

Assistant Clerks, and the Serjeant-at-Arms, proceeded to the chamber of the Legislative Council.

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

SWEARING MEMBERS.

The SPEAKER informed the House that he had received a commission from the Acting Governor, empowering him to swear members who had not already taken the oath of allegiance.

REPRESENTATION OF CASTLEMAINE.

The SPEAKER announced that, since the adjournment of the House in April, he had issued a writ for the election of a member for Castlemaine—rendered necessary by the acceptance, by Mr. J. B. Patterson, of the office of Minister of Trade and Customs—and that the return to the writ showed that Mr. Patterson had been re-elected.

Mr. Patterson was then introduced and sworn.

PATENT LAW CONSOLIDATION AND AMENDMENT BILL.

Mr. WRIXON stated that, in accordance with the ancient usage of Parliament, he desired, before the House proceeded to transact any business, to move for leave to introduce a Bill to consolidate and amend the law concerning letters patent for inventions.

Mr. GILLIES seconded the motion, which was agreed to.

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

THE GOVERNOR'S SPEECH.

ADDRESS IN REPLY.

The SPEAKER reported that, pursuant to the summons of the Acting-Governor, the members of the Assembly attended in the chamber of the Legislative Council that afternoon, when His Excellency delivered his speech on opening the session.

Mr. PEACOCK moved—

“That this House do now resolve that a respectful address be presented to His Excellency the Officer Administering the Government, expressive of our loyalty to our Most Gracious Sovereign. Thanking His Excellency for having called us together after the shortest interval compatible with the due preparation of measures to be laid before us. Concurring with His Excellency that the proportion of representatives to the different parts of the country having been re-adjusted, it may be expected that the two Houses will therefore give more complete expression to the wishes and wants of the

country. Informing His Excellency that we are glad to know that the prosperity which this colony has so long enjoyed happily still continues, aided, as it is, by political quietude and prevailing public confidence. Thanking His Excellency for informing us that in the late session of the Federal Council a resolution was passed recommending that the necessary steps be taken, as provided by the Constitution of the Council, for increasing the number of its members; informing His Excellency that we are glad to learn that His Excellency's advisers will take an early opportunity of inviting our consideration of an address to Her Majesty on the subject. Informing His Excellency that it affords us gratification to know that the energy and thoroughness with which Victoria has prepared to resist foreign aggression have attracted the warm praise of statesmen and competent critics in Great Britain, and that the progress made during the past year has been steady and gratifying. Stating also that we are glad to be informed that the re-armament of the forts has been pushed on; that a new corps of Victorian Rangers has been formed from the rifle clubs in country districts; and that private liberality has contributed a half-battery of horse artillery. Informing His Excellency that we learn with satisfaction that the Easter encampment of this year was largely attended, and that the manoeuvres, which were of more than common interest, showed that our officers and men are acquiring the initiative and efficiency of trained troops. Thanking His Excellency for calling our attention to the report of the Royal Commission on Public Health, which has thrown additional light on the sanitary state of Melbourne. It being evident that the law is insufficient, or that its administration by local bodies is not vigorous enough to meet the wants of a great and growing city, informing His Excellency that we recognise the fact that on Parliament will devolve the duty of seeing that one of the wealthy cities of the world does not expose itself to conditions of disease or death which have been successfully combated in poor countries. Informing His Excellency that we are pleased to learn that, the Exhibition of last year having attracted a good many persons from other countries who possessed a knowledge of what has been done elsewhere to promote technical education, the evidence of these gentlemen and of some of our own employers of labour was collected and reported on by a committee, which has pointed out in what way certain desirable changes may best be introduced, and that meanwhile technical schools are springing up in new places, and are crowded with eager students wherever they are established. Stating that we are pleased to be informed that the important duty of representing the Australian colonies at the Paris Exhibition having largely devolved upon Victoria, His Excellency's advisers felt that they were bound to disregard all difficulties and considerations of inadequate space in view of the assistance unsparingly given by France to our own Exhibition. Informing His Excellency that it is gratifying to us to know that, in spite of delays, for which neither France nor this country is responsible, our court was among the first to be ready, and that our exhibitors have attracted favorable and discriminating notice. Stating that it affords us satisfaction to know that the area under the operation of the Irrigation Act is being rapidly extended, and that excellent

results are being obtained, wherever the farmers are able to use the water upon their holdings. Agreeing with His Excellency that henceforward the yields from land under the new system, which has been so readily adopted throughout the colony, may be relied upon to increase steadily from year to year as the schemes already projected by the Trusts are brought into working order. Informing His Excellency that we are also gratified to learn that meanwhile, outside their limits, boring for water is being undertaken upon a definite plan, prepared under the best professional advice, while the gauging of running streams and the determination by surveys of the boundaries of districts of distribution are being energetically pushed forward. Concurring with His Excellency that by the scientific practice of irrigation the value and productiveness of our agricultural lands will be permanently enhanced, and that the wealth of the community will be increased in consequence of the prosperity which it will ensure to a large body of our farmers. Thanking His Excellency for informing us that the important farming interests of the colony are receiving careful attention, and stating that in this connexion we are glad to learn that the travelling dairy, established by the Department of Lands and Agriculture, is profitably supplementing the excellent educational work done by this department in the Exhibition building, so as to greatly improve and materially increase the national value of the dairying industry generally. Informing His Excellency that it also affords us gratification to know that, in the same way, arrangements are being made to introduce a complete system of technical agricultural education, by which experts will visit all parts of the colony for the purpose of introducing the growth of new products, giving instruction upon their culture and the processes of preparing the raw material for market, as well as imparting information connected with the improvement of existing farming methods. Informing His Excellency that we learn with satisfaction that the conservation of our forests has received the special care of the department, and that it is anticipated that the measures taken will not only provide for our wants in the present, but secure the re-forestation of denuded districts. Stating that we are glad to be informed that the liberal aid granted by Parliament to the mining industry has been productive of some good results, that the subsidies to prospecting parties have led to several discoveries, and that the use of the diamond drill has proved of great value in prospecting for alluvial gold, though less markedly successful in the search for quartz lodes. Concurring with His Excellency that none the less it is an encouraging augury for gold-mining in Victoria that gold-bearing reefs, payable at great depths, have been discovered in several parts of the colony. Thanking His Excellency for informing us that the Estimates which will be submitted to us have been framed with the utmost economy which the provisions of the law and the requirements of the public service will permit. Stating that we are glad to learn that the Tariff of last session having been postponed that certain disputed points in it might receive the consideration of the country, it will be submitted again with such amendments as have been suggested by experience. Agreeing with His Excellency that the necessity

of enabling the municipalities in the metropolitan area to deal with a number of important questions which could not be dealt with by any single municipality has, within the last few years, become more evident. Stating that it affords us satisfaction to know that the municipalities themselves have become alive to the necessity of establishing a board of works in which they would all be represented; that a Bill embodying their views has been drafted; and that this Bill has been carefully considered, and will be submitted to us with important amendments. Concurring with His Excellency that the Public Service Act of 1883 having now been some years in operation, several defects have become apparent which only experience could have revealed, and stating that we are pleased to be informed that a Bill will be submitted to us with a view to remedy those defects and improve the working of the principal Act. A measure for the permanent endowment of our State school system out of Crown lands having already been before Parliament, and having been received with considerable favour, though circumstances prevented it from becoming law, agreeing with His Excellency that scarcely anything was more noticeable in the late appeal to the country than the attachment evinced for the State school system established in 1872, and concurring in His Excellency's view that it is desirable that this question of its permanent endowment should receive prompt attention, so that the lands set apart for endowment may be made revenue-producing. Thanking His Excellency for informing us that His Excellency's advisers propose to submit for our consideration a measure to extend our railway system. Concurring with His Excellency that settlement throughout the country has progressed so extensively that it is all-important that our producers should be placed in close communication with their markets, and that nothing but further railway extension can do this. Informing His Excellency that we are glad to learn that our railways are commercially successful, and that we share His Excellency's opinion that so long as new lines are projected into districts where there are both population and produce, extensions will not only promote the general welfare of the community, but will still further increase the profitability of the main lines by bringing them new traffic. Thanking His Excellency for informing us that several Bills will be submitted to us that are designed to meet the requirements of the community for progressive legislation, and that among those which will claim our early attention are measures to reform the Local Government Act, to amend the Rabbit Act and the law relating to Patents, to assimilate the provisions of our Trades Marks Statutes to those of the Empire generally, to mitigate the incidence of probate duties and charges upon small estates, to adjust and secure the rights of contractors and workmen, and to obviate the harshness of the existing power of distress for rent. Agreeing also with His Excellency that important amendments of the law relating to the formation and management of companies will demand mature consideration, and expressing our satisfaction that the consolidation of the Statutes has engaged the attention of His Excellency's advisers, and that they hope to be able, with the assistance of a jurist eminently fitted for the work, to submit to us a series of

Bills that will command general approval. Concurring with His Excellency that it would be rash to assume that the marvellous prosperity of the last three years will be continued indefinitely, and stating that we are gratified to learn that thus far, however, there is only a general tale of well-being—large imports, increased production, an influx of capital seeking investment, the promise of a good season, and important discoveries in the coal-bearing districts of the colony, the value of which the Government has taken steps to test. Agreeing with His Excellency that the peace of Europe seems more solidly assured than has been the case for years past, and that the great armaments on which England has resolved are rather a guarantee of honorable peace than an augury of war. Expressing our trust that our deliberations, by the blessing of Divine Providence, may advance the welfare and happiness of the community.”

I am sure (said Mr. Peacock) that the same kind indulgence which has hitherto been vouchsafed to young members like myself will be granted to me on this the first occasion on which I have risen to speak within these walls. As one of the latest additions to this House, permit me, Mr. Speaker, in the first place, to congratulate you on your unanimous re-election to the chair. I am pleased to see you re-elected. The fact that you were re-elected unanimously shows that you must have secured the esteem of the members of the late House. I believe that you will enjoy the esteem of the new members of the Assembly, and that when your term of office expires you will be held in the same respect that was entertained for you when you were elected two months ago. The Governor's speech, which we are now considering, gives promise of much practical legislation during the coming session. We are invited to deal with many matters which will require the serious attention of both the Houses of Legislature. The speech commences with an allusion to the general prosperity which has been vouchsafed by a kind and beneficent Providence to this colony. We are all rejoiced to find ourselves in the position of not having seriously to consider proposals for new taxation, but rather with having to deal with the remission of taxation—in the position of having, what is denied to other colonies, a large surplus available for distribution. Another early paragraph of the Governor's speech refers to the necessity for increasing the number of members of the Federal Council of Australasia. I am pleased to state that the younger generation of Victorians are not at all behind-hand in pushing forward the great cause of federation. In this matter, the younger generation has worked and is still willing to work, side by side with the

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older generation. I am glad to find in the Governor's speech a recognition of the proper tribute which has been paid by the statesmen of Great Britain to what we have done for our own defence. If there is one thing in connexion with public affairs more gratifying than another it is the readiness with which money is voted by Parliament for the proper defence of the colony; and when the day arrives for the testing of the value of that expenditure—I hope the day is far distant—I believe it will be found that the expenditure has been in the right direction. I think it important that we, in this portion of the British Empire, should be fully alive to the responsibilities of our position, and that we should take care to make due preparation for the time when the mother country may be engaged in war, so that we may then be able, with very slight assistance from the Imperial authorities, to defend our own shores. Reference is made in the speech to the insanitary condition of the metropolis, and the promise is given that the Government will, this session, submit to Parliament a Health Bill and also a Bill for the creation of a Metropolitan Board of Works. It is to be hoped that that measure will be introduced without delay. It is indeed greatly to the discredit of the colony that so little attention has been paid to this matter. The present state of the capitals of the sister colonies shows that there more forethought in this respect has been displayed—that more consideration has been given to the requirements of large populations—than has been done in Melbourne. I sincerely trust that the Government will deal properly with the question of sanitary reform, not merely as concerns Melbourne, but also as concerns the whole length and breadth of the colony. The matter is one of serious moment to my own district. There industries border one upon another; and the water supply of towns has been affected by the drainage from farms and mines, and in consequence the health of the people has been seriously impaired. Therefore I trust that whatever amendment the Government may propose in the laws relating to the public health will deal with the question in all its aspects—that it will provide for the requirements of the whole colony, and not be limited to those of Melbourne. Naturally, from its great importance, the agricultural interest occupies a prominent position in the Government programme. Years since, the efforts of some of our older politicians, and of others who have passed away, were directed to the unlocking of the public lands, and the settling

of the people on those lands; and the question as to what can be done to retain our farmers on their holdings is one which should now receive our serious attention. The Governor's speech promises that the agricultural industry will receive consideration. While I have the greatest possible respect for honorable members who may differ from me as to the best way to secure the desired end, I am pleased to find that the proposal advanced by the Victorian Farmers' Association does not meet with the approval of the colony. The colony has declared straight that it is not in favour of raising barriers between the different colonies; and there can be no question that to increase the stock tax is not the way to assist the farmer. Unfortunately, the very class whom it is the desire of representatives in this House to assist are divided among themselves as to the best means for furthering their interests. I contend that it is for the interests of the farmers, and of the colony generally, that the idea of an increased stock tax should be abandoned. The farmer can be better assisted by further extending the policy of irrigation; by inducing him to withdraw from the cultivation of cereals, and to devote himself to the raising of other products; by such a revision of the Tariff as would enable him to obtain his implements at less cost than he can obtain them at present, without affecting our protective policy; and by pushing forward railway construction, so that the offices of the middleman might be dispensed with, and the farmer be enabled to bring his produce to market at as little cost as possible, whereby he would derive a larger profit and the consumer would obtain a better article. In this way I believe much could be done for the farming interest. As a protectionist I do not believe in an increase of the stock tax. I consider that such a step would not be at all in the interests of protection. If I understand the principle of protection aright, it is that such a policy shall be pursued as will give people employment. A policy which has the effect of withdrawing land from cultivation, and thus contracting the area of employment, is against protection. It is on this ground that I object to any increase of the stock tax. Moreover, it should be our desire to bring about a better feeling between the different colonies, instead of seeking to impose taxation which would have the effect of closing to us the markets of our neighbours. A short time ago I was travelling in the Great Western district, one of the greatest wine-producing districts in the colony, and, in the course of conversation

with several wine-growers there, I gathered that they had derived much advantage from the knowledge imparted to them by the expert brought out from Italy by the Viticultural Board. They admitted that what they had learnt from him in three months was of greater value than the experience they had acquired in perhaps twenty years. And if we can get the assistance of trained experts in connexion with the proper raising of certain products—and certainly our colony is suited to the raising of almost everything—we will be able to secure to our cultivators a good price for what they grow, and retain here a great deal of money which is now sent elsewhere. The Governor's speech contains, and very properly, an allusion to the conservation of forests. Representing as I do what is primarily a large mining district, I can speak feelingly when I say that our forests have been ruthlessly destroyed. It would seem as if the destruction had been carried on without any attention being paid to the requirements of the future; and I believe that the mining industry has suffered more from the reckless destruction of timber than from anything else. Though a great deal is now being done in the way of forest conservation, I consider that much more can and should be done. I was very pleased to see in the press, a short time ago, a reference to the suggestion that the Minister of Agriculture should institute, in this colony, what is known as an "arbor day." I look forward to the institution of such a day. I consider it will be in the interests of the colony to teach the rising generation the advantage of our having good forests. I recollect the governing body of my own native town obtaining certain trees from the metropolis, and planting them in the recreation reserve, and then handing them over to the care of the leading residents who, in time, transferred the responsibility to their children. The result of those trees being carefully looked after by two generations may now be seen in the splendid avenue which graces the Prince Leopold Park at Creswick. I trust that the Minister of Agriculture will do all he can to see a similar policy generally carried out, and that we shall have the institution of an "arbor day" which we may look back upon hereafter with pleasure and pride. Reference is made in the Governor's speech to the fact of the mining industry having revived. This is certainly correct; but, so far as my district is concerned, I don't think it can be honestly said that the revival is owing to the distribution

of the prospecting vote. As a mining representative, and also as one who has been connected with the mining industry for some years, I can claim to speak with some authority on this subject. It has been too much the policy to dole out miserable local grants, instead of going in for a national system. Personally, I would have much preferred never to have seen the local prospecting boards brought into existence. I believe that if the public money appropriated for prospecting had been placed in the hands of an independent body of commissioners, who would have made every inquiry into the requirements of the mining industry, and acted on the information they so acquired, the object in view would have been far better served. No doubt the money expended on diamond drills has been of great advantage to the mining community; no doubt their use has been the means of saving tens of thousands of pounds; and no doubt the senior member for Ballarat West (Lt.-Col. Smith) will long be kindly remembered as the Minister who was the means of introducing those drills to the colony. In the large and important district which I represent there are quartz mines which have been worked for 25 years, and there is also a large extent of alluvial country; but the greater proportion of the profit flowing from mining operations in that district has come down to Melbourne, and much of it has gone outside the colony. Some people are under the impression that mining does good only to the immediate vicinity of the place in which it is carried on; but the fact is that the benefit derivable from the industry spreads throughout the community. Why, two-thirds of the profits from mining have been poured into the metropolis to help the building up of "Marvellous Melbourne." In my district the mining interest has had to meet with difficulties which probably have had to be encountered in other auriferous centres, and therefore my experience in connexion with this matter is very likely to correspond with the experience of other gold-fields members. In my opinion the local prospecting boards have failed in their duty to the Allandale and Kingston districts, in not stepping in and doing something towards compelling companies to pay their proportion of the cost incurred in drainage operations. In the case of the Madame Berry Company's No. 2 shaft, there was an expenditure of £70,000 before the gold was reached. That company has paid away over £1,000,000 in wages and dividends. The large expenditure

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of £70,000 was caused by the difficulties connected with deep sinking, and the drainage of a large area. The Berry No. 1 Company, whose works are situate less than a mile away, has expended £80,000 in a similar manner, without any return to the shareholders. And the companies in the vicinity of that large mine are virtually "loafing." They do not pay their fair quota of the expense attendant on drainage operations. What I would like to see the Government do is to step in and undertake the drainage of large areas, and compel the companies interested either to pay a fair proportion of the cost, or to surrender their rights, which could be taken up by other investors who would not think of shirking their proper responsibilities. Then again I would like to see a bonus offered as an encouragement to persons of inventive genius to contrive some means of saving the gold which is known to exist in the débris that is at present not amenable to the processes employed in the extraction of gold from quartz. I find that proposals for the revision of the Tariff, which is one of the subjects that the Government appealed to the country about, will be submitted for our consideration. Here I may say that while it is gratifying to find such a large surplus placed at our disposal, I trust that in dealing with it we will behave as prudent individuals who prepare for a rainy day, and make due consideration for the future. It appears that the Government propose to get rid of what is known as the large barrack system in connexion with our lunatic asylums. That is a step in the right direction. In the future the victims of insanity will be sent to other and more healthy portions of the colony, and that will be a measure in the direction of decentralization. It is satisfactory to know that a large Railway Bill is among the measures which the Government contemplate submitting to Parliament. The railways have yielded such large profits since they have been under the control of commissioners that they have come to be regarded as the best investment which the colony has made. I trust the contemplated measure will fully recognise the rights and privileges of people in the settled portions of the colony, whose claims to railway inter-communication have not received due consideration in the past. We are also promised an amendment of the Public Service Act. A measure abolishing political patronage, by providing for the transfer of the control of the public service from the Government of the day to a board

of commissioners, must necessarily contain certain anomalies; and I am pleased to find that we will have an opportunity of dealing with those defects, and at the same time of seeing that the rights and privileges of the public servants are properly conserved. Notice has been given this evening of a motion on the subject of the limitations as to age and height imposed by the law with regard to persons entering the public service; and I must say that it seems most absurd that because one man is one year older, or an inch shorter than another, he is in consequence to be deprived of the opportunity of obtaining employment from the State. The Governor's speech alludes to the great benefit which the State educational system, established in 1872, has been to the people of this colony. So highly is that benefit appreciated that I am sure the people will never allow any tampering with the three main principles of the Education Act. I trust, however, that the "cram" system, which is a corollary to the "result" system, will soon be abolished; and that thus our educational agency may be made more perfect, and its cost, if possible, reduced without affecting the main principles of the Act. The principle of land endowment for educational purposes is one which meets with the approval of my constituents; and I believe if similar provision were made to meet the expenditure connected with our defences and charitable institutions it would command general approbation. There is an absence from the Governor's speech of any allusion to an alteration of the rules regulating the procedure of this House. Probably that is because the matter applies to the Legislative Assembly alone. However, I trust that the Government will deal with the question carefully, so that while our rules may be altered to facilitate the conduct of public business, the individual rights of honorable members will not be sacrificed. Certainly, this House should jealously guard the privileges possessed by the representatives of the people. For some time past the Samoan question has been before the public; and I submit that that question is one which deserves our attention. Very properly, public men in Victoria have united with public men in the other colonies in the endeavour to preserve the islands in the neighbouring seas from any foreign power; and although we are not yet acquainted with the result of the deliberations of the international conference at Berlin, yet it is very gratifying to us to learn that British interests, which include our

own, will not be made subsidiary to those of any other power. With regard to another important question, I believe the Government have but spoken the wish of the people of this colony in expressing to the people of Western Australia their hearty sympathy in their desire to secure responsible Government. I believe the younger generation of Victorians desire that the people of Western Australia may possess the same privileges that we now enjoy. Although it may be urged that to hand over the large territory known as Western Australia to 50,000 people would be wrong, it must be remembered that those 50,000 people, with their interests bound up with the progress and prosperity of their colony, must be better judges of their own interests than people who are situated on the other side of the globe. As far as my position in this House is concerned I desire to say that, if the Government submit liberal measures, framed on liberal lines, they will receive my hearty co-operation and support. While I might prefer to see a Liberal Government brought into existence under the Chief Secretary, still I am here to judge measures, and not to judge men; and I repeat that if the measures proposed by the Government are framed on liberal lines they will receive my support. So far as their general policy is concerned, I was an advocate for it at the general election, and I have been returned here to do all I possibly can to see that policy given effect to. Before I sit down, I desire to tender my personal thanks to the House for the kind reception it has accorded to me, a new member. I hope a similar reception awaits other new members. Older members recognise the necessity for the younger members of the community taking their share in the work of legislation. That feeling prevails throughout the colony, and it is in response to that feeling that so many young Australians have been returned to this House. I have no doubt the old members will gladly assist the young members in properly performing their duties. In conclusion, permit me to express the hope that our deliberations will prove to be in the best interests of the colony, which, I may remark, are identical with the best interests of Australia, so that, when we go back to our constituents, we may be able to say that we did all we possibly could to promote liberal legislation, and to bring about a better feeling between the people of the different colonies.

Mr. FOSTER.—Mr. Speaker, I desire also to congratulate you on your unanimous