

House agreed to the amendment on the ground that it was in furtherance of the wishes of the House.

The Hon. Mr. Hall (now Sir John Hall) pointed out that, as the Council had forwarded a message to the House of Representatives, stating that they had agreed to the Bill only on the reception of the report of the Managers of the Conference, the position contended for and obtained by the Council as to their power to alter the Bill had been established.

In the Public Works Appropriation Bill, which was headed with the usual address to Her Majesty as a Supply Bill, the 17th section authorized the construction of railways, and was to be deemed a special Act for that purpose. This 17th section was called in the Council a "tack," and there is no doubt that it had been put in for the purpose of enabling the Government to go on with the railways if the Railway Construction Bill did not become law. This was so stated in the Council by the Colonial Secretary, who, however, offered on behalf of the Government to advise His Excellency to send down a message to strike out the 17th section. A question as to the power to do this was raised by the Attorney-General (Sir R. Stout), and the Speaker of the House of Representatives ruled that, as this was a Supply Bill, he could not give it up to the Government until all the grievances of the House were redressed and until all the other Bills had been assented to; and, as a Supply Bill was different from other Bills, it not being in the possession of the Government of the day, they could not advise His Excellency to recommend an amendment of it. The result was that this 17th section remained in the Bill, and was not struck out.

In 1881 a Pensions Bill was introduced by the Hon. Mr. Shrimski in the House of Representatives. The Legislative Council proposed to strike out clause 6 in the Bill, and a very long debate and controversy arose in consequence between the two Houses. The Premier (the Hon. Sir J. Hall) wished to assert that the Council had power to make the amendment made; but the Speaker (Sir M. O'Rorke) held a different opinion, and made a long and able statement on the subject, which appears in *Hansard*, Vol. XL., pp. 455, 456. (See Appendix No. 8.)

The Council insisted on its amendment, and appointed as Managers the Hon. Sir F. Whitaker, the Hon. Mr. Acland, and the Hon. Mr. Waterhouse, to draw up reasons for insisting upon their amendment. (See *Hansard*, p. 515, Vol. XL.)

The House of Representatives replied to these reasons by arguing the matter with the Council. (See p. 527, Vol. XL., *Hansard*.)

The Council offered to accept clause 6 if it was not made retrospective. The Hon. Sir F. Whitaker moved,—

1. That the complications which have arisen in the proceedings in the Pensions Bill render it desirable that the whole subject should be referred to the Standing Orders Committee to search for precedents, to consider the matter carefully, and report fully to the Council without delay, and that it be so referred.

2. That a message be sent to the House of Representatives informing them that the proceedings in reference to the Pensions Bill appear so unusual and complicated that the Council have referred the whole subject to the Standing Orders Committee to search for precedents, to consider the subject carefully, and report without delay to the Council.

This was done because of some dispute which had arisen as to the position of the Bill. A Select Committee dealt with the matter, and their report appears in *Hansard*, Vol. XL., p. 797.

The question of the Pensions Bill was submitted by the Agent-General to Sir T. E. May (see Appendix No. 9); and the view of the Speaker was upheld.

In 1886 two important questions were raised regarding the power of the Council—

1. In dealing with rates, could the Legislative Council alter, for example, the limit of the rate proposed to be authorized to be levied by Municipal Councils?

2. Could the Legislative Council interfere with the rates that were to be levied by Harbour Boards on vessels?

In the first case the House passed a resolution stating that the Council had no power, and it was a breach of the privileges of the House, to amend the rate. The Council had reduced the rate of 1s. 3d. to 1s. The Council waived its amendment. The Harbours Bill had been introduced in the Legislative Council, and when it reached the House of Representatives certain amendments were made by the House, one increasing the rating-power of Boards so far as levying dues on ships were concerned. The Council objected to the increase of the rate, and amended the amended Bill. The House of Representatives refused to allow the Council's amendment, alleging that their privileges had been interfered with. There was a Free Conference held, but that Conference could not agree. Another was appointed, and ultimately the Conference agreed to recommend the Ministry to advise His Excellency, if the Bill were passed, to send down a message suggesting an amendment in the rating-power, by limiting it. This was not mentioned in the report from the Conference, the Managers simply reporting that they had agreed to the Bill; but an undertaking was given by a Minister that the Government would recommend His Excellency to send down the amendment. The Bill was passed, and an amendment was sent down by message from the Governor, and agreed to by both Houses.

The power of the Legislative Council to