Andrew Harriott Henning, M.L.C.

49. A majority of Governors having decided on Adelaide as the place of meeting, proclamations were issued by the Governors of the five colonies fixing the time and place of the first meeting, and, in accordance therewith, the Convention was opened at Adelaide on 22nd March, 1897, and continued in session until 23rd April, when it was adjourned *pro formâ* until 5th May, and then further adjourned until 2nd September, at Sydney. Constitutional, Finance, and Judiciary Committees having been appointed, the Convention, after considering their reports, formulated and approved of a draft Bill, which was in due course submitted to the legislatures of the colonies represented for consideration, and for any suggested amendments as provided in the Enabling Acts. The draft Constitution was considered by both Houses of each of the colonies represented, and various amendments were proposed by each colony; and in New South Wales the minimum number of affirmative votes required to constitute the acceptance of the Bill by the electors was increased from 50,000 to 80,000. The second session opened in Sydney on the 2nd and closed on the 24th

Meeting of
the Con-
vention.

September, 1897, when consideration was given to the various amendments proposed by the various legislatures, and amendments were made up to clause 70 of the Bill. The final session was held in Melbourne, and occupied from the 20th January to the 16th March, 1898. At this meeting the remaining clauses were disposed of, the whole Bill was reviewed, and the draft of the Bill to constitute the Commonwealth was finally adopted for submission by referendum to the people of the various colonies represented at the Convention.

50. The following are the leading features of the draft Bill to constitute the Commonwealth of Australia as finally adopted by the Australasian Federal Convention, at Melbourne, on the 16th March, 1898;—

Leading features of the Commonwealth Bill of 1898.

LEADING FEATURES OF THE BILL.

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 the 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 three-fifths of members present and voting at joint sitting, 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.

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

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. Customs 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.

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

Water rights.

Inter-State 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.

Inter-State Commission.

State Debts.	Constitutions, powers, and laws of States protected. State Debts may be taken over.
Protection to States.	Admission of new States provided for. Commonwealth to protect States against invasion or domestic violence.
Federal Capital.	Seat of Government to be fixed by the Parliament, and to be within federal territory.
Alteration of Constitution.	Constitution may be altered by an absolute majority of both Houses ; then to be submitted to electors, and if in a majority of States a majority of electors voting approve, also majority of all electors approve then the change may be made.

Main provisions of Commonwealth Bill of 1898. 51. The following is a digest of the main provisions of the draft Commonwealth Bill of 1898 :—

DIGEST OF MAIN PROVISIONS OF THE DRAFT COMMONWEALTH BILL, 1898.

Indissoluble.	The Preamble recites that the colonies adopting the Constitution have agreed to unite in one indissoluble Federal Commonwealth under the Crown, and makes provision for the admission of other Australasian colonies afterwards.
Title.	<i>The Commonwealth of Australia Constitution Act.</i>
Proclamation.	The Queen may declare that on a certain day not later than one year after the passing of the Act the colonies adopting the Constitution shall be united under the name of "The Commonwealth of Australia," and the Constitution shall take effect from the day so appointed.
Repeal.	Repeal of <i>Federal Council Act 1885</i> and <i>Colonial Boundaries Act 1895</i> .
The Parliament.	The Parliament to consist of the Queen, a Senate, and a House of Representatives ; a Governor-General to be appointed to exercise Her Majesty's powers, and to have power to prorogue the Parliament and dissolve the House of Representatives. There must be a session of the Parliament at least once a year.
The Senate.	The Senate is to consist, until otherwise provided, of six members for each original State directly chosen by the people of the State, voting as one electorate until otherwise provided. The number may afterwards be increased or diminished, but so that equal representation of the original States shall be maintained, and so that no original State shall have less than six Senators. Senators to be chosen for six years. The qualification of electors of a Senator is the same as that for electors of the House of Representatives (see <i>post</i>), and each elector can vote only once. The qualifications of a Senator to be the same as those of a Member of the House of Representatives (see <i>post</i>). The President to be chosen by Senate, and may be removed by Senate. The President is entitled to vote in all cases, and when the votes are equal the question shall pass in the negative. Quorum—One-third of the whole number of the Senators.
House of Representatives.	The House of Representatives is to be composed of members directly chosen by the people ; and the number of members shall be, as nearly as practicable, twice the number of Senators. The number of members for the several States shall be in proportion to the population of each State, thus introducing "proportional representation" as distinguished from "equal representation" for the Senate. A proviso is added that five members at least shall be chosen for each original State. The House may continue for three years from its first meeting ; but may be dissolved sooner. Subject to Constitution, Parliament may diminish or increase number of members. The qualification of electors shall, until Parliament otherwise provides, be in each State that of electors of the more numerous House (<i>i.e.</i> , the popular House) of the Parliament of the State. Each elector shall vote only once. The qualifications of a member are :—(a) he must be twenty-one years of age ; (b) and must be an elector entitled to vote at the election of the House of

Representatives, or a person qualified to become an elector ; (c) resident for three years within Commonwealth ; (d) a natural-born, or for five years a naturalized subject of the Queen.

The House shall choose a Speaker, and may remove him by a vote of the House. Speaker not to vote unless members equal, then casting vote.

Quorum—One-third of number of members.

A member of one House is ineligible for the other.

Persons incapable of sitting as a Senator or M.H.R.—

Both
Houses.

- I. Under allegiance, &c., to a foreign power.
- II. Attainted of treason, or convicted for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer.
- III. Undischarged insolvent.
- IV. Holding any office of profit under the Crown, or in receipt of pension payable during pleasure of Crown out of revenue of Commonwealth.
- V. Having pecuniary interest in any agreement with the public service of the Commonwealth, otherwise than as a member of a company of over 25 persons.

And if a member become subject to any of such disabilities, take the benefit of insolvency law, or take any fee or reward for services rendered to the Commonwealth, or for services rendered in the Parliament to any person or State, his seat will become vacant.

Disputed elections shall be determined by the House in which question arises.

Allowance to members of both Houses of £400 per annum.

Power of each House to make rules as to its powers, privileges, &c., and the conduct of its business.

Powers of
Parliament.

The Parliament has power to make laws with respect to—

- I. Trade and commerce with other countries, and among the States.
- II. Taxation, but not to discriminate between States or part of States.
- III. Bounties on production or export of goods. Bounties to be uniform.
- IV. Borrowing money on credit of Commonwealth.
- V. Postal, &c., services.
- VI. Naval and military defence, and control of forces.
- VII. Light-houses, &c.
- VIII. Astronomical and meteorological observations.
- IX. Quarantine.
- X. Fisheries.
- XI. Census and statistics.
- XII. Currency, coinage.
- XIII. Banking.
- XIV. Insurance.
- XV. Weights and measures.
- XVI. Bills of exchange.
- XVII. Insolvency.
- XVIII. Copyrights, patents, trade marks.
- XIX. Naturalization and aliens.
- XX. Trading and financial corporations.
- XXI. Marriage.
- XXII. Divorce and matrimonial matters, including parental rights and custody of infants.
- XXIII. Invalid and old-age pensions.
- XXIV. Service of process.
- XXV. Recognition of Commonwealth laws, &c.
- XXVI. Special laws for people of any race.
- XXVII. Immigration and emigration.
- XXVIII. The influx of criminals.
- XXIX. External affairs.
- XXX. Relations with Pacific Islands.
- XXXI. Acquisition of property.
- XXXII. Control of railways for naval and military purposes.

- xxxiii. Acquisition of State railways.
 - xxxiv. Railway construction and extension with consent of State.
 - xxxv. Conciliation and arbitration.
 - xxxvi. Matters in respect of which this Constitution makes provision until Parliament otherwise provides.
 - xxxvii. Matters referred to the Parliament by the States.
 - xxxviii. Exercise of any powers which can now be exercised by the British Parliament or by the Federal Council.
 - xxxix. Matters incidental to the execution of any powers vested.
- Exclusive powers of the Parliament with respect to—
- I. The seat of Government and all places acquired for public purposes.
 - II. Matters relating to any department of public service the control of which is transferred to Commonwealth.
 - III. Other matters declared by Constitution to be within the exclusive power of the Parliament.

Money Bills. Laws appropriating revenue or imposing taxation shall not originate in the Senate.

The Senate may not amend laws imposing taxation, appropriating revenue or moneys for the annual services, nor any law so as to increase any proposed charge or burden on the people. The Senate may, however, return to the House of Representatives any such proposed law requesting the omission or amendment of any items.

In all other matters the Senate shall have equal power with the other House.

Appropriation and Taxation Bills shall deal only with such appropriation or only with taxation. This prohibits the practice known as "tacking."

Laws imposing Customs duties to deal with Customs only; and Excise, Excise only.

Dead-locks. If a Bill pass the House of Representatives and be rejected by the Senate, and if after three months it again pass the former House and the Senate again reject it as passed, both Houses may be dissolved simultaneously; but such dissolution shall not take place within six months of the expiry of the former House. If after the dissolution the popular House again pass the Bill and the Senate again reject it as passed, a joint sitting of both Houses may be held; and any amendments made by one House and not agreed to by the other shall be deemed carried if affirmed by three-fifths of the members present and voting at the joint sitting, and if the Bill so amended be likewise affirmed by three-fifths of the members it shall be deemed passed.

A money vote not to be passed unless the purpose of the appropriation has been recommended by the Governor-General in the same session.

Royal assent to Bills. A Bill, having passed both Houses, shall be presented to the Governor-General who shall either assent in the Queen's name, withhold his assent, or reserve the Bill for the Queen's pleasure; or he may return any Bill to the House and recommend amendments, and the House may deal with the recommendation.

The Queen may disallow any law within one year from the Governor's assent.

The Executive Government. A Bill reserved not to have any force unless Queen's assent made known within two years.

Executive power vested in the Queen and exercisable by Governor-General with the advice of the Federal Executive Council.

The Governor-General may appoint Ministers of State, who are to hold office during the pleasure of the Governor-General in Council. Until otherwise provided, the Ministers shall not exceed seven in number, and an annual sum not exceeding £12,000 is provided for their salaries.

The appointment of civil servants is vested in the Governor-General in Council, and may be delegated to some other authority.

The Customs and Excise Departments shall be transferred on the establishment of Commonwealth, and the following departments on a date or dates to be proclaimed by the Governor-General in Council:—Posts, Telegraphs and Telephones, Naval and Military Defence, Light-houses, Light-ships, Beacons and Buoys, Quarantine.

In respect of matters which pass to the Commonwealth, all powers of the Governor of a colony shall be vested in the Governor-General.

Judicial power vested in the High Court of Australia, and other Courts created. High Court to consist of a Chief Justice and so many other justices as Parliament provides, but not less than two. The
Judicature.

Judges appointed by Governor-General in Council, and not to be removed except on an address from both Houses for removal on the ground of misbehaviour or incapacity. Remuneration fixed by Parliament, but not to be diminished during term of office.

Jurisdiction of High Court to hear appeals from all judgments, &c.—

- I. Of justices exercising the original jurisdiction of the High Court.
- II. Of any other Federal Court or Supreme Court of a State.
- III. Of the Inter-State Commission as to questions of law.

And in such cases the judgment shall be final and conclusive.

The Queen may grant special leave of appeal from the High Court to Her Majesty in Council, but the Parliament may limit the matters in respect of which such leave may be granted, but no appeal to Privy Council in any matter involving the interpretation of this Constitution, or that of a State, unless public interests of some other part of Queen's dominions are involved.

Original jurisdiction of High Court in all matters—

- I. Arising under any treaty.
- II. Affecting consuls or representatives of other countries.
- III. In which the Commonwealth is a party.
- IV. Between States, residents of different States, or between a State and a resident of another State.
- V. Mandamus, injunction, &c., against an officer of the Commonwealth.

Additional jurisdiction may be given by Parliament in matters—

- (a) Arising under Constitution, or involving its interpretation.
- (b) Arising under any laws made by the Parliament.
- (c) Relating to same subject-matter claimed under the laws of different States.

Trial for offence by jury, and to be held in State where offence committed.

Provision is made to protect the rights of civil servants of any State who are transferred to the service of the Commonwealth. The collection of Customs and Excise duties shall pass to the Federal Government. Finance and
Trade.

Departments of Customs and Excise to be transferred to Executive Government on the establishment of the Commonwealth, and the departments of posts and telegraphs, naval and military defence, light-houses, &c., and quarantine on a date or dates to be proclaimed by the Governor-General after such establishment.

When any department is transferred all property of the State, exclusively used in connexion therewith, shall be vested in the Commonwealth, but in the case of customs and excise departments for such time only as the Governor-General in Council may declare necessary.

Not more than one-fourth of the net revenue of the Commonwealth from duties of customs and excise to be applied to the expenses of the Commonwealth, the balance to be paid to the States or applied towards payment of interest on debts taken over.

Uniform customs duties to be imposed, and intercolonial free-trade established, within two years after the establishment of the Commonwealth.

Before the imposition of uniform duties the surplus revenue is to be handed over to the various States on the following basis:—Each State to be credited with the revenues collected therein, and to be debited with the expenditure therein of departments transferred, together with the extra cost of federal administration charged to the various colonies on a population basis, the balance being handed over to the State.

During the first five years after the imposition of uniform duties each colony is to be credited with duties collected on goods consumed therein, and debited with expenditure in the same manner as before the imposition of uniform Tariff. (In this period there will not only be the deficiencies in the Treasury arising from the remission of duties on Australian goods to be provided for, but also the changes in revenue incident to the adoption of a new Tariff, which may differ greatly from any one Tariff now in force.)

After the expiration of the period of five years just referred to, the basis of distributing the surplus is left to the determination of the Federal Government.

To meet the exceptional case of West Australia that colony may impose duties on intercolonial goods not exceeding rates in force at time of imposition of uniform Tariff, but such duties must be diminished by one-fifth of the original amount each year, and abolished altogether after expiration of five years.

Audit provided for.

Right of States to reasonable use of waters of rivers for conservation or irrigation not to be abridged.

The Parliament may take over the State debts as existing at the establishment of the Commonwealth, or a proportion thereof, computed on a population basis, and may convert, renew, or consolidate the same.

The States.

The Constitution and laws of every State, and every power of each State Parliament, not vested in the Commonwealth Parliament, shall continue as at present.

A State shall not raise any naval or military force, nor tax Commonwealth property, nor the Commonwealth tax State property.

The Commonwealth to protect every State against invasion, and, if applied to, against domestic violence.

New States.

The Parliament may admit new States to the Commonwealth on such terms as it may think fit.

The Parliament may, with the consent of the States affected, alter the limits of any State.

Seat of Government.

The seat of Government shall be within territory vested in the Commonwealth, and shall be determined by the Parliament, and, until determined, the Parliament shall meet at such place as a majority of States Governors shall direct, and if the division be equal, then as the Governor-General may direct.

Alteration of Constitution.

The Bill for any alteration of the Constitution must be passed by an absolute majority of each House, and not less than two nor more than six months after its passage through both Houses must be submitted to the electors of each State, and, if in a majority of the States a majority of the electors voting approve, and if a majority of all the electors approve, then the change may be made.

An alteration diminishing the proportionate representation of any State, or the minimum number of representatives of a State, shall not become law without the approval of a majority of the electors of such State.

Financial Clauses of Bill.

52. As the financial clauses are of considerable importance, they are here reproduced in full :—

FINANCIAL CLAUSES.

Transfer of certain departments.

69. On a date or dates to be proclaimed by the Governor-General after the establishment of the Commonwealth, the following departments of the public service in each State shall become transferred to the Commonwealth :—

Posts, telegraphs, and telephones ;
Naval and military defence ;
Light-houses, light-ships, beacons, and buoys ;
Quarantine.

But the departments of customs and of excise in each State shall become transferred to the Commonwealth on its establishment.

CHAPTER IV.

FINANCE AND TRADE.

Consolidated Revenue Fund.

81. All revenues or moneys raised or received by the Executive Government of the Commonwealth shall form one Consolidated Revenue Fund, to be appropriated for the purposes of the Commonwealth in the manner and subject to the charges and liabilities imposed by this Constitution.

Expenditure charged thereon.

82. The costs, charges, and expenses incident to the collection, management, and receipt of the Consolidated Revenue Fund shall form the first charge thereon ; and the revenue of the Commonwealth shall in the first instance be applied to the payment of the expenditure of the Commonwealth.

83. No money shall be drawn from the Treasury of the Commonwealth except under appropriation made by law. Money to be appropriated by law.

But, until the expiration of one month after the first meeting of the Parliament, the Governor-General in Council may draw from the Treasury and expend such moneys as may be necessary for the maintenance of any department transferred to the Commonwealth, and for the holding of the first elections for the Parliament.

84. When any department of the public service of a State becomes transferred to the Commonwealth, all officers of the department shall become subject to the control of the Executive Government of the Commonwealth. Transfer of officers.

Any such officer who is not retained in the service of the Commonwealth shall, unless he is appointed to some other office of equal emolument in the public service of the State, be entitled to receive from the State any pension, gratuity, or other compensation payable under the law of the State on the abolition of his office.

Any such officer who is retained in the service of the Commonwealth shall preserve all his existing and accruing rights, and shall be entitled to retire from office at the time, and on the pension or retiring allowance, which would be permitted by the law of the State if his service with the Commonwealth were a continuation of his service with the State. Such pension or retiring allowance shall be paid to him by the Commonwealth; but the State shall pay to the Commonwealth a part thereof, to be calculated on the proportion which his term of service with the State bears to his whole term of service, and for the purpose of the calculation his salary shall be taken to be that paid to him by the State at the time of the transfer.

Any officer who is, at the establishment of the Commonwealth, in the public service of a State, and who is, by consent of the Governor of the State, with the advice of the Executive Council thereof, transferred to the public service of the Commonwealth, shall have the same rights as if he had been an officer of a department transferred to the Commonwealth and were retained in the service of the Commonwealth.

85. When any department of the public service of a State is transferred to the Commonwealth— Transfer of property of State.

- I. All property of the State, of any kind, used exclusively in connexion with the department, shall become vested in the Commonwealth; but in the case of the departments controlling customs and excise and bounties, for such time only as the Governor-General in Council may declare to be necessary.
- II. The Commonwealth may acquire any property of the State, of any kind, used, but not exclusively used, in connexion with the department; the value thereof shall, if no agreement can be made, be ascertained in, as nearly as may be, the manner in which the value of land, or of an interest in land, taken by the State for public purposes is ascertained under the law of the State in force at the establishment of the Commonwealth.
- III. The Commonwealth shall compensate the State for the value of any property passing to the Commonwealth under this section; if no agreement can be made as to the mode of compensation, it shall be determined under laws to be made by the Parliament.
- IV. The Commonwealth shall, at the date of the transfer, assume the current obligations of the State in respect of the department transferred.

86. On the establishment of the Commonwealth, the collection and control of duties of customs and of excise, and the control of the payment of bounties, shall pass to the Executive Government of the Commonwealth.

87. Of the net revenue of the Commonwealth from duties of customs and of excise, not more than one-fourth shall be applied annually by the Commonwealth towards its expenditure.

The balance shall, in accordance with this Constitution, be paid to the several States, or applied towards the payment of interest on debts of the several States taken over by the Commonwealth.

88. Uniform duties of customs shall be imposed within two years after the establishment of the Commonwealth.

Payment to States before uniform duties.

89. Until the imposition of uniform duties of customs—

I. The Commonwealth shall credit to each State the revenues collected therein by the Commonwealth.

II. The Commonwealth shall debit to each State—

(a) the expenditure therein of the Commonwealth incurred solely for the maintenance or continuance, as at the time of transfer, of any department transferred from the State to the Commonwealth.

(b) the proportion of the State, according to the number of its people, in the other expenditure of the Commonwealth.

III. The Commonwealth shall pay to each State month by month the balance (if any) in favour of the State.

Exclusive power over customs, excise, and bounties.

90. On the imposition of uniform duties of customs the power of the Parliament to impose duties of customs and of excise, and to grant bounties on the production or export of goods, shall become exclusive.

On the imposition of uniform duties of customs all laws of the several States imposing duties of customs or of excise, or offering bounties on the production or export of goods, shall cease to have effect; but any grant of or agreement for any such bounty lawfully made by or under the authority of the Government of any State shall be taken to be good if made before the 30th day of June, 1898, and not otherwise.

Exceptions as to bounties.

91. Nothing in this Constitution prohibits a State from granting any aid to or bounty on mining for gold, silver, or other metals, nor from granting, with the consent of both Houses of the Parliament of the Commonwealth expressed by resolution, any aid to or bounty on the production or export of goods.

Trade within the Commonwealth to be free.

92. On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

But notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of customs into any State, or into any colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods in the Commonwealth, less any duty paid in respect of the goods on their importation.

Payment to States for five years after uniform Tariffs.

93. During the first five years after the imposition of uniform duties of customs, and thereafter until The Parliament otherwise provides:—

I. The duties of customs chargeable on goods imported into a State and afterwards passing into another State for consumption, and the duties of excise paid on goods produced or manufactured in a State and afterwards passing into another State for consumption, shall be taken to have been collected not in the former but in the latter State:

II. Subject to the last sub-section, the Commonwealth shall credit revenue, debit expenditure, and pay balances to the several States as prescribed for the period preceding the imposition of uniform duties of customs.

Distribution of surplus.

94. After five years from the imposition of uniform duties of customs, The Parliament may provide, on such basis as it deems fair, for the monthly payment to the several States of all surplus revenue of the Commonwealth.

Customs duties of Western Australia.

95. Notwithstanding anything in this Constitution, the Parliament of the State of Western Australia may, during the first five years after the imposition of uniform duties of customs, impose duties of customs on goods passing into that State and not originally imported from beyond the limits of the Commonwealth; and such duties shall be collected by the Commonwealth.

But any duty so imposed on any goods shall not exceed during the first of such years the duty chargeable on the goods under the law of Western Australia in force at the imposition of uniform duties, and shall not exceed during the second, third, fourth, and fifth of such years respectively, four-fifths, three-fifths, two-fifths, and one-fifth of such latter duty, and all duties imposed under this section shall cease at the expiration of the fifth year after the imposition of uniform duties.

If at any time during the five years the duty on any goods under this section is higher than the duty imposed by the Commonwealth on the importation of the like goods, then such higher duty shall be collected on the goods when imported into Western Australia from beyond the limits of the Commonwealth.

97. The power of The Parliament to make laws with respect to trade and commerce extends to navigation and shipping, and to railways the property of any State.

Trade and commerce includes navigation and State railways.

98. The Commonwealth shall not, by any law or regulation of trade, commerce, or revenue, give preference to one State or any part thereof over another State or any part thereof.

Commonwealth not to give preference. Nor abridge right to use water.

99. The Commonwealth shall not, by any law or regulation of trade or commerce, abridge the right of a State or of the residents therein to the reasonable use of the waters of rivers for conservation or irrigation.

Inter-State Commission.

100. There shall be an Inter-State Commission, with such powers of adjudication and administration as the Parliament deems necessary for the execution and maintenance, within the Commonwealth, of the provisions of this Constitution relating to trade and commerce, and of all laws made thereunder.

101. The Parliament may by any law with respect to trade or commerce forbid, as to railways, any preference or discrimination by any State, or by any authority constituted under a State, if such preference or discrimination is undue and unreasonable, or unjust to any State; due regard being had to the financial responsibilities incurred by any State in connexion with the construction and maintenance of its railways. But no preference or discrimination shall, within the meaning of this section, be taken to be undue and unreasonable, or unjust to any State, unless so adjudged by the Inter-State Commission.

Parliament may forbid preferences by States.

102. The members of the Inter-State Commission—

Commissioners' appointment, tenure, and remuneration.

i. Shall be appointed by the Governor-General in Council:

ii. Shall hold office for seven years, but may be removed within that time by the Governor-General in Council, on an address from both Houses of The Parliament in the same session praying for such removal on the ground of proved misbehaviour or incapacity:

iii. Shall receive such remuneration as the Parliament may fix; but such remuneration shall not be diminished during their continuance in office.

103. Nothing in this Constitution shall render unlawful any rate for the carriage of goods upon a railway, the property of a State, if the rate is deemed by the Inter-state Commission to be necessary for the development of the territory of the State, and if the rate applies equally to goods within the State and to goods passing into the State from other States.

Saving of certain rates.

104. The Parliament may take over from the States their public debts as existing at the establishment of the Commonwealth, or a proportion thereof according to the respective numbers of their people as shown by the latest statistics of the Commonwealth, and may convert, renew, or consolidate such debts, or any part thereof; and the States shall indemnify the Commonwealth in respect of the debts taken over, and thereafter the interest payable in respect of the debts shall be deducted and retained from the portions of the surplus revenue of the Commonwealth payable to the several States, or if such surplus is insufficient, or if there is no surplus, then the deficiency or the whole amount shall be paid by the several States.

Taking over public debts of States.

Bill of 1898
as com-
pared with
that of
1891.
Senate.

53. The special features of the Bill of 1898 as compared with that of 1891 are as follow :—

Commonwealth declared to be indissoluble.

Senators to be directly chosen by the people instead of by State Parliaments. The number may be altered but all the original states must be equally represented ; until altered fixed at six instead of eight. In the Bill of 1891 the number was unalterable except by the special machinery for amendments of the Constitution.

The age qualification of a Senator was reduced from 30 to 21 years, and the residential from five to three years, thus making the qualification the same for both Houses.

House of
Representatives.

The number of members of the House of Representatives for each State to be in proportion to population, and the whole number to be twice that of the Senators ; instead of one member to every 30,000 population as provided in the Bill of 1891.

Each elector shall vote only once for either House of Parliament.

No provision is made for the continuance of State electoral laws for election of Members of the House of Representatives until other provision made, as provided in Bill of 1891.

Members of both Houses to receive £400 a year instead of £500.

Powers of
Parliament.

Powers of Parliament increased by granting power to legislate for—

- (a) Astronomical and meteorological observations.
- (b) Insurance, exclusive of State insurance.
- (c) Parental rights and custody and guardianship of infants.
- (d) Invalid and old-age pensions.
- (e) Acquisition of property for any purpose for which power to legislate.
- (f) Acquisition of a State's railways with State's consent.
- (g) Railway construction and extension with consent of State.
- (h) Conciliation and arbitration in industrial disputes.

Dead-locks.

Laws imposing customs' duties not to impose excise, and *vice versa*. Provision made for dead-locks between the two Houses. If a Bill be rejected in Senate and be again passed by the House of Representatives and rejected by the Senate again, the two Houses are to be dissolved simultaneously ; and if again passed by House of Representatives and rejected by Senate, a joint sitting to be held ; and if three-fifths of members voting pass the Bill or amendments, such to become law. No provision for dead-locks in the Bill of 1891.

Executive
Govern-
ment.

A Minister shall not hold office for more than three months without becoming a Member of Parliament. By the Act of 1891, it is not made obligatory for any of the Ministers to be a member.

Ministers' salaries reduced from £15,000 to £12,000.

The Bill of 1898 provides for the taking over of the Department of Customs and Excise on the establishment of the Commonwealth, and of the Departments of Posts and Telegraphs, Defences, Light-houses, &c., and Quarantine, at a subsequent period to be proclaimed by the Governor-General in Council ; whereas the Bill of 1891 provided that all these departments should be transferred on the establishment of the Commonwealth.

Judicature.

The High Court is empowered to hear appeals from its own justices in its original jurisdiction, also questions of law from the inter-State commission.

Provided in the Bill of 1898 that a judgment of the High Court in its Appellate Jurisdiction is final and admits of no further appeal ; whereas the Bill of 1891 gave power to the Parliament to make such a provision.

No appeal to the Queen in Council involving the interpretation of the Constitution or that of a State, unless the interests of some other part of Queen's dominions involved, but special leave may be obtained to appeal to the Privy Council in regard to matters to be limited by the Parliament.

The jurisdiction with which the Parliament may invest the other Federal Courts is not limited to certain specified matters, as in the Bill of 1891 ; but it would appear that jurisdiction may be given in regard to any matter, or, at any rate, any of the matters for which the High Court has jurisdiction.

Parliament may confer rights to proceed against the Commonwealth or a State as to matters within the limits of its judicial power.

Power to grant bounties or aids to mining to be retained by States.

Uniform duties of Customs to be imposed within two years after establishment of Commonwealth. In the 1891 Bill no such limit was imposed. Finance and Trade.

The Bill of 1898 provides that the balance of Customs and Excise revenue collected over and above expenses of collection in each State shall be returned to that State after deducting the State's proportion of the general expenses of Federal Government on a population basis ; whereas the Bill of 1891 provided that the expenditure of the Commonwealth should be charged to the various States in proportion to population, and that the surplus revenue should be returned in proportion to the revenues collected in the various States.

Provision made in the Bill of 1898 that, of the net revenue from Customs and Excise, not more than one-fourth shall be applied by the Commonwealth to its expenditure. Balance to be returned to States. Braddon clause.

Inter-State Commission to be appointed to regulate trade and commerce.

The taking over and consolidation of the State debts is not subject to the consent of the States and is restricted to the existing debts, but apparently no power is given to take over future debts.

Any alteration of the Constitution to be submitted to the direct vote "Yea" or "Nay" of the people after having passed both Houses instead of, as in the 1891 Bill, to conventions elected by the people.

54. The Bill was submitted by referendum to the electors of Victoria, New South Wales, and Tasmania on 3rd June, 1898, and to those of South Australia on the following day. The results were as follow :— Referendum.

REFERENDUM.

Colony.	Affirmative Votes Required.	Electors who Voted.			Total Voters.	
		For the Bill.	Against the Bill.	In-formally.	Number.	Per-centage of Electors on Rolls.
Victoria	50,000	100,520	22,099	1,008	123,627	48·94
New South Wales ...	80,000*	71,595	66,228	834	138,657	49·88
South Australia ...	a majority	35,800	17,320	722	53,842	39·44
Tasmania	6,000	11,746	2,689	262	14,697	46·50

55. The statutory number of affirmative votes (viz., 80,000) not being reached in New South Wales, the acceptance or rejection of the Bill was made the crucial question at the general elections which followed Rejection of Bill by New South Wales.

* In the first instance, 50,000, but subsequently raised to the above number after the first meeting of the Convention.

Amend-
ments
desired by
New South
Wales.

a few weeks afterwards, and, on the re-assembling of Parliament, the Premier of New South Wales submitted such resolutions, which were duly carried, together with certain amendments, by the Legislative Assembly, affirming its desire that early steps should be taken in conjunction with the other colonies to effect a federal union, and that the other colonies should agree to reconsider the provisions of the Bill most generally objected to by that colony, with a view to the following amendments :—

ALTERATIONS IN THE BILL DESIRED BY NEW SOUTH WALES.

1. *Submitted by the Premier.*

(a) That, if equal representation of the Senate be insisted upon, the provision for a three-fifths majority at a joint sitting of the Houses be altered to a simple majority,* or be replaced by a provision for a national referendum.

(b) The removal of clause 87, providing that at least three-fourths of Customs revenues be returned to the States.*

(c) That the Federal Capital be within New South Wales.*

(d) Better provision against alteration of boundaries of a State without its own consent, viz., by the protection afforded by clause 127 as to the representation of States. (It is already provided that no alteration can be made except with the consent of the Parliament of the State.)

(e) Use of inland rivers for conservation and irrigation to be more clearly safeguarded.

(f) A uniform practice in respect to Money Bills, viz., that provided in the case of Taxation Bills and Bills for ordinary annual services (*i.e.*, that all Money Bills of any kind are not to be amended by the Senate, and that the provisions of clauses 54 and 55 against tacking Bills apply to all Money Bills).

(g) Mode of appeal from Supreme Courts of States to be uniform, viz., the appeal to be either to the Privy Council or the High Court, but not indiscriminately to either.

(h) Although prepared—if placed in other respects upon a fair and just footing—to accept the financial system in the Bill with the exception above mentioned, invites further inquiry into financial clauses, regarding as evils to be avoided, if possible, excessive burdens of taxation, a prolonged system of book-keeping, uncertainty as to amount of surplus to be divided, and as to method of distributing it.

2. *Amendments on the resolutions also adopted.*

(i) Alteration of the Constitution. That clause 127 should be altered to provide—(1) Any proposed alteration approved by both Houses and a national referendum should be submitted for the Queen's assent; (2) where such alteration has been affirmed by an absolute majority in one House, and rejected by the other, in two succeeding sessions, such alteration to be submitted to a national referendum; (3) proposed alterations transferring to the Commonwealth any of the powers retained by any of the States at the date of their acceptance of the Constitution to be approved of by a majority of the electors voting in such a State.

(j) Number of senators to be increased from six to eight for each State; twenty senators, including the President or Chairman of Committees, to form a quorum.

* At the Conference of Premiers subsequently held in Melbourne, (a) and (c) were agreed to, but the capital must not be within 100 miles of Sydney; and the operation of clause 87 was restricted to a period of ten years.

56. The following is a comparison of the Constitution of the proposed Commonwealth of "Australia" with that of each of the four leading Federations of the world :—

Constitutions of leading Federations compared.

CONSTITUTIONS OF THE PROPOSED COMMONWEALTH AND FOUR LEADING FEDERATIONS.

	United States.	Germany.	Switzerland.	Canada.	Australia (as proposed).
Number of States ..	45	26	22	8 (including 1 territory)	6
I. Executive—					
Number of Ministers	8	12*	7	12	7
By whom chosen ..	President, with concurrence of S.A.	Emperor ..	Legislature ..	As in United Kingdom.	Ibid.
Term of office (years)	4	During pleasure	3		
Salary of each Minister	£1,600	..	£480		1 £1,600, others £1,400	£1,714 (average)
II. States Assembly (S.A.)—					
Number of members	90	58†	44	81	36
Maximum from any State	2	17	2	24	6
Minimum from any State	2	1	2	2	6
Minimum age of members	30	..	..	30	21
Term for which elected (years)	6	1	As prescribed by States	Life ..	6
By whom elected ..	S. Legislatures	S. Governments		Governor-General in Council	S. Electors
Qualification ..	Resident citizenship of 9 years' standing	No prescribed qualification		Resident citizen with property of net value £800	Same as M.H.R.
III. House of Representatives (H. R.)—					
Number of Members	357	397	147	213‡	75
Inhabitants to each member	173,000	131,600	20,000	22,688	51,000
Elected according to laws of Federation (F.) or State (S.)	S.	F.	F.	F.	F.
Term for which elected (years)	2	5	3	5	3
Allowance per annum to members of both Houses	£1,000, also travelling expenses	Nil.	H.R. 20 francs for each day present with mileage allowance.	£200 per session and 5s. per mile travelling expenses	£400 to members of both Houses.

57. In order to form some idea of the financial position of the colonies after federation, it will be better first to glance at their present revenues from various sources and their expenditure, making a rough division of the branches likely to be transferred to the Commonwealth and of those to be retained by the States. Such a division is made in the following table for the year 1895-6, by which it will be seen that little more

Present revenues of colonies.

* Including 11 Imperial authorities or Secretaries of State acting immediately under the general supervision of the Chancellor.
 † Exclusive of 4 in Alsace-Lorraine without votes.
 ‡ Quebec has always 65, and the other provinces a proportional number according to the population enumerated at each decennial census.

than a fourth of the revenue in New South Wales, only about a third of that of South Australia, but about two-fifths of that of Victoria, and over half the revenues of Western Australia and Tasmania will probably pass over to federal control :—

REVENUE OF AUSTRALASIAN COLONIES, 1895-6.

(00's omitted.)

Hheads of Revenue.	Victoria.	New South Wales.	South Australia.	Western Australia.	Tasmania.
<i>To be transferred—</i>	£	£	£	£	£
Customs and Excise (1896) ...	2,068,4	1,648,2	619,5	996,8	347,9
Posts and Telegraphs (1896)* ...	564,2	695,6	260,0	186,5	76,5
Other Services ...	67,0	63,7	26,4	13,7	7,8
Total ...	2,699,6	2,407,5	905,9	1,197,0	434,2
<i>To be retained by States—</i>					
Other Taxation ...	668,9	443,4	234,6	74,1	119,1
Land ...	410,1	1,976,6	222,2	286,7	58,3
Railways and Tramways ...	2,394,5	3,121,7	1,001,7	474,6	161,0
Other Services ...	398,8	758,4	262,4	77,5	29,3
Total ...	3,872,3	6,300,1	1,720,9	912,9	367,7
Grand Total † ...	6,571,9	8,707,6	2,626,8	2,109,9	799,9

Expenditure of colonies.

58. As compared with the large proportions of revenue transferred, the expenditure for which the Federal Government will render itself liable will be altogether disproportionate, being only one-tenth in the cases of New South Wales, South Australia, and Tasmania, about an eighth in the case of Victoria, and somewhat more than an eighth in that of Western Australia, as will be seen by the subjoined table:—

EXPENDITURE OF AUSTRALASIAN COLONIES, 1895-6.

(00's omitted.)

Hheads of Expenditure.	Victoria.	New South Wales.	South Australia.	Western Australia.	Tasmania.
<i>To be transferred ‡—</i>	£	£	£	£	£
Customs and Excise (1896) ...	67,8	64,4	26,5	28,7	7,0
Posts and Telegraphs (1896) ...	511,9	698,3	205,4	193,4	58,4
Defences ...	174,7	190,9	28,4	9,2	10,0
Other ...	41,5	33,2	11,9	10,6	4,4
Total ...	795,9	986,8	272,2	241,9	79,8

* Estimate added for the value of official correspondence and telegrams carried free in Victoria and Tasmania, viz., £50,000 and £4,000 respectively; corresponding amounts being added to "All other," retained expenditure in the next table.

† Differences between these totals and those published in the "Australasian Statistics 1896," due to the calendar year being taken for Customs and Posts and Telegraphs.

‡ Including allowance for maintenance of buildings and works.

EXPENDITURE OF AUSTRALASIAN COLONIES, 1895-6—continued.
(00's omitted.)

Hheads of Expenditure.	Victoria.	New South Wales.	South Australia.	Western Australia.	Tasmania.
<i>To be retained—</i>	£	£	£	£	£
Railways—Working expenses	1,418,9	1,837,2	588,3	400,1	122,2
Interest, &c., on Debt ...	1,893,4	2,321,4	963,8	163,0	326,8
Public Instruction, Science, &c.	571,0	769,1	149,6	61,4	39,0
Crown Lands, Agriculture and Mining	212,8	477,7	65,5	178,3	11,9
Public Works and Water Supply	270,7	1,118,0	143,1	383,1	33,3
All other	1,427,5	2,014,6	570,2	396,1	141,2
Total	5,794,3	8,538,0	2,480,5	1,582,0	674,4
Grand Total	6,590,2	9,524,8	2,752,7	1,823,9	754,2

59. More detailed information respecting the revenue and expenditure of Services which may sooner or later be transferred will be found in the following table, credit being given moreover for the estimated value of assets to be taken over, and amounts debited to each colony for its share of such interest on a population basis. The difference between the revenues and expenditures is shown under the head of surplus, together with its proportion to population, and to Customs and Excise revenue in each colony :—*

Surplus in Services handed over to Federal Government.

REVENUE AND EXPENDITURE OF SERVICES TO BE TRANSFERRED.
(00's omitted).

Services.	Year.	Victoria.	New South Wales.	South Australia.	Western Australia.	Tasmania.	Total.
I.—ANNUAL REVENUE.							
Customs and Excise	1896	£ 2,068,4	£ 1,648,2	£ 619,5	£ 996,8	£ 347,9	£ 5,680,8
Posts and Telegraphs	From Public	512,6	639,9	250,1	179,1	72,5	1,654,2
	From Government Departments	51,6	55,7	9,9	7,4	4,0	128,6
Light-houses, &c. ...	"	22,8	18,5	17,1	12,2	6,3	76,9
Currency and Coining	1895-6	40,5	41,6	7,8	...	...	89,9
Patents, Trademarks, Copyrights	"	3,7	3,6	1,5	1,5	1,5	11,8
Total (without interest) ...		2,699,6	2,407,5	905,9	1,197,0	432,2	7,642,2
Cr. interest at 3 per cent on capital value of property transferred †		96,2	114,6	58,2	24,9	10,3	304,2
Grand Total		2,795,8	2,522,1	964,1	1,221,9	442,5	7,946,4

* For full particulars on which the figures in the table are based see Convention Return, laid on the table, 18th February, 1898.

† Estimated amounts added for value of free correspondence and telegrams, for which no credit was taken as in the other Colonies, viz., £50,000 in Victoria and £4,000 in Tasmania.

‡ Approximate.

REVENUE AND EXPENDITURE OF SERVICES TO BE
TRANSFERRED—*continued.*

(00's omitted.)

Services.	Year.	Victoria.	New South Wales.	South Australia.	Western Australia.	Tasmania.	Total.
		II.—ANNUAL EXPENDITURE (including maintenance of buildings, works, &c.).					
		£	£	£	£	£	£
Customs and Excise	1896	67,8	64,4	26,5	28,7	7,0	194,4
Posts and Telegraphs	"	511,9	698,3	205,4	193,4	58,4	1,667,4
Defences ...	1895-6*	174,7	190,9	28,4	9,2	10,0	413,2
Light-houses, &c. ...	Present annual cost	16,1	11,4	10,8	10,1	4,2	52,6
Quarantine ...	"	3,2	4,0	7	4	...	8,3
Currency and Coining	Annual subsidy	20,0	15,0	...	...	...	35,0
Patents, Trade-marks, Copyrights	1895-6*	2,2	2,8	4	1	2	5,7
Total (without interest) ...		795,9	986,8	272,2	241,9	79,8	2,376,6
Dr. Interest at 3 per cent. on capital value of property transferred; proportion on population basis †		115,4	126,1	34,7	12,0	16,0	304,2
Grand Total ...		911,3	1,112,9	306,9	253,9	95,8	2,680,8
		III.—SURPLUS.					
Amount ...		1,884,5	1,409,2	657,2	968,0	346,7	5,265,6
Average per head of the population †		1 12 0 1	1 10 1 10	1 17 2 7	18 6 2 18	2 2 5 2	1 13 11
Percentage of Customs and Excise revenue		91.11	85.50	106.09	97.11	99.66	92.70

60. It will be observed that the surplus per head of population was nearly £8 in Western Australia—an exceptional case; but in other cases varied from £1 1s. 10d. in New South Wales to £2 2s. in Tasmania. The striking points are, however, brought out in the last line of the table, which indicate that the Federal Government could defray almost the whole of the cost of the services to be transferred in the cases of South Australia, Tasmania, and Western Australia without encroaching on the customs and excise revenue, and would require only from 9 to 14½ per cent. of it in Victoria and New South Wales. Hence the necessity for devising some feasible means for the return of an equitable proportion of the surplus revenue to each colony to defray their necessary expenses of local government. When the uniform Tariff comes into operation a loss in revenue must be faced through the remission

* Read 1896 in the case of Tasmania.

† Based on mean population, 1896.

of duties on Australian goods, which must be met by either the federation or the states by the imposition of further duties on foreign goods, by additional excise duties, or by other substituted taxation. The expenses of Federal Government have also to be provided for, partly by increased taxation and partly by savings that may be effected by the transfer of functions.

61. Before dealing with the question of the probable loss to revenue by the remission of intercolonial duties under federation, it will be necessary, first, to consider the effect on the sugar duty, seeing that sugar is an article capable of being entirely produced within the federation. As the net sugar duty collected in the five colonies in 1895 amounted to about £463,000, and the federation could not afford to lose so large an amount, it is most probable that an excise duty will be imposed to countervail any loss that might arise from the reduced importation of foreign sugar, subject to a higher differential rate of duty. Hence it is supposed that an excise duty of at least £5 per ton will be imposed, which will increase the taxation in New South Wales—the sugar-producing colony—by £113,000, and in South Australia, where the rate of duty is exceptionally low, by £29,000; but which will make comparatively little difference in the cases of the other colonies. The net result would be an increased revenue from sugar of £146,000. As a set-off against this increased taxation, however, New South Wales would be amply compensated by the increased activity of her sugar industry. It may be remarked that since 1895 Western Australia has abolished its sugar duty. The result to the revenue under the altered conditions, assumed on the basis of the collections in 1895, will be seen by the following figures:—

Effect of federation on sugar duty.

REVENUE FROM SUGAR DUTY (000's OMITTED).

Colony.	Net Sugar duty in 1895.	Uniform Excise duty on all Sugar consumed at £5 per ton.	Gain to Revenue.
	£	£	£
Victoria	233, *	241,	8,
New South Wales	137,	250,	113,
South Australia	45,	74,	29,
Tasmania	38,	31,	-7, †
Western Australia	10,	13,	3,
Total	463, ‡	609,	146,

62. An estimate of the loss to revenue by reason of the remission of duties on Australian products has been made for the year 1895 by the Victorian Customs Department, and if the anticipated changes in the sugar duty—as referred to in the preceding table—be also allowed

Loss to revenue by remission of duties.

* After allowing £32,000 for refunds and rebates.

† Loss.

‡ Of this, about £362,000 was collected on Australian (Queensland) sugar. In Queensland, the duty actually collected was less than £1,000; an excise duty of £5 per ton would bring in £94,000 in that colony.

for, the net result to the revenue will be as shown in the last column of the following table:—

LOSS TO REVENUE BY REMISSION OF DUTIES ON AUSTRALIAN PRODUCTS, ON BASIS OF COLLECTIONS IN 1895 (000's OMITTED).

Colony.	Duties levied on Products of other Colonies (estimated).	Gain by reason of imposition of Excise Duty on Sugar of £5 per ton.*	Net Loss after allowing for Excise Duty on Sugar.
	£	£	£
Victoria ...	106,	8,	98,
New South Wales ...	220,	113,	107,
South Australia ...	22,	29,	-7,†
Tasmania ...	38,	-7,†	45,
Western Australia ...	148,	3,	145,
Total ...	£534,	£146,	£388,

Revenue from Customs and Excise

63. Deducting the amounts shown in the last column of this table from the total Customs and Excise revenue in 1895, it will be found that there was, in proportion to population, but little difference in the revenue derived from Foreign goods imported and Excise duties, between the colonies of New South Wales and Tasmania; whereas, in Victoria it was only 4 per cent. and in South Australia only 7 per cent. less than in New South Wales. Western Australia, owing to its recent rapid development, stands alone with a Customs revenue of about £6 13s. per head (£8 3s. 2d. in 1896, an exceptional year) as compared with an average of £1 14s. in the other colonies. The following are the amounts, and amounts per head, derived from Customs and Excise duties in the three years ended with 1897, and also from Foreign goods and Excise § in 1895:—

REVENUE FROM CUSTOMS AND EXCISE. ||—1895 to 1897.
(000's omitted.)

Colony.	1895.				1896.		1897.	
	Actual on foreign and intercolonial goods.		From foreign goods and excise only. §		Actual Amount.	Average per head.	Actual Amount.	Average per head.
	Amount.	Average per head.	Amount	Average per head.				
	£	£ s. d.	£	£ s. d.	£	£ s. d.	£	£ s. d.
Victoria ...	2,047,	1 14 8	1,949,	1 13 0	2,068,	1 15 2	2,043,	1 14 10
New South Wales ¶	2,259,	1 15 9	2,152,	1 14 0	1,648,	1 5 7	1,529,	1 3 4
South Australia	556,	1 11 6	563,	1 12 0	619,	1 14 7	618,	1 14 2
Tasmania ...	325,	2 0 10	280,	1 15 2	348,	2 2 7	371,	2 4 0
Western Australia	603,	6 13 3	458,	5 1 2	997,	8 3 2	1,076,	6 18 3
Total ...	5,790	1 18 0	5,402,	1 15 5	5,680,	1 16 6	5,637,	1 15 7

* And assuming the sugar to be produced within the Commonwealth.

† Loss.

‡ Gain.

§ After allowing for deductions as shown in preceding table.

¶ Including miscellaneous Revenue.

¶ In New South Wales under Free Trade Tariff, which came into partial operation in 1896, it was estimated the revenue would gradually fall off year by year to about £1 per head in 1900-1901.

64. The unique position of Western Australia in regard to its customs revenue per head, which in 1895 was nearly four times as high as Victoria, is due not so much to its greater consuming power—although this, too, is high, owing to its large adult male population—but rather to the circumstances that it is essentially a gold-producing country, and has to depend in a greater degree than the other colonies on importations from abroad. This may be illustrated by some interesting results brought out by the Government Actuary of Western Australia, for 1896 (an inflated year for that colony). Thus, Western Australia collected in that year on drink and tobacco, £3 10s. 4d. per head, as compared with 11s. 6d. (gross) in Victoria, being equivalent to 14s. 5d. under the higher Tariff of Western Australia, which, with the Excise duty, would make a total of 19s. 6d.; but if the Western Australian Tariff were applied to all the drink and tobacco consumed (whether imported or internally produced) the result would be £4 16s. 5d. for Western Australia, and £2 4s. 8d. for Victoria. In like manner the duty collected on foods was £2 4s. 5d. in Western Australia, but only 10s. 10d. in Victoria, but the results by applying the Western Australian Tariff to the articles consumed were nearly £3 and £1 11s. respectively. On drapery whilst 13s. 5d. and 4s. 1d., respectively, were actually collected, the application of the same Tariff to all articles consumed gave proportions of 13s. 5d. and 8s. 8d. On miscellaneous articles the actual collections averaged £1 17s. 2d. and 5s. 11d. per head, respectively, but the latter method showed averages of £2 10s. 6d. and 10s. 1d. On all articles £8 5s. 4d. (£8 3s. 2d. according to last table) was collected in Western Australia as against £1 12s. 4d. (gross), or, with Excise, £1 17s. 5d. in Victoria; but the application of a uniform Tariff to all articles consumed resulted in a proportion of about £11 per head for the former and £4 15s. for the latter colony. This indicates a relative consumption of two and one-third in Western Australia to one in Victoria; but there is no doubt it is in reality less than this, for numerous articles of food, drapery, and clothing, and of miscellaneous articles—locally produced in Victoria—were necessarily omitted, owing to the entire absence of data as to their production and consumption. Moreover, an analysis of the Customs revenue collected in 1896* shows that over two-fifths of the Western Australian Customs revenue was derived from drink and tobacco; £211,000 or over one-fifth from such articles as fruits and vegetables, grain and pulse, butter and cheese, milk, live stock, bacon and meats, articles for the most part internally produced, and consequently free from duty, in other colonies; whilst £87,000, or nearly a tenth, was from machinery, tools, and implements, hardware, and ironmongery, timber, furniture, and cement—the equivalent of capital introduced, the importation of which is only of a temporary character. Nearly three-fourths of the Customs revenue is thus accounted for. After the development of the agricultural and pastoral resources of the country, however, the revenue from such articles will rapidly fall off until the natural but lower level prevailing in the other colonies is reached.

The position of Western Australia.

65. The distribution of the surplus according to population naturally suggests itself as a fair and equitable basis to a group of colonies

Distribution of Surplus.

* See *Australasian Statistics*, 1896, pages 13 and 14.

about to unite their destinies in the formation of an Australian Nation, without scrutinizing too closely the advantage which one colony might thereby gain over another. But, it having been plausibly inferred that the colonies would, under a uniform Tariff, contribute unequally to the Customs and Excise revenue (simply because the results adduced by the application of each existing Tariff in turn to the present imports of each colony showed such a disparity), the recent Convention was induced to resort to the bookkeeping system for a period of five years, and to a method of distribution based on the actual consumption of dutiable articles within each colony.* The inference referred to is, however—as will be shown hereafter—quite unwarranted, since each colony frames its particular Tariff to suit its own fiscal policy as well as to meet its revenue requirements; whilst the character of the Tariff has an important bearing on the nature and volume of its imports according as they are displaced by local, and, consequently, for the most part, untaxed products. In other words, the more a colony produces of articles required for internal consumption the less it will need to import, and the less Customs revenue it will receive—especially when such articles are produced as would be subject to high duties on importation; and, taking the extremes, a colony with few Tariff restrictions will naturally import much more largely than one with a high Tariff. But even if the inference were true, the plan selected appears to be contrary to the generally established principles of taxation, viz., that each section of a community should bear its share of the general taxation according to its ability to contribute, whilst the whole amount raised is for the benefit of all classes without distinction. As, in a State, the miners contribute more per head than the farmers, and the rich more than the poor; so, in a Federation, it might be expected that the wealthier States should contribute more than the weaker ones, although the amount forthcoming is disbursed with a view to the welfare of the whole nation, without regard to its component parts. It appears, moreover, to be not only impolitic, but impracticable, to localize the revenue of a country any more than its expenditure, of which the items Defence and Quarantine are obvious instances. Take, for example, the results of three different methods of levying a sugar duty. If the Federation were to impose an import duty of (say) £6 per ton, but no excise duty, the trade in imported sugar would wholly cease (being diverted to the sugar-producing colonies within the Federation), whilst the proceeds of the tax levied on the people of a non-sugar-producing State would go, not, as formerly, for the benefit of the Government of the same State, but into the pockets of the sugar producers of another State, which would thus not only have its industry stimulated and subsidized, but would also gain a greater share of the divisible surplus returned, as the former would lose credit to the extent of the revenue formerly collected. Or if, according to the second method, a Customs duty of £7 but an excise of only (say) £5 were levied, the taxation per head in the various States would converge to equality; whilst the industries of the sugar-producing colonies would still be greatly stimulated, although not subsidized as in the former case, for

* See clause 93 of Bill.

the tax would be collected for the benefit of, and credited to, the various States in proportion to their actual consumption of sugar. But if, by the third method, an import duty of £5 per ton, with a counter-vailing excise duty, were imposed, the States would be placed fairly on an equality, and the people of each colony would contribute to the revenue, the same as by the second method, as nearly as possible an equal amount per head, but the result might be disastrous to the sugar industries of New South Wales and Queensland (if in the Federation) which would be seriously crippled, if not destroyed. Hence the impracticability of localizing taxation.

66. But even the plausible argument that has been adduced that, because the application of any one existing Tariff (say the South Australian) to the values of dutiable articles consumed imported under widely different Tariffs produces an average per head in some colonies greatly in excess of that in others—*e.g.*, £2 3s. 9d. in New South Wales, as compared with £1 6s. 7d. in Victoria—therefore the application of any Tariff that might be framed would produce a similar result cannot be sustained, as will be seen by the results in the following table:—

Comparative yields under various Tariffs.

COMPARATIVE YIELDS UNDER VARIOUS TARIFFS.
(000's omitted.)

Colony.	Estimated Yield under a Common Tariff based on dutiable articles consumed in the years—							
	1893-5.		1891-5.				1896.	
	Under South Australian Tariff on all Articles.* (Coghlan.)		Under Tasmanian Tariff on Seven Articles. †		Under suppositious Tariff, same Seven Articles. (Fenton.)		Pulsford's Tariff on Twelve Articles. ‡	
	Amount.	Average per head.	Amount.	Average per head.	Amount.	Average per head.	Amount.	Average per head.
	£	£ s. d.	£	£ s. d.	£	£ s. d.	£	£ s. d.
Victoria ..	1,562,	1 6 7	1,629,	1 7 11	1,699,	1 9 2	2,179,	1 17 0
New South Wales	2,706,	2 3 9	1,779,	1 9 6	1,636,	1 7 1	2,468,	1 18 8
South Australia ..	526,	1 10 2	407,	1 4 4	442,	1 6 0	534,	1 9 3
Western Australia	444,	5 17 4	214,	3 2 9	192,	2 16 2	572,	4 13 7
Tasmania ..	208,	1 6 8	177,	1 3 1	163,	1 1 2	214,	1 6 1
Total ..	5,446,	1 16 0	4,206,	1 8 8	4,132,	1 8 2	5,967,	1 14 5

NOTE.—The three Tariffs last referred to are enumerated in the succeeding table.

67. It is thus shown how it is possible to frame a Tariff which would alter materially the relative yields per head in any two colonies, *e.g.*, to convert an excess of 17s. per head in favour of New South Wales

Suggested Tariffs.

* Exclusive of intercolonial trade. See Coghlan's Tables of Imports and Customs Collections of Commonwealth of Australia, page 23.

† See paper presented to an order of the Australasian Federation Convention, dated 11th February, 1898. The seven articles referred to are spirits, beer, wine, tobacco, tea, sugar, and coffee.

‡ See *Sydney Morning Herald* of 9th March and *Sydney Daily Telegraph* of 6th April, 1898.

to an excess of 2s. in favour of Victoria, or to alter the relative proportions per head raised in Western Australia and Victoria from $4\frac{1}{2}$ to 1 to less than 2 to 1. Mr. Pulsford's Tariff is also designed to show how it is possible not only to equalize the contributions, but also to raise so large an amount as £6,000,000 by means of a Tariff restricted to very few articles. The following are the Tariffs on which the results in the preceding table were based:—

SUGGESTED TARIFFS showing the possibility of altering materially the relative yields of the different Colonies.

Article.	Existing Tasmanian Tariff.		Framed by Victorian Statist.		Framed by Mr. Pulsford.	
	Customs	Excise.	Customs.	Excise.	Customs.	Excise.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Spirits per gall.	15 0	...	12 0	10 0	14 0	14 0
Beer, in wood	1 0	} 0 4	{ 0 6	{ 0 4	0 9	0 4
„ bottle	1 6					
Wine, sparkling	10 0	...	8 4	} 1 6	{ 8 0	{ 2 0
„ still—bulk	6 0	...	5 0			
„ „ bottle	8 0	...	6 8			
Tobacco, unmanufactured per lb.	3 6	...	2 0	...	1 0	..
„ manufactured „	3 0	...	3 0	0 6	3 0	1 6
„ cigars, and cigarettes „	7 0	...	7 0	1 6	6 0	4 0
„ snuff	6 0	...	6 0	...	...	...
Tea	0 3	...	0 3	...	0 4½	...
Sugar, raw per cwt.	6 0	...	} 6 0	...	7 0	7 0
„ refined	9 4	...				
Coffee, raw per lb.	0 3	...	0 3	...	} 0 4½	...
„ refined	0 4	...	0 4	...		
Cocoa ... ..	...	...	...	...	0 4½	...
Opium ... ..	...	...	...	...	20 0	...
Fruit, dried ... ..	...	...	...	...	0 2	...
Rice ... ..	...	...	...	...	0 1	...
Drapery ad valorem	...	...	...	...	10 per cent.	...

Articles consumed locally produced.

68. In the controversy on Federal taxation and the assumed inequality with which the various colonies would contribute, the consuming power—which, of course, mainly depends on the wealth of a community—was erroneously confounded with the importing power. In a self-contained community, the importing power would be *nil*, although the consuming power might be high. Again, suppose one of these colonies to produce nothing but (say) wool or gold, the importing power would approximate to the value of the whole production, for little if any wool or gold would be required to supply local wants; but, on the other hand, suppose another colony restricted itself to (say) the cultivation of wheat, the importing power would be reduced below the power of production, by the proportion which the wheat (which is universally needed) consumed within the colony bears to the total product. Indeed, the importing power in a large measure depends on

the fiscal policy of a State, as well as on its natural resources. Hence an agricultural and manufacturing colony like Victoria, which has for so long stimulated—by a high protective Tariff—the production of agricultural and other articles required for local consumption, would naturally import less than a pastoral colony like New South Wales, or a gold-producing colony like Western Australia—the former of which has for the most part adopted a free-trade policy, and has consequently to rely to a larger extent on its natural primary resources. The proportions which the local production of certain articles bore to the consumption of such articles were as follow in the different colonies in 1896 :—*

PROPORTION OF ARTICLES CONSUMED, WHICH WERE LOCALLY PRODUCED IN EACH COLONY, 1896.

Article.	Percentage of Quantity consumed.					
	Victoria.	New South Wales.	Queensland.	South Australia.	Western Australia.	Tasmania.
Spirit ...	23	1	13	45	—	—
Beer ...	96	86	93	95	69	97
Wine ...	98½	90	80	100	45	—
Tobacco ...	51	63	45	—	—	—
Sugar ...	—	34	100	—	—	—
Wheat ...	100	60	5	100	17	92

NOTE.—None of the colonies produced tea.

69. Thus it will be seen that the colonies of Tasmania, Victoria, South Australia, and Queensland are almost, if not quite, self-supporting in regard to beer ; South Australia and Victoria in regard to wine and wheat ; Queensland in regard to sugar ; whilst South Australia produces nearly half, and Victoria nearly a fourth of the spirit consumed ; New South Wales, on the other hand, had to import nearly the whole of the spirit consumed, one-seventh of the beer, one-tenth of the wine, two-fifths of the wheat,† and two-thirds of the sugar ; but only one-third of the tobacco. Western Australia had to import the whole of its spirit and tobacco, and over four-fifths of its wheat, but less than one-third of the beer, and rather more than half the wine. Hence it is obviously unfair to assume that the importing power affords any indication of the consuming power.

Colonies self supporting.

70. The actual consuming power can only be ascertained from the returns of imports and exports, combined with those of internal production ; but unfortunately the data is insufficient except in regard to only a few well-defined articles—such as alcoholic liquors, tobacco, tea, coffee, and sugar. But it will be instructive to see to what extent the consuming power differs in the various colonies in respect to those articles ; and this is shown in the following table by giving not only the quantities consumed—according to an average of six years—but also their estimated value on a common basis ; together with the amount of revenue which would have been derived therefrom, if

Consumption of stimulants, &c., in each colony.

* See *Australasian Statistics*, 1897, table xxxvi.

† New South Wales has since become self-supporting in regard to wheat.

uniform duties were applied to the whole consumption and not only, to the quantity imported :—*

AVERAGE ANNUAL CONSUMPTION PER HEAD OF STIMULANTS AND TOBACCO, TEA, AND SUGAR; THE ESTIMATED VALUE THEREOF; AND THE DUTY PROCURABLE UNDER A UNIFORM TARIFF, 1891-6.

Article.		Consumption per Head in—					
		Victoria.	New South Wales.	Queensland.	South Australia.	Western Australia.	Tasmania.
Spirit	... galls.	·78	·87	·98	·59	1·68	·46
Beer	... „	12·62	9·87	10·61	9·13†	21·54‡	8·11
Wine	... „	1·48	0·75	·51	1·74	2·05	·11
Tobacco	... lbs.	2·19	2·63	3·39	1·91	4·25	1·89
Tea ...	... „	7·04	7·90	7·37	7·65	9·37	6·14
Sugar	... „	92·42	90·72	109·88	96·89	88·62	81·24

Value Assumed.		Estimated Value (Ex Duty).					
		£	£	£	£	£	£
Spirit	... 6s. gall.	·23	·26	·29	·18	·50	·14
Beer	... 2s. „	1·26	·99	1·06	·91	2·15	·81
Wine	... 5s. 6d. „	·41	·21	·14	·48	·56	·03
Tobacco	... 1s. 9d. lb.	·19	·23	·30	·17	·37	·17
Total Stimulants and Tobacco	... ..	2·09	1·69	1·79	1·74	3·58	1·15
Tea	... 7d. lb.	·21	·23	·21	·22	·27	·18
Sugar	... 1½d. „	·58	·57	·68	·61	·55	·51
Total	... ..	2·88	2·49	2·68	2·57	4·40	1·84

Assumed Rate of Custom and Excise Duty.§		Duty receivable per Head.					
		£	£	£	£	£	£
Spirit	... 13s. gall.	·51	·57	·64	·38	1·09	·30
Beer	... 4d. „	·21	·17	·18	·15	·36	·14
Wine	... 2s. „	·15	·08	·05	·17	·21	·01
Tobacco	... 3s. lb.	·33	·40	·51	·29	·64	·28
Tea	... 3d. „	·09	·10	·09	·10	·12	·08
Sugar	... 6s. cwt.	·25	·25	·29	·26	·24	·22
Total	... ..	1·54	1·57	1·76	1·35	2·66	1·03

* The figures showing the consumption of various articles in the different colonies for a series of years will be found in the *Australasian Statistics*, 1897.

† Average of two years, 1895-6.

‡ In 1896 only.

§ Excise duties being levied in all cases to countervail import duties.

71. Taking the value of the articles consumed first, it will be noticed that—contrary to what is indicated by the imports—Victoria spends more on the articles as a whole than New South Wales or Queensland; Western Australia only half as much again as Victoria; and that Tasmania spent much less than any of the others, chiefly owing to its extreme moderation in the use of alcoholic liquors. But in regard to the amount of duty receivable under the hypothesis, Western Australia of course stands first, but with only 50 per cent. more than in Queensland, which stands next; whilst New South Wales would have raised only a slightly larger proportion than Victoria; South Australia a somewhat lower one than Victoria; and Tasmania the lowest of all. The scanty data available is inadequate for the purposes of drawing general conclusions as to the consumption of all articles, seeing that alcoholic liquors and tobacco form the chief items, and it being possible that a meagre expenditure in such articles, due to moral reasons, might be counterbalanced by increased expenditure in other directions. The results tend to show, however, that the consuming power is one thing, and that the amount of duty which might be collected on imports is another thing altogether, and that the latter does not necessarily bear any relation to the former; whilst they afford some indication of the limit within which variations might be expected to take place under a uniform fiscal system.

Duties from stimulants.

72. Subjoined is a list of the Governors and Acting-Governors of Victoria, with the dates of their assumption of and retirement from office :—

Governors.

GOVERNORS OF VICTORIA.

Name.	Date of Assumption of Office.	Date of Retirement from Office.
Charles Joseph La Trobe...	30th Sept., 1839*	
	15th July, 1851 ...	5th May, 1854
John Vesey Fitzgerald Foster (acting)	8th May, 1854 ...	22nd June, 1854
Sir Charles Hotham, K.C.B. ...	22nd June, 1854 ...	31st Dec., 1855†
Major-General Edward Macarthur (acting)	1st January, 1856...	26th Dec., 1856
Sir Henry Barkly, K.C.B. ...	26th December, 1856	10th Sept., 1863
Sir Charles Henry Darling, K.C.B....	11th Sept., 1863 ...	7th May, 1866
Brigadier-General George Jackson Carey, C.B. (acting)	7th May, 1866 ...	15th August, 1866
The Honorable Sir John Henry Thomas Manners-Sutton, K.C.B.‡	15th August, 1866...	2nd March, 1873
Sir William Foster Stawell, Kt. (acting)	3rd March, 1873 ...	19th March, 1873

NOTE.—Captain William Lonsdale, formerly of the 4th Regiment, was appointed Police Magistrate of the District of Port Phillip on the 9th September, 1836, and assumed office on the 29th of the same month. In that capacity he was in charge of the District until the assumption of office as Superintendent by Mr. C. J. La Trobe. Subsequently, Captain Lonsdale acted as Superintendent during the temporary absence of Mr. La Trobe, who was called on to administer the Government of Tasmania from the 13th October, 1846, to the 25th January, 1847.

* At the first of these dates Mr. La Trobe assumed the office of Superintendent of Port Phillip; at the second he became Lieutenant-Governor of Victoria.

† Sir Charles Hotham died at this date.

‡ Succeeded to the title of Viscount Canterbury, December, 1869.

GOVERNORS OF VICTORIA—*continued.*

Name.	Date of Assumption of Office.	Date of Retirement from Office.
Sir George Ferguson Bowen, G.C.M.G.*	31st March, 1873 ...	22nd Feb., 1879
Sir Redmond Barry, Kt. (acting) ...	3rd January, 1875...	10th January, 1875
Sir William Foster Stawell, Kt. (acting)	11th January, 1875	14th January, 1876
The Most Honorable George Augustus Constantine Phipps, Marquis of Normanby, G.C.M.G., P.C.	27th Feb., 1879 ...	18th April, 1884
Sir William Foster Stawell, Kt. (acting)	18th April, 1884 ...	15th July, 1884
Sir Henry Brougham Loch, G.C.M.G., K.C.B.	15th July, 1884 ...	15th Nov., 1889†
Sir William Foster Stawell, K.C.M.G., (Lieutenant-Governor)	6th Nov., 1886‡ ...	12th March, 1889
Sir William Cleaver Francis Robinson, G.C.M.G. (acting)	{ 9th March, 1889... 16th Nov., 1889 ...	17th October, 1889 27th Nov., 1889
The Right Honorable John Adrian Louis Hope, Earl of Hopetoun, G.C.M.G.	28th November, 1889	12th July, 1895 §
The Honorable John Madden, LL.D. (acting) ||	{ 26th January, 1893 27th March, 1895 29th December, 1896 23rd March, 1898	11th May, 1893 24th October, 1895 16th February, 1897 21st October, 1898
The Right Honorable Thomas Baron Brassey, K.C.B.	25th October, 1895	Still in Office ¶

73. Since Victoria has been an independent colony, the average time during which the Governors of Victoria, prior to Lord Brassey, not including the Acting Governors, have held office has been about four years and nine months.

74. Since the inauguration of Responsible Government, twenty-seven Ministries have held office in Victoria. The following are the names of the respective Premiers, the dates of their assumption of and retirement from office, and the number of days they continued to hold office :—

MINISTRIES.

Name of Premier.**	Date of Assumption of Office.	Date of Retirement from Office.	Duration of Office.
1. William Clark Haines...	28th November, 1855	11th March, 1857 ...	Days. 469
2. John O'Shanassy ...	11th March, 1857 ...	29th April, 1857 ...	49
3. William Clark Haines...	29th April, 1857 ...	10th March, 1858 ...	315
4. John O'Shanassy ...	10th March, 1858 ...	27th October, 1859	596

* Sir G. F. Bowen was absent on leave from the 31st December, 1874, to the 14th January, 1876.

† Sir H. B. Loch was absent on leave from the 9th March to the 17th October, 1889.

‡ Date of appointment. Sir W. F. Stawell never acted after his appointment as Lieutenant-Governor. He died on the date given in the next column. No Lieutenant-Governor has been appointed since.

§ Lord Hopetoun was absent on leave from the 25th January to the 12th May, 1893, and from the 27th March, 1895, until his resignation on 12th July, 1895.

|| Now Sir John Madden, Knight.

¶ Baron Brassey was absent on leave from the 29th December, 1896, to the 16th February 1897; and from the 23rd March to the 21st October, 1898.

** The term "Premier" is used to show that the Ministers named were respectively at the head of the Governments enumerated; there is, however, no such office as that of Premier recognised under the Victorian Constitution. Nevertheless, the Hon. Graham Berry was appointed Premier on the 7th August, 1875, but vacated the office three days later. No other Minister has ever been appointed under that title.

MINISTRIES—continued.

Name of Premier.	Date of Assumption of Office.	Date of Retirement from Office.	Duration of Office.
			Days.
5. William Nicholson ...	27th October, 1859...	26th November, 1860	396
6. Richard Heales ...	26th November, 1860	14th November, 1861	353
7. John O'Shanassy ...	14th November, 1861	27th June, 1863 ...	590
8. James McCulloch ...	27th June, 1863 ...	6th May, 1868 ...	1,775
9. Charles Sladen ...	6th May, 1868 ...	11th July, 1868 ...	66
10. James McCulloch ...	11th July, 1868 ...	20th September, 1869	436
11. John Alexander Mac- Pherson	20th September, 1869	9th April, 1870 ...	201
12. James McCulloch ...	9th April, 1870 ...	19th June, 1871 ...	436
13. Charles Gavan Duffy...	19th June, 1871 ...	10th June, 1872 ...	357
14. James Goodall Francis	10th June, 1872 ..	31st July, 1874 ...	781
15. George Briscoe Kerferd	31st July, 1874 ...	7th August, 1875 ...	372
16. Graham Berry ...	7th August, 1875 ...	20th October, 1875	74
17. James McCulloch ...	20th October, 1875...	21st May, 1877 ...	579
18. Graham Berry ...	21st May, 1877 ...	5th March, 1880 ...	1,019
19. James Service ...	5th March, 1880 ...	3rd August, 1880 ...	151
20. Graham Berry ...	3rd August, 1880 ...	9th July, 1881 ...	340
21. Bryan O'Loughlen ...	9th July, 1881 ...	8th March, 1883 ...	607
22. James Service ...	8th March, 1883 ...	18th February, 1886	1,078
23. Duncan Gillies ...	18th February, 1886	5th November, 1890	1,722
24. James Munro ...	5th November, 1890	16th February, 1892	469
25. William Shiels ...	16th February, 1892	23rd January, 1893	343
26. James Brown Patterson	23rd January, 1893	27th September, 1894	612
27. George Turner ...	27th September, 1894	Still in office ...	

NOTE.—The names of the individual members of each Ministry are published yearly in Part I. of the *Statistical Register of Victoria*: Brain, Melbourne.

75. By means of the figures in the last column it is ascertained that the average duration of Victorian Ministries, prior to the Ministry now in office, has been 546 days, or 1 year and 6 months. Average duration of Ministries.

76. The present is the seventeenth Parliament since the inauguration of Responsible Government in Victoria. The following table shows the number of sessions in each Parliament, the dates of opening and of closing or dissolution; also the duration of each session and of each Parliament:— Parliaments.

PARLIAMENTS.

Number of Parliament.	Number of Session.	Date of Opening.	Date of Prorogation or of Dissolution.	Duration of Session.	Duration of Parliament.
				Days.	Days.
1	1	21st November, 1856	24th November, 1857	368	
	2	3rd December, 1857...	4th June, 1858 ...	183	
	3	7th October, 1858 ...	24th February, 1859	140	
			9th August, 1859 ...	...	991
2	1	13th October, 1859 ...	18th September, 1860	341	
	2	20th November, 1860	3rd July, 1861 ...	225	
			11th July, 1861 ...	...	637
3	1	30th August, 1861 ...	18th June, 1862 ...	292	
	2	7th November, 1862...	11th September, 1863	308	
	3	26th January, 1864 ...	2nd June, 1864 ...	128	
			25th August, 1864 ...	...	1,091

PARLIAMENTS—*continued.*

Number of Parliament.	Number of Session.	Date of Opening.	Date of Prorogation or of Dissolution.	Duration of Session.	Duration of Parliament.
				Days.	Days.
4	1	28th November, 1864	28th November, 1865	366	
			11th December, 1865	...	378
5	1	12th February, 1866	5th April, 1866 ...	52	
	2	11th April, 1866 ...	1st June, 1866 ...	51	
	3	17th January, 1867 ...	10th September, 1867	236	
	4	18th September, 1867	8th November, 1867	51	
	5	25th November, 1867	25th November, 1867	1	
			30th December, 1867	...	686
6	1	13th March, 1868 ...	29th September, 1868	200	
	2	11th February, 1869	29th December, 1869	321	
	3	15th February, 1870	15th July, 1870 ...	150	
	4	27th October, 1870 ...	29th December, 1870	63	
			25th January, 1871 ...	...	1,048
7	1	25th April, 1871 ...	23rd November, 1871	212	
	2	30th April, 1872 ...	17th December, 1872	231	
	3	13th May, 1873 ...	25th November, 1873	196	
			9th March, 1874 ...	...	1,049
8	1	19th May, 1874 ...	24th December, 1874	219	
	2	25th May, 1875 ...	7th April, 1876 ...	317	
	3	11th July, 1876 ...	22nd December, 1876	164	
			25th April, 1877 ...	...	1,072
9	1	22nd May, 1877 ...	9th April, 1878 ...	322	
	2	9th July, 1878 ...	6th December, 1878 ...	150	
	3	8th July, 1879 ...	5th February, 1880 ...	212	
			9th February, 1880 ...	...	993
10	1	11th May, 1880 ...	26th June, 1880 ...	46	
			29th June, 1880 ...	...	49
11	1	22nd July, 1880 ...	2nd August, 1881 ...	376	
	2	4th August, 1881 ...	24th December, 1881	142	
	3	25th April, 1882 ...	3rd February, 1883 ...	284	926
12	1	27th February, 1883	19th April, 1883 ...	51	
	2	3rd July, 1883 ...	3rd November, 1883	123	
	3	10th June, 1884 ...	12th December, 1884	185	
	4	17th June, 1885 ...	18th December, 1885	184	
			19th February, 1886	...	1,088
13	1	16th March, 1886 ...	16th December, 1886	275	
	2	7th June, 1887 ...	17th December, 1887	193	
	3	19th June, 1888 ...	21st December, 1888	185	
			11th March, 1889 ...	...	1,091
14	1	9th April, 1889 ...	29th November, 1889	234	
	2	21st May, 1890 ...	20th December, 1890	213	
	3	23rd June, 1891 ...	29th December, 1891	189	
			5th April, 1892 ...	...	1,093
15	1	12th May, 1892 ...	3rd March, 1893 ...	295	
	2	28th June, 1893 ...	6th November, 1893	132	
	3	30th May, 1894 ...	29th August, 1894 ...	97	
			4th September, 1894	...	845
16	1	4th October, 1894 ...	29th January, 1895 ...	117	
	2	29th May, 1895 ...	7th March, 1896 ...	284	
	3	23rd June, 1896 ...	24th December, 1896	185	
	4	23rd June, 1897 ...	28th September, 1897	98	1,089
17	1	25th October, 1897 ...	21st December, 1897	58	
	2	28th June, 1898 ...	20th December, 1898	176	

77. Parliaments in Victoria have existed, on the average, for 883 days, or about 2 years and 5 months, as compared with a possible maximum term of 3 years. Sessions have lasted, on the average, for 192 days, or about 6½ months. Duration of Parliaments.

78. The following are the names of the present Governors of the various Australasian Colonies, and the dates of their assumption of office :— Governors of Australasian Colonies.

GOVERNORS OF AUSTRALASIAN COLONIES.

Colony.	Name.	Date of Assumption of Office.
AUSTRALASIA.		
Victoria	The Right Honorable Thomas, Baron Brassey, K.C.B.	25 Oct., 1895
New South Wales and Norfolk Island	The Right Honorable Henry Robert Brand, Viscount Hampden†	21 Nov., 1895
” ” ”	Sir Frederick Matthew Darley, Kt., C.B. (Lieutenant-Governor)	— Nov., 1891*
Queensland	The Right Honorable Charles Wallace Alexander Napier, Baron Lamington, K.C.M.G.	9 April, 1896
”	Sir Arthur Hunter Palmer, K.C.M.G. (Lieutenant-Governor)	— March, 1893
South Australia	Sir Thomas Fowell Buxton, Bart., K.C.M.G.†	29 Oct., 1895
” ”	Samuel James Way, Q.C. (Lieutenant-Governor)	9 Jan., 1891*
Western Australia	Lieut-Colonel Sir Gerard Smith, K.C.M.G.	23 Dec., 1895
Tasmania	The Right Honorable Jenico William Joseph Preston, Viscount Gormanston, K.C.M.G.	8 Aug., 1893
New Zealand	The Right Honorable the Earl of Ranfurly, K.C.M.G.	10 Aug., 1897*
Fiji	Sir G. T. M. O'Brien, K.C.M.G. ...	—March, 1897*
New Guinea (British)	George Ruthden Le Hunte, C.M.G., (Lieutenant-Governor)	12 Aug., 1898

* Date of appointment.

† Whilst these pages were passing through the press, the Right Honorable William, Earl Beauchamp, was appointed to succeed the present Governor of New South Wales, and the Right Honorable Hallam, Baron Teanysan, to succeed the present Governor of South Australia