

FEDERATION DEBATES.

JULY & OCTOBER.

1884.

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The adoption of Resolutions,
approving of those of the
"Convention" (~~Adopted~~ ^{passed} in Novbr
1803-) They were carried by
a majority of 4 only. —

— Pages 6149- to 6169. —

On the same 30th October
1804, Resolutions to the same
effect were moved in the Leg^e
Assembly by Mr. Gibbs - (the
Premier Sir Alex. Stuart being
absent - from illness -) and there
the Resolutions were lost, — on
a Motion for the Previous Question,
by a majority of one. — (7)

— Pages 6170 to 6231. —

On the 1st Novbr, Parliament
was prorogued.



On the 25th March 1885,
Sir John Robertson (in the
Legislative Assembly) moved a Re-
-solution, — the object and mea-
-ning of which are not clear to
me, — deprecating² the taking of
action in England, ~~on the subject~~
1. (as I understand it⁴)³ on the sub-
-ject of Federation, unless all these
Colonies concurred. The sub-
-ject dropped by the House being
counted out. — ! — //

— New No. of Hansard's Debates,
pages 262 to 276. —

† Not a bad illustration of the
results of Party interests — or
Party feeling. — A.A.



any of the collusion spoken of. If we agreed to the amendment, we should seriously cripple business.

Mr. J. P. ABBOTT said that the 126th clause contained a provision which had not been in force hitherto. There were always two parties to a contract in connection with dummyism, the man who dummied and the man in whose interest he acted. The present law made the offence of both parties equal; but as corroborative evidence was required, and that of one of the parties was not admissible because he was himself a party to the crime, there could be no conviction. But under the bill only one of the parties was made a criminal—that was the tempter—the man whom the honorable member for The Murray seemed to think would make use of the homestead lease provision. The tempter would not only be liable to be convicted for the offence but he would also be liable to lose all the leases which he might hold. Would any man for the sake of securing 10,000 acres in the resumed area run such a risk considering the good tenure which he would have over his leasehold? By prohibiting people from mortgaging, we might prevent desirable settlement.

Question—That the words proposed to be omitted stand part of the clause—put, whereupon the Committee divided with the following result:—

Ayes	35	} Majority, 25.
Noes	10	

AYES.

- | | |
|-------------------|-------------------|
| Abbott, J. P. | Luscombe, R. C. |
| Barton, R. | Machattie, R. R. |
| Burdekin, S. | McCourt, W. |
| Burns, J. F. | McQuade, H. M. H. |
| Campbell, W. R. | O'Mara, T. C. |
| Chapman, M. | Purves, J. M. |
| Cohen, H. E. | Quin, E. |
| Dibbs, G. R. | Slattery, T. M. |
| Farnell, J. S. | Stokes, A. |
| Gill, J. | Stuart, A. |
| Gray, S. W. | Trickett, W. J. |
| Griffiths, G. N. | White, R. H. D. |
| Hammond, M. J. | Wilkinson, R. B. |
| Harris, J. | Wilson, A. |
| Holborow, W. H. | Withers, G. |
| Holtermann, B. O. | <i>Tellers,</i> |
| Jones, A. G. | Brunker, J. N. |
| Lloyd, L. | Loughnan, G. C. |

NOES.

- | | |
|-----------------|-----------------|
| Barbour, R. | Teeco, W. |
| Day, G. | Wisdom, R. |
| Humphery, F. T. | |
| Poole, W. T. | <i>Tellers,</i> |
| Spring, G. | Fletcher, J. |
| Suttor, F. B. | Smith, S. |

Question so resolved in the affirmative.

Amendment (by Mr. FARNELL) agreed to: That the word "Minister," line 16, be omitted, with a view to insert in lieu thereof the words "land court."

Amendment (by Mr. FARNELL) agreed to: That the words "pastoral or," line 17, be omitted.

Clause, as amended, agreed to.

Clause 89. The Governor may lease Crown lands whether reserved from sale or otherwise by auction or tender in areas not exceeding one thousand nine hundred and twenty acres whenever such lands are not by this act specially exempted from being so leased or are not under pastoral homestead or conditional lease. Such leases shall be subject to the provisions following:—

- (I.) Every such lease shall be for the then current year and shall expire on the thirty-first day of December.
- (II.) The minimum upset annual rental shall not be less than two pounds thirteen shillings and fourpence for every six hundred and forty acres or lesser area. The amount bid at auction shall be the annual rental of the lease and shall be paid at the time of sale but should the sale be effected between the first day of July and the thirty-first day of December only half the year's rent will be required to be paid at the time of sale.
- (III.) Such leases may be renewed subject to the payment of the rent as aforesaid. The Minister may at any time upon giving three months' notice prior to the expiration of any year increase such rent by any sum not exceeding twenty-five per cent.

Amendment (by Mr. FARNELL) agreed to:

That the blank in lines 13 and 14 be filled with the words "two pounds."

Amendment (by Mr. FARNELL) agreed to: That there be inserted after the word "year," line 26, the words "for which rent has been paid in advance."

Clause, as amended, agreed to.

Progress reported.

VICTORIAN COAL-MINING COMPANY'S BILL (No. 2).

In Committee:

Clause 4. The railway shall be at all times open to the public upon payment of a toll to the company of threepence per ton per mile in respect of every ton of goods for every transit the party seeking transit supplying his own trucks or waggons and the company supplying locomotive power * * * * *

The railway shall be at all times open to the public upon payment of a toll to the company of twopence per ton per mile in respect of every ton of goods for every transit if the party seeking transit supply the locomotive power as well as trucks or waggons * * * * *

Amendment (by Mr. FLETCHER) agreed to:

That the word "three," line 3, be omitted with a view to insert in lieu thereof the word "two."

Amendment (by Mr. FLETCHER) agreed to:

That the word "two," line 9, be omitted with a view to insert in lieu thereof the word "one."

Clause, as amended, agreed to.

Bill reported with amendments; report adopted.

House adjourned at 1:12 a.m. (Wednesday).

Legislative Council.

Wednesday, 9 July, 1884.

Assent to Bills—Ministerial Explanation (Release of Lunatic)—Third Reading—Oyster Fisheries Bill—First Readings—Federation : New Guinea.

The PRESIDENT took the chair.

ASSENT TO BILLS.

Royal assent to the undermentioned bills reported:—

Prisoners' Labour Sentences Bill.

Matrimonial Causes Act Amendment Bill.

MINISTERIAL EXPLANATION.

RELEASE OF LUNATIC.

Mr. DALLEY: I desire to ask the indulgence of the House while I make a brief ministerial explanation concerning a statement made in the daily papers of yesterday, which has reference to an alleged improper exercise of authority on my part, which prejudicially interfered with the discretion of the Inspector-General of Insane regarding a lunatic named Edward Perry, who, on or about the 24th June, committed suicide at Newcastle. It was stated in those papers that the coroner's jury at the inquest upon the body of the deceased had attached to their verdict a rider declaring that the officials at the Gladesville Lunatic Asylum were highly culpable for the premature liberation of the deceased from custody; and it was, moreover, affirmed that the Inspector-General of Insane immediately drew the attention of the Principal Under-Secretary to this matter,

and reported that he had never sanctioned the discharge of this lunatic on the understanding that he was to return to Newcastle, which was alleged to be the scene of his delusions, and to which place it was dangerous to take him, and that his removal to Newcastle was authorised solely by a permit obtained by one of the members for Newcastle from the Attorney-General. On that report I desire to say: (1) No application was at any time made to me by any one in connection with this case; (2) No permit was ever given by me for the removal of this lunatic to Newcastle or anywhere else; (3) I have no official or other knowledge of the case except that obtained from the perusal of the article in yesterday's papers charging me with the responsibility of authorising the removal of the lunatic; (4) If the circumstances are otherwise correctly stated in the article, and had my opinion been asked, I should certainly, under the circumstances, have directed that the man should not be discharged from the asylum.

THIRD READING.

O'Doud's Estate Leasing Bill.

OYSTER FISHERIES BILL.

Legislative Assembly's amendments in the Council's amendments in this bill agreed to.

FIRST READINGS.

Additional Conditional Purchases Bill.
Victorian Coal-mining Company's Bill.

FEDERATION : NEW GUINEA.

Mr. STEWART rose to move:

That this House is of opinion:

(1.) That the annexation, appropriation, or conquest of New Guinea by any government, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

(2.) That any attempt to establish a federal government having legislative jurisdiction over any two or more Australian colonies is not at present necessary nor desirable.

(3.) That considering the many criminals who have recently reached Australian territory, it seems expedient that an act of the legislature should prohibit the influx of escaped or emancipated convicts into any part of this colony.

(4.) That the foregoing resolutions be communicated by address to the Governor, with a request that his Excellency will be pleased to forward a copy of the same to her Majesty's Secretary of State for the Colonies.

He said : I take leave to submit these resolutions for the consideration of the House, because I think the people of this colony are in danger of being committed to resolutions, proceedings, and what not of a certain convention which they may never have had an opportunity of saying whether they are in favour of them or not. Until I came to look into those proceedings I thought there was no danger to be apprehended. In the earlier part of them I found that people were being allowed to believe that the people of this colony had actually been represented in the convention. That may be the case on the other side of the world, and we may be so far implicated that we cannot withdraw from the action taken. It looks as if New South Wales had been "bailed up" by Victoria and Queensland in the presence of the neighbouring colonies, who were willing to join the other two in testifying that she was not "bailed up," but went there of her own accord. People are alarmed that steps will be taken as soon as Parliament is prorogued by which we may be committed to acts of the Imperial Parliament we do not like. I can prove by reference to authentic documents that the imperial houses of parliament have been moved in the matter relating to this intercolonial convention, and, if so, it is time we spoke out and said whether we were in favour of this proceeding or not. At page 87 of the official documents relating to the doings of the conference, I find that certain proceedings took place in Queensland, and that is the first step towards the origin of the convention lately held in Sydney. This is a proclamation read at Port Moresby on the 4th April, 1883 :

I, Henry Majoribanks Chester, resident magistrate at Thursday Island, in the colony of Queensland, acting under instructions from the Government of the said colony, do hereby take possession of all that portion of New Guinea and the islands and islets adjacent thereto, lying between the 141st and 155th meridians of east longitude, in the name and on behalf of her most gracious Majesty Queen Victoria, her heirs, and successors. In token whereof I have hoisted and saluted the British flag at Port Moresby in New Guinea, this 4th day of April, in the year of our Lord one thousand eight hundred and eighty-three.

God save the Queen !

HENRY M. CHESTER.

I suppose the Queensland authorities communicated then with the English Govern-

ment, and told them what they had done. I find that a telegram was addressed by the Premier of Queensland to the Premier of New South Wales of a rather surprising description. The following telegram was despatched on the 18th of April, about three days after the proclamation in reference to the annexation of New Guinea:—

I fear undue pressure upon Imperial Government to repudiate the annexation of New Guinea. I shall be obliged if you will cable your Agent-General to inform Lord Derby that our action is approved by the people of New South Wales.

Was that ever done ?

Had we by a policy of inaction allowed a foreign power to annex the island it would have been nothing short of a national calamity, for which we, by shirking responsibility, should have been highly blameworthy.

Subsequently a letter was received from Lord Derby which throws a little more light upon the subject. The letter is addressed to the Administrator, Sir A. H. Palmer, K.C.M.G., (Queensland), and is dated from Downing-street, July 11th, 1883. It says :

Sir,—Her Majesty's Government have given their careful consideration to the request of the Government of Queensland, as placed before them in the correspondence of Sir Arthur Kennedy and with the Agent-General for the colony, which has been laid before Parliament, that the eastern portion of the island of New Guinea, with the islands adjacent thereto, may be annexed to Queensland. Although the first communication reached me through Mr. Archer on the 28th February, it was not until the 19th of June that I received Sir A. Kennedy's observations on the subject, and through Mr. Archer, a copy of the proclamation with which Mr. Chester, the magistrate, took possession of the territory in the name of the Queen. It has therefore not been possible to communicate to you before now the conclusions at which her Majesty's Government have arrived.

2. They are unable to approve the proceedings of your Government in this matter. It is well understood that the officers of a colonial government have no power or authority to act beyond the limits of their colony, and if this constitutional principle is not carefully observed serious difficulties and complications must arise. If there had been any evidence of the intention, which is said to have been apprehended, of a foreign power to take possession of any part of New Guinea, the views and proposals of the colonial Government could have been placed before her Majesty's Government by telegraph, and if the circumstances had justified immediate action it could have been taken without a delay of more than a very few hours. It is therefore much to be regretted that your advisers should, without apparent necessity, have taken on themselves the exercise of powers which they did not possess.

First night.

There was no reason whatever to show any intention on the part of any foreign state to take possession of New Guinea, although that was the great plea for taking the course the Queensland Government adopted. The document goes on to say that there is a treaty between France and England that no more islands shall be annexed in the Pacific by either country, and is it to be expected that they will break that agreement? After a great many telegrams and letters had passed between Victoria, Queensland, and New South Wales, circulars were issued by the Premier of Queensland to the governments of the various colonies, eight in number. It was headed "Memorandum by the Premier of Queensland on the refusal of the Imperial Government to confirm the annexation of New Guinea."

The decision arrived at by her Majesty's Government in reference to the annexation of New Guinea seems to me to justify some decided and concerted action on the part of the Australian colonies. It is scarcely necessary to refer at any length to the previous correspondence on this subject, or to the repeated representations in connection with it which have been made to the Imperial Government.

I will quote a further portion of this document:

The expense need not be great —

That has reference to the annexation of New Guinea:

and we now know that the Australian colonies will undertake this expense or share it with her Majesty's Government if required to do so.

I do not grudge the expense, but what I want to point out is that the colony has not given its consent. The document goes on to say that the colonies must federate and the holding of a conference is advocated. It was at first proposed to hold the conference in Melbourne, but finding that our Premier and his colleagues could not leave Sydney at that time it was determined to hold it in Sydney. A conference was accordingly held in this city, its first meeting taking place on the 28th of November. That convention sat nine days. The members of the convention called themselves delegates; but I always understood delegates were persons sent on a mission by other people, but they were not authorised by anybody. They had appointed themselves. Their proceedings had no parliamentary sanction, they had not even the authority

[*Mr. Stewart.*

which might be conferred by a vote of the Legislative Assembly. After having been in session nine days the convention drew up a draft bill to carry out the objects which they had in view. On the second day of the convention Mr. Service moved:

That the press be admitted on such occasions as from time to time this convention may determine.

Mr. Dibbs moved the following amendment:

That all the words after the word "That" be omitted with the view of inserting the following:—[That] "except by publication of the minutes, the proceedings be not made public during the sitting of the convention, without its sanction."

And the amendment was carried, two colonies voting against it and five voting for it. The draft bill which was drawn up by the convention, says:

Saving her Majesty's prerogative, and subject to the provisions herein contained with respect to the operation of this act, the Council shall have legislative authority over all her Majesty's possessions in Australasia and over all British ships sailing between them, in respect to the several matters following:—

(a) The relations of Australasia with the islands of the Pacific.

That was sure to come first, because it has reference to the annexation of New Guinea; but we should be no further advanced than we are at present if federation was carried out, because we could not annex New Guinea without the authority of the British Government. Federation does not mean separation; and it would be quite beyond the powers of a federal council to attempt to annex New Guinea. The other matters referred to in the bill might be carried out very well without any federation whatever. On the tenth day of the convention—that is, the last day—the Honorable James Service proposed, but it was not agreed to, that the following telegram should be forwarded; to whom? To the people of England. I suppose it was intended for publication:—

The convention closed its labours to-day and adjourned *sine die*, having passed the following resolutions, in addition to those already forwarded, on the subject of relations with the islands of the Pacific:—

(1.) That this convention, recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, adopts the accompanying draft bill for the constitution of a

federal council, as defining the matters upon which in its opinion such united action is both desirable and practicable at the present time, and as embodying the provisions best adapted to secure that object, so far as it is now capable of attainment.

- (2.) That the governments represented at the convention pledge themselves to invite the legislatures of their respective colonies to pass addresses to her Majesty praying that she may be pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a federal council upon the basis of the draft bill adopted by this convention.

Had this resolution been adopted a telegram would have been sent home, and before the people in these colonies knew anything at all about it the intelligence would have been disseminated throughout England.

- (3.) That the Premiers of the colonies of New South Wales, New Zealand, Queensland, South Australia, Tasmania, and Victoria be appointed a standing committee to watch over all matters relating to the subjects discussed at this convention, and to assist in forwarding the adoption of its recommendations. That such committee be authorised, if they find it necessary, to call the convention together, at such time and place as they may agree, and that the Honorable James Service be requested to act as chairman of such committee.
- (4.) That, in the opinion of this convention, no purchases or pretended purchases of land made before the establishment of British jurisdiction or dominion in New Guinea or other island of the Pacific not having a recognised Government, should be acknowledged, except in respect of land actually occupied for missionary or trading purposes; and further, that after the establishment of such jurisdiction or dominion, no acquisition of land should be permitted except through the Crown, then only for the like purposes.
- (5.) That, in the opinion of this convention, the several colonies of Australasia, in order to meet an imminent danger, should without delay pass a uniform law to prevent the landing on their shores of persons from penal settlements in the Pacific, who have been convicted of crimes.

I do not mean to say that there was any direct intention to purposely mislead the people of England, but I say that whoever reads the documents even in these colonies is apt to conclude that the people of New South Wales have actually committed themselves to the proceedings of the convention, and it may be said afterwards that the silence of the people may be justly taken as intimating their consent. Any one reading these documents at the other side of the world

would come to no other conclusion than that a convention who had gone so far must have had the support of the colonists that they represented. I must say a few words in reference to the resolution, although after what I have said it is scarcely necessary to say very much. I have called attention to the position which New South Wales seems to be placed in so that we may let the world know that we are not committed to the proceedings of the convention. It may be that Parliament is willing to annex New Guinea, and to take Queensland and Victoria into partnership with New South Wales. I do not think they are, however, and I say that no one ought to conclude that the people are until after we have had a general election. The question has been taken up since the last general election. The first resolution says :

That the annexation, appropriation, or conquest of New Guinea by any government, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

Can any one contradict that? I venture to say that they cannot. No sensible man will say that every word of that is not true. It is absurd to say that New Guinea ought to be annexed because other countries have been annexed. England has been annexed several times in the course of her history. She was annexed by ancient Rome; she was annexed by the Danes, the Swedes, and the Anglo-Saxons, but no one would think of supporting a policy of annexation now. There may, of course, be cases in which annexation would be justifiable, but there is certainly no necessity for Queensland to annex New Guinea. If Queensland happened to have a small territory which was over-populated, and it had become necessary to obtain further territory in order that the people might be able to live, then some such policy might, perhaps, be justifiable; but in such a case as that it would not be justifiable to take the territory of New Guinea by force or fraud. The proper course would be to buy the territory, as some other nations of the world have done of late years. One great nation, namely, the United States of America, has had a great deal to do with aboriginal tribes, and they have extended their territory by purchasing. They purchased, I think, in Texas, an area of some

400,000 square miles only a few years ago. They also bought Alaska from the Emperor of Russia, paying a large sum of money for it. Why should not other nations of the earth follow their example. It is said that if we did not annex New Guinea some other nation, perhaps Germany, or France, will do so; but if they do let the shame and the disgrace of the transaction rest upon their own heads. Fifty years ago England paid twenty millions sterling to emancipate the slaves in her own dominions; yet there are people now who see nothing very wrong in annexing a few hundred thousand square miles of territory which belongs to other people. But surely, if slavery was a crime against humanity, theft on that extensive scale is also a crime against humanity. It is inexcusable and unjustifiable. The assertion that France or any other nation might take possession of New Guinea is nothing but a pretence. We might as well annex a neighbour's vineyard, which used to be done in olden times. The second resolution asks the House to say:

(2.) That any attempt to establish a federal government having legislative jurisdiction over any two or more Australian colonies is not at present necessary or desirable.

We have abundant reason for that. It is said that we shall have more power if we are federated, and one of the ministers of a neighbouring colony said we want to appear before the world as a people who could command respect. The question of federation was agitated a long time ago, and an outcry in reference to it was raised at the banquet held at Albury, when the junction between the railways between New South Wales and Victoria was effected. Speaking at that banquet, the Honorable James Service, Premier of Victoria, said:

Gentlemen, we want federation—(renewed cheers)—and we want it now. (Enthusiastic applause.) I have been over thirty years in public life in the colony of Victoria, and I decline to subscribe to the doctrine that I am to die before I see the grand federation of the Australian colonies. (Cheers.) There is no earthly reason why it should not be achieved. We imagine that there are supreme obstacles in the way of the union of these great colonies, but I verily believe if we touch those obstacles they will crumble into dust; and I tell my honorable friend the Premier of New South Wales that at a very early opportunity—an opportunity for which we are waiting—we intend to test this question. (Great cheering.)

Plenty of Victorians there.

[*Mr. Stewart.*

The Government of Victoria have determined to send a message to New South Wales asking them what are the obstacles that stand in the way. (Cheers.) I believe that they will be found to be very flimsy indeed, and I believe further that we will yet succeed. It is possible that many will say that this is a bold attempt, but look at the attempt to annex the New Hebrides and to annex New Guinea. If nothing is tried nothing will be won, and it is better to try and fail, and try again, than not to try at all. (Cheers.) My own opinion is that the obstacles which withstand our progress towards federation are not so strong, nor half so strong, as the cords that are pulling us together. (Cheers.)

I need not proceed further in that strain. Federation is no new idea. It is an old one. There are some men in the world, however stupid they may be, who believe that federation with England would make us much more powerful and more to be respected than federation with all the other colonies. We are federated with England already; we are part of the British empire. I believe that our connection with Great Britain makes us more powerful and respectable than if we federated with a thousand colonies. So long as we are portion of Great Britain we have no enemies we need fear. It is well known that she would remedy any wrongs her colonies sustained, to her last man, and as long as that is known there will be no molestation. No nation is strong enough to face England in a bad cause. I do not know that there is any good cause for attacking England or molesting any of the colonies. As long as we are part of the British empire we are safe, and as respectable as we can be. The reasons given for federation are so childish, flimsy, and unconvincing, that I am persuaded there are other motives at the bottom of the movement. But what they are I cannot tell. Perhaps there are some colonists who detest England and English institutions for reasons they cannot state, like the man who did not like Dr. Fell:

I do not love thee, Dr. Fell,
The reason why I cannot tell;
But this alone I know full well,
I do not love thee, Dr. Fell.

No better reason can be given for the fierce hate and headstrong passion exhibited against her and her institutions, as if she had done some grievous wrong. So it is in America, in New York, California, and some few other states. Are

there not some of these kind of men in Victoria standing outside the circle of action and pulling the strings with a view not to federation but to emancipation from England? One of that class was out here some short time ago, and opened his mouth widely in defamation of England and the English, but had to shut it up very soon and change his tune. These people show a feeling which is bred in them as children, though they have no good reason for complaining of bad treatment. Ireland has been nursed with treason in the heart, and could not get rid of it if she would. Many of her people went to America in order the more safely to inflict injury on English institutions and Englishmen. I am inclined to suppose that it is some of these people who are at the bottom of the agitation for Australian federation, so as to enable the colony to separate from England. It will not do so. The people I believe in all the colonies are satisfied with the union with England, knowing well the advantage they derive from it. There is little danger and some honor and glory in belonging to that great empire; looking beyond the material benefits, the union confers dignity and influence on us. I should be far wrong in my calculations if it should turn out that the people of this colony are anxious for emancipation from the yoke of England. There is no wish to be independent of her. A clergyman here, not a man of any great importance, and not very clever, years ago talked of "cutting the painter"; but it was a fool's expression, fit for a larrikin, and nothing higher, and obtained no response from the people. The gospel of dynamite and the destruction of England will not be preached in this colony, nor openly in any of the British colonies. In America it is quite safe to do so, and these people were actually subscribing funds to give trouble to England—a thing I am surprised at. One would have thought the people of America had sense enough to be just, being a well-informed people. But I know the true Americans will not stand the existence of these scoundrels among them, they will hunt them out of the country; and if the Government do not do it the people will do it themselves by lynching the dastards or giving them peremptory notice to quit. This has been done notably in California, when Sydney thieves went there and

robbed and destroyed; the Government said nothing; but these people were soon made aware that if they did not go they would be hunted out of the country. The same will be done in America with these dynamite assassins. Now, as to the influx of convicts. I am surprised to find such a scare at the presence of a few half-dozens of Frenchmen in the colony, and that we should require England to go to war with France because a few convicts have escaped from New Caledonia and reached our shores. Surely we can ourselves prevent them from coming into this country or manage them when they do come—giving them a long rope and a drop. But we must first make it unlawful for them to come here. That can be done without federation. Other colonies can do the same, and if they do not we must watch our borders. It looks like a mockery to pretend that the coming of a few convicts is any reason for pressing on federation. I suppose that England if she chooses, and she seems disposed to do it, can establish a protectorate over New Guinea, and that would not be a bad thing if by such means they can gain the confidence of the natives, and with kindness and help introduce amongst them the industrial arts and social customs of civilisation. If, however, such a protectorate is to be established, we may be assured that it will have some bearing on the interests of the colonies. But there are other nations beside Great Britain and Australia interested in these southern seas. Why should not England and America, the next greatest nation, join in a protectorate with France and Germany? While doing that they could do other things to help forward civilisation. The suggestion, at any rate, might be made to them. I do not know that America would accede to the proposal, although her people might be disposed to a friendly coalition of that kind; she has rules, a public policy, and traditions, which might prevent her doing anything outside her own territory. Let the attempt, however, be made. The missionaries, I understand, are doing something to improve the condition of the natives of the islands of these south seas, and they might do more. But they are the very worst men in the world to do the general work of civilisation; they are often very narrow-minded men.

Their principal object appears to be to get into the minds of their hearers the dogmas of theology. I would rather send to the islanders a few mechanics with tools and stores, or send sheep, cattle, horses, wherever there is a chance of their being taken care of. Goods ought not to be bestowed on the natives as gratuities, but to be exchanged for the products of their industry, so that they may be encouraged in efforts to be useful to other people. That might be done on every visit of these ships, and they might be taught to make a cart or plough, or some other article of utility. The most valuable acquisition they could get would be a knowledge of the English language, by which means they could make their wrongs or their wants known, or let it be known whether they wished to be protected. If they learned that language and became supplied with books it would be the best thing that could be done for them, and they might also be taught the use of tools which were presented to them. But there ought to be very little of the religion which commonly goes by that name. If there must be any religion it ought to be only the ten commandments and the sermon on the mount; these would meet all their requirements. No devil ought to be sent to them; it does no good, and I believe that is the first thing missionaries do here. If our statesmen would set themselves to do a good service they could do much, first by inquiries, and then by thinking over the matter to devise what shape their action should take, with a view to the bettering of the state of these dark-skinned fellow creatures. Let them get the co-operation of the civilised nations of the world; England ought never to have the sole honor of civilising the south seas. I now draw my remarks to a conclusion. I know I have not handled the question as it deserves to be dealt with; but my main object is to bring it into debate, and if I am to that extent successful my purpose will be served. If the resolutions I move are not regarded as suitable I have no objection to their being amended or superseded. I want it to be known that we are not in alliance with Queensland and Victoria in this matter of federation. I have to apologise to the House for occupying its time so long.

Question proposed.

[*Mr. Stewart.*

Mr. PIDDINGTON rising to a point of order, said that although the resolutions were in one question they embraced three very distinct subjects, one or more of which might meet with approval or dissent, whereas it was possible that no honorable member could with satisfaction to himself agree to or dissent from all of them. In all questions of a complicated character he believed it was the custom in Parliament, if no objection was made, to put resolutions of this kind seriatim. He desired, therefore, to ascertain whether these resolutions could be put separately.

The PRESIDENT: If it is the desire of the House, on the question being put, if a formal request is made by any honorable member the resolutions may be put seriatim.

Mr. DALLEY said: I do not deem it necessary in speaking on this question to follow up the history of the attempted annexation of New Guinea by the Queensland Government. That proceeding my honorable friend seems to regard as a committal in some way of this colony to a share in the responsibility of that action. There is not the least foundation for any such a view. On the contrary, the Colonial Secretary of this country in a letter to the Colonial Secretary of Queensland, dated 31st July, 1883, pointed out that he entertained different views both of annexation and federation from those entertained by the Queensland Government. With this passing allusion to the first misconception of my honorable friend, Mr. Stewart, I will read the letter to which he referred:

Sir,—I have the honor to acknowledge receipt of your letter of 17th instant, communicating to me the views of your Government, as expressed in a minute of your Executive Council, upon the refusal of the Imperial Government to confirm the annexation of New Guinea. In reply, I desire at the outset to assure you that I deprecate as much as any one that New Guinea should ever be taken possession of by any foreign power, as it not only would tend to cripple the trade in Torres Straits, which has proved a beneficial enterprise both to your colony and to ours, but would at all times, and especially in any European conflict, be highly inconvenient and menacing to the whole Australian group. Holding this view, I had no hesitation in sending, in April last, instructions to our Agent-General.

It will thus be seen that, so far from the Government of this country having had any share in this proceeding it was as far as possible repudiated, and the attitude of

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the Imperial Colonial Minister was regarded with favour; and the whole difficulties of the situation were confronted and discussed by our Premier in an exhaustive way. I cannot follow my honorable friend in his interesting but discursive address, on a variety of questions, comprehending the murderous conspiracies of the dynamite party—the blunders of missionaries—the falsehood of Victorian politicians, and the inculcation of erroneous theological tenets among the natives. The letter I have just referred to is as follows:—

Colonial Secretary's Office,
Sydney, 31 July, 1883.

Sir,—I have the honor to acknowledge receipt of your letter of 17th instant, communicating to me the views of your Government, as expressed in a minute of your Executive Council, upon the refusal of the Imperial Government to confirm the annexation of New Guinea.

In reply, I desire at the outset to assure you that I deprecate as much as any one that New Guinea should ever be taken possession of by any foreign power, as it not only would tend to cripple the trade in Torres Straits, which has proved a beneficial enterprise both to your colony and to ours, but would at all times, and especially in any European conflict, be highly inconvenient and menacing to the whole Australian group.

Holding this view, I had no hesitation in sending, in April last, instructions to our Agent-General to state to Lord Derby that this colony viewed with the utmost favour the annexation of New Guinea by the British Crown, in place of permitting any foreign power to take possession of it or obtain further footing therein.

While strongly holding these views, I am not altogether surprised at the attitude taken by Lord Derby, because it seems to me that, while deeply impressed yourself with the danger to be apprehended of immediate foreign aggressive movement upon the island, you have not very definitely shown to Lord Derby the grounds for your fears, but have urged him to accept your strong feelings as evidencing the fact, rather than submitted definite proofs of the facts themselves, or pointed out sufficient overt acts of any foreign power upon which he could come to the same conviction as yourself.

I take a somewhat different view from you with regard to the expense of annexation. It is contrary to the English genius of colonisation to be content with exhibiting the mere nominal symbol of her flag. When England annexes she must govern—she must rule. She cannot be content with the "*laissez faire*" system which you point out as having been followed by the Dutch,—not interfering with the aborigines, but waiting and simply holding the country as against any other power. It seems to me, therefore, to be unwise to brush aside the matter of expense as a mere fancy; it should, on the contrary, be fairly looked at, and a division suggested as to the proportions to be borne by the

countries interested. The imperial interests are probably as great as the Australian, and the colonies would doubtless respond to any liberal basis for its apportionment.

I have always looked upon the question of federation as one which would not probably assume a definite shape until the outward pressure of some common danger compelled the various colonies to sink many minor differences and jealousies in the necessity for combined action for common safety. Whether such danger exists in the present refusal by the Imperial Government to recognise the action you have taken with regard to New Guinea, I feel hardly called upon at present to decide; but I gladly accede to your suggestion that the question of federation should be discussed by the colonies, and if it be considered that the present is a fitting time, then that such discussion should take the form of putting forward the basis on which a federal government should be constituted.

This Government is also prepared to accede to your request to urge upon the Imperial Government that it is desirable that the question of annexation be reconsidered; and with that view I have addressed a letter, inviting his Excellency Lord Augustus Loftus to lay our views before the Secretary of State for the Colonies, and of such letter I beg to hand you a copy.

I have, &c.,
ALEX. STUART.

My honorable friend who has placed these resolutions on the paper has partly anticipated the general discussion of this very important question which must take place before this session terminates, and which would have before this time been debated but for circumstances to which I shall presently refer. I say partly anticipated, because I do not think that my honorable friend will find many persons who will take his peculiar view on this great subject. And before addressing myself, as I shall presently do, to the second resolution of my honorable friend, I will say a few words on the first. The first resolution is in these words:

That the annexation, appropriation, or conquest of New Guinea by any government, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

I will point out in the first place the eminently impractical character of this resolution. Its adoption by this Chamber could have no possible effect in any quarter. It might correctly enough express the views of philanthropists and humanitarians, who would regard the colonisation of New Guinea by any of the great European people as an invasion of the rights of the original inhabitants. And it is perhaps true that the kind of colonists from

First night.

Dalley.

whatever nation they may come who would in all probability first land in New Guinea would not be persons remarkable for gentleness or consideration of the rights of helpless people. The pioneers of colonisation are commonly of quite another class. And the view therefore of the honorable gentleman may be probably correct. But what is the effect of solemnly proclaiming it? If it were passed unanimously by both houses of the legislature how would it affect the situation? Would it deter any one of the great powers of the world, if such power deemed it essential to occupy the island, from carrying out its intention? Or would it not be interpreted into a reluctance on the part of our own Government to assume the responsibility of occupation, and yet an attempt to prevent other powers from colonising by compelling their reverence for this parliamentary moral sentiment, which would only inspire their amusement. It would be, as every one must perceive, utterly valueless. It has been said that some time since the German Government seriously contemplated the annexation of eastern New Guinea, and the attention of the colonial office was called to a quasi-official intimation of this kind on the part of Germany. And the home Government was invited to obtain assurances from the German Government that this policy would not be pursued. Our own Government has done no such thing, for obvious reasons. Would the honorable member's resolution be forwarded, do you think, for the perusal of Prince Bismark? And if it were, and he contemplated German colonisation in New Guinea, would he pause in carrying out his project by our parliamentary assurance from New South Wales that his scheme was in our view not an extension of the blessings of civilisation, but a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants? But not only is the resolution an unpractical one as it regards the possible policy of any other European government than our own; but it is also directly opposed to what all the Australian colonies have been representing to the Imperial Government for many years. The resolution, if adopted, would emphatically contradict all the state papers on the subject which have been published in this colony for nearly fifteen years. Not an opportunity has been lost by any

[*Mr. Dalley.*

Australian government, particularly our own, during the whole of that period of insisting by means of representations and remonstrances forwarded to the home Government of the peril of delay in this matter. I will not weary the House by referring at length to the numerous communications on this subject which have taken place between the imperial and colonial governments. I will content myself by referring to one dated May 31st, 1875, and which is signed by my honorable friend, the then Prime Minister, Sir John Robertson. In that very able paper, which has been frequently referred to as a most able document by English statesmen in dealing with the question, it is pointed out that the subsidising of a line of ocean steamers between London and Sydney *via* Brisbane and Torres Straits had made the occupation of New Guinea a matter of the greatest urgency for the protection of one of the great ocean highways of the world. And it is in these words that Sir John Robertson spoke not only of the annexation of that island, but of a far more ambitious scheme of imperial colonisation:—

My colleagues and myself venture respectfully to offer our opinion that on many grounds it would be desirable in the highest interests of civilisation that Great Britain should, with as little delay as possible, take possession not only of the magnificent island of New Guinea, but of the islands of New Britain, New Ireland, and the chain of islands to the N. E. and E. of New Guinea, from Bougainville Island to San Christoval, the south-easternmost of the Solomon Group, the group of the New Hebrides, including Espiritu Santo, Malicolo and Sandwich, with smaller adjoining islands, and the Marshall, Gilbert, and Ellice Islands, to all of which the traffic from the port of Sydney extends.

It appears to us that a more extended dominion over these waters on the part of the British empire would be not only consistent with the maritime supremacy of England, but would conduce much to the tranquility and peace of these Australian colonies. While the occupation by foreign governments of large islands in the immediate neighbourhood of our coasts, and on the very tracks of our ocean communication with the mother country might, and probably would be in time of war, fatal to our free navigation of the sea which adjoins our territory, whose coast line, stretching from our capital northwards to within sight of New Guinea, is 1,700 miles in extent.

The extension of British sovereignty over Polynesia would not only, as it seems to my colleagues and myself, open up new and rich fields for the employment of British capital and enterprise, but tend to the immediate mitigation of many of the evils which naturally flow from the lawless condition of some of these islands,

and to the early extinction of the greatest of all these evils—the unlawful traffic in labour. The armed vessels built in this colony some two years since, by order of the Imperial Government, for the purpose of cruising in these seas, have already effected a most beneficial change in the condition of the natives, and in the regulation of intercourse between them and the whites visiting these islands for the purpose of procuring labour. The knowledge on the part of those who have for years been successfully engaged in the illegal procurement of native labour, that they can no longer follow their occupations with impunity—that they may at any island encounter an armed English vessel—is rapidly circulating and producing as an inevitable consequence the mitigation of the horrors of this trade now rendered so perilous. But the annexation of these islands on the part of the British Government would, it seems to us, at once put an end to the state of things which has been so long deplored, and for the suppression of which the Imperial Government has made such costly sacrifices; and, under the system of government which my colleagues and myself venture respectfully to suggest as most suitable—combining in the highest degree efficiency and economy of public expenditure—arrangements could easily be made for the regulation of the *bona fide* labour trade in these islands in such a way as to prove of inestimable value and advantage to the employer who may have embarked his capital in plantations, and to the natives, whose personal safety, wages, and certainty of return to their own islands could be guaranteed; for while nothing could be more disastrous than the prevalence of those nefarious practices by which, in the language of her Majesty in the speech from the throne in February, 1872, “the name of the British empire was dishonoured in the South Sea Islands,” there can be little doubt that a legitimate labour trade could be established without much difficulty.

It was on these grounds, both of protection to our commerce and of humanity, that the project was so strongly recommended to the earnest and immediate consideration of the Imperial Government. From that time to the present the subject has been again and again brought under the notice of the Imperial Government. There has never been the least change in popular feeling on the subject nor in the policy of government. By the delay in dealing with the question difficulties in its settlement have enormously increased; and by the very latest advices from Europe, to which I will not now more specifically refer, the question has become much complicated. This resolution will as far as it goes, be an entire reversal of all that we have said or done on the subject through so many years. Instead of now seeking to dispose of the question in this way it seems to me that this is the very time to

urge on the Imperial Government that not a moment should be lost in the adoption concerning it of some definite course. We are all aware that the policy of a great and at present the governing party in England is not favourable to the extension of the colonial responsibilities of the empire. We, in these colonies, have suffered from the attitude which this policy has necessarily compelled her Majesty's ministers to assume concerning some important colonial questions. As thoroughly loyal subjects we should carefully abstain from anything that would prove embarrassing to the Imperial Government (and there is no doubt the changed aspect of this question has now rendered it one of much complexity and embarrassment), but it would be simply childish to adopt a resolution which would be practically a denial of our earnestness and conviction during all these years; which would necessarily invest us with ridicule in the eyes of the world, which would certainly weaken the hands of the Imperial Government, and which would not have the slightest effect in averting or postponing the occupation of New Guinea by any foreign power which contemplated such an enterprise. On the contrary it would, by a solemn proclamation of our intention to take no part whatever in such an enterprise, be an immediate encouragement to such power, which would not pay the least possible attention to the humanity of our motives in respecting the independence of the native inhabitants, and would immediately take steps to occupy the country. The second resolution moved by my honorable friend will require to be dealt with in a different way. It is in these terms:

That any attempt to establish a federal government having legislative jurisdiction over any two or more Australian colonies is not at present necessary or justifiable.

When the other night my honorable and learned friend, Mr. Dangar, took me by surprise in moving the adjournment of the House to bring this very important question under notice, it was thought by my honorable friend that I was somewhat curt in my reply. I desire to say that it was simply the quite unexpected nature of the incident which may have disturbed me, and which prompted me to express surprise that one who manifestly regarded the subject with unqualified disapproval

First night.

should seek to urge it on the immediate attention of the Government. But, upon consideration, I believe my honorable friend was right; and that no good could result from a postponement of a discussion of the question. That postponement, as the House is aware, has been due exclusively to the enormous demands upon the time and attention of honorable gentlemen elsewhere, which has been taken up in dealing with the great question of the day in this country. It would not have been possible for the Government to have taken up this question earlier, even if the matter were regarded here as one of urgency. For nothing is of greater urgency or of more sovereign importance than the legislation with which Parliament has been dealing. And the Government would certainly not, however desirous, have been permitted to postpone that legislation for the discussion of the federation question. It is extremely desirable that, when the discussion is to take place, it should be as nearly as possible simultaneously proceeded with in both houses; for the obvious reason, that an unfavourable determination in either branch of the legislature would be for the time fatal to the agreement on the proposals which would be submitted, and which must have the assent of both branches of the legislature. As the question has, however, now been submitted by my honorable friend, as the action of the Government has been to some extent anticipated, and resolutions of an opposite character have been submitted, it will be necessary that I should address myself to the subject and make such observations upon it as seem to me necessary; and I would commence by stating the difference of the position between this colony and the neighbouring one on this subject. It cannot be denied that this subject of federation has not been taken up here with the same enthusiasm, regarded as of so urgent a character, discussed so freely, and supported so warmly as it has been in the colony of Victoria. There for a considerable time it has been one of the foremost public questions of the day. With a want of appreciation of its prominence there, and as I think with an equal want of fairness towards the leading public men of Victoria, they have been regarded by some persons in this country as being desirous of making political capital out of

this agitation. I feel sure that their action has been thoroughly in harmony with the popular sentiment in their colony, that they have not led but simply expressed public opinion; and that they are animated by no other motives than those which influence the great body of their fellow-colonists. Their earnestness has been in some quarters interpreted into a desire rather to secure peculiar advantages for themselves than to accomplish the great national objects of union; and there have not been wanting some who have counselled the people of this colony to be suspicious of the enthusiasm of their neighbours concerning this question. I will say at once that in my view there is no ground whatever for such ungenerous imputations. I have seen nothing in the public speeches or writings of those gentlemen to justify any other conclusion than that they are earnestly and loyally co-operating with the other Australian colonies to accomplish an object which they regard as of the highest national importance both to these Australian colonies and to the Imperial Government. Neither in the negotiations which resulted in the convention nor in the conduct of its business, nor in what has taken place since, can I perceive anything to justify unworthy suspicions of this kind. But while the question in Victoria is one which is practically pressed upon the Government by the force and unanimity of public opinion, it is not in the same state in this colony. There is here a considerable party who regard the ultimate federation of the colonies as a doubtful advantage, and an immediate attempt to accomplish it as dangerously premature. The party which here regard the project with favour is divided as to the means by which it can be safely and efficiently accomplished. And there is—as in all national questions there invariably is—a large party who, having given the matter little or no consideration at all, is influenced more easily by a cry than by an argument, and which is consequently disposed to regard the eagerness and activity of other colonies as signs of peril to the interests of their own. Of all this the Government, of which I have the honor to be a member, was perfectly aware. They knew it when they entered upon the convention. They knew it at the present time. They were fully aware that they had no enthusiastic support upon this

[*Mr. Dalley.*]



question; and that even among those who have generously afforded them a strong and consistent support upon general matters of public policy there is but a faint and imperfect sympathy with them in this great matter; and yet, with this knowledge, we did not decline to join the convention. Why, it may be asked, if the Government were fully aware of the state of public opinion on this subject in this country, did they not decline? The answer is simply this: it would have been a dishonor and a reproach to this colony—the oldest of the Australian group of colonies—if she had been unrepresented in the first great intercolonial gathering on this national subject; and no more lasting injury could have been inflicted upon this colony than the fact of her being without representation in such an assembly. It was fitting that it should take place in her capital, and be presided over by her Prime Minister. I have, on a former occasion, said something of the character of this convention, which it is not necessary for me to re-affirm. It would be sufficient for me to say that, as far as it can be judged by the official positions occupied by the members of the convention, it was pre-eminently the most representative gathering of Australian public men that has ever taken place in these colonies; and it was so regarded not only in the colonies but in England. Had this colony taken no part in such an assembly, the position of the colony would have been immediately and irretrievably injured in the estimation of the world. We are judged in England as much by our public conduct—by our influence in treating, forming, and shaping the great questions of the day—as by our material resources; and if, when numbers of such questions were to be made the subjects of consideration in a great representative gathering to which all the other colonies sent their first representative men this colony stood aloof, she would inevitably and most rightly have paid the penalty of her withdrawal. Just as if she now, or whenever the opportunity was afforded to her, persisted in separating herself from the common views and objects and designs of all the other Australian colonies she would necessarily and deeply suffer. Of this there can be no kind of doubt. So much misconception of the objects sought to be attained by the convention appears

so exist—so much misrepresentation of the object of the measure which was submitted to and approved of by the convention has been circulated—that it is as well to see precisely what was attempted, and what was really performed. And, first of all, of the bill by which it was proposed to take the first step towards colonial union by the constitution of a federal council of Australasia. When this draft bill was first published in this country it became the subject of immediate and adverse criticism in certain quarters in this colony. The critics in many cases did not trouble themselves to consider that this measure was never intended to provide for federation, which was regarded as a question for the future, and it might be a distant future. It was not an ambitious proposal to bring instantly into operation anything like general federal government. Every member of the convention felt that the time had not arrived for such a proceeding. Undoubtedly the practical operation of this measure would be if it was adopted to make the solution of the question easier when the time for its settlement arrived, and to assist in educating—which, I may say in passing, is most urgently required—popular opinion concerning the matter. In his very lucid, just, and comprehensive speech recently delivered in the Melbourne Parliament, the Premier of Victoria has precisely defined the objects of the bill; and he has done this by employing the language of Sir Henry Parkes in 1881, when he submitted his federal council bill to the conference which sat in that year. Mr. Service has properly pointed out that the very words of Sir Henry Parkes might have been applied as forcibly and appropriately to the views of the convention as to those which found their expression in the bill which he submitted three years before the convention sat. These were the words he used:

Memorandum.—In respect to the Federal Council Bill now submitted, the following petitions are assumed as hardly open to debate:—

1. That the time is not come for the construction of a federal constitution with an Australian federal parliament.
2. That the time is come when a number of matters of much concern to all the colonies might be dealt with more effectively by some federal authority than by the colonies separately.
3. That an organisation which would lead men to think in the direction of federation, and

First night.

citing Parkes.

positions

accustom the public mind to federal ideas, would be the best preparation for the foundation of federal government.

The bill has been prepared to carry out the idea of a mixed body, partly legislative and partly administrative, as the forerunner of a more matured system of federal government. Care has been taken throughout to give effective power to the proposed federal council within prescribed limits, without impairing the authority of the colonies represented in that body.

No attempt has been made to constitute the proposed council on any historical model, but the object has been to meet the circumstances of the present Australian situation, and to pave the way to a complete federal organisation hereafter.

21 January, 1881.

HENRY PARKES.

And these words exactly describe what the convention endeavoured to accomplish. Its aim was to obtain the benefit of united action without in the least degree affecting the independent authority of the various colonial legislatures. Both these objects the measure would practically achieve. When I had occasion soon after the convention took place, to speak of this measure, I alluded to certain criticisms of its provisions which were then made, and with reference to them took leave to indulge in the hope that when it was submitted in England to constitutional critics, as learned, as profound, and as fair as those who have promptly condemned it here, it would be found to stand the test of sound, just, and enlightened criticism, and possibly to command expressions of admiration. This is exactly what has happened. The leading journals and leading men of the empire have pronounced their opinions upon it, and seen nothing in it but a well-considered measure to accomplish the very simple but very important objects sought to be attained. In the first place the bill provides for equality of representation. The subjects with which the measure dealt having no reference whatever to the individual, but to the collective interests of the colonies in matters in which each colony was equally concerned. There was no reason why superiority of wealth, or population, greater extent of territory, or vastly increased resources should give any title to increased representation. If the council had been charged with matters of finance, of taxation and expenditure, this provision of equality of representation would have been of course a mistake. But it has no such functions. The only difference in the extent of representation was that

[*Mr. Dalley.*

which limits it in the case of Crown colonies to a single representative, while all other colonies are represented in the council by two members. Any complaint that a small colony has equal power with a large one, and that, therefore, injustice is perpetrated, is utterly without foundation, because, as I have pointed out, there is a perfect equality of interest. One of the arguments used against the bill is that it delegates the transaction of important publicbusiness to a majority of persons who are without responsibility to the colony. This is, I need hardly say, an entire misconception. If the bill were passed into law in the same form as it left the convention, it could not as an act come into operation in respect of any colony until the legislature of each colony should have passed an act declaring that the same should be in force therein, and appointing the day on which such operation should take effect, and not until four colonies at the least should have passed such act. The act derives its vitality directly from the independent legislative action of each colony; and provides that a certain number of colonies shall unite before the act can operate in any of them. There is the double guarantee of derivative legislative authority from the Parliament of each, and the existence of at least four federated colonies, before such authority can be exercised. The alarm (altogether groundless) that has been indulged in as to any abridgment or weakening of the independent legislative authority of each colony, the bill does not in the least justify. Of the matters which in the first place would be committed to the proposed federal council, they could not become the subject of legislative treatment at all except by some means of federal action. I have already sufficiently addressed myself to the first, that was the question of the islands of the Pacific and of the relations of Australasia to those islands. It needs no argument to point out that this subject cannot be treated in any colony by any other means than those which are suggested. The next of the matters referred to in the bill is the prevention of the influx of criminals. There has been in this at least one question of the greatest possible importance to the whole of these Australian colonies, which has directly, by the

action of the convention, been carried into the region of imperial politics: I mean the question of the deportation of French criminals in large numbers to the French possessions in the Pacific. This is a question of the deepest interest to the colonies, and at the same time of the greatest difficulty to the Imperial Government. It is precisely the kind of question which illustrates the absolute necessity of federal action, which cannot merely not be dealt with satisfactorily, but cannot be dealt with at all in the absence of united colonial action. It is no light thing to interfere by way of protest with the domestic legislation of one of the first civilised powers. Of the unqualified right of the great French nation to deal with its criminals within its own possessions as it deems most advisable, no one would be prepared to doubt for a moment. And I have no hesitation in declaring that I think French statesmen have borne with dignity and with an exemplary patience much idle and dangerous criticism on questions of French policy which has been indulged in by various persons who, while they doubtless conceived they were serving the interests of these colonies, were increasing the difficulties of the situation, embarrassing the Imperial Government, and multiplying points of international irritation. If the question had been left as it was placed by the convention before her Majesty's Government, and had become the subject of settlement by means of imperial diplomacy, it is within the bounds of probability that it might have been now satisfactorily settled. But a number of gentlemen who, however enthusiastic and patriotic, have neither the tact, nor the power, nor the status to make effective representations in the proper quarter, have only helped to complicate and postpone the settlement of the question. How was it dealt with by the convention? Simply by earnestly imploring the Imperial Government to make serious representations to the Government of France on this matter, and we know that this course has been adopted, and will in all probability be ultimately crowned with success. It is only when the united action and protest of the Australian colonies on this subject gave that support to the Imperial Government which it had admittedly afforded that the latter could make such

representations as it had been enabled to make to the Government of France. I will carefully abstain from any allusions likely to give offence, as to the perils of great military establishments of foreign powers in their immediate neighbourhood, which establishments were, I presume, indispensable to the maintenance of authority in the midst of a great criminal population. It is the nearness of that population that is the only peril to us in the colonies, and it is the removal of that source of danger which we have hoped to effect by the resolutions of the convention. No good could be accomplished by speculations on the peril of the possible employment of those troops against British colonies. So long as large numbers of French convicts are collected in French possessions in these seas there must necessarily be for their coercion a large military force. And while I will refrain from discussing that aspect of the question, I will certainly abstain from any allusion to the possibility of the organised employment of the criminals themselves against the independence of the colonies. That is not the way in which the glory of the French nation has ever been achieved or sustained; and it is unworthy, it seems to me, of these colonies to attempt to strengthen their case for protection, which is an irresistible one, by pretending to labour under apprehensions which have no foundation, and the expression of which can only wound the sensibilities of one of the greatest of peoples, and the first ally of England in the work of civilisation. Our danger in these colonies is from the neighbourhood of the criminals, not of the arms of France. Well, the convention has emphatically protested against that peril in the proper and only way by seeking the intervention of the mother country by means of representations to the Government of France, and from the action of the convention the question, as I have already said, has assumed at once its proper proportions in the eyes of Europe. It was the voice of these united colonies which spoke for the first time on this subject, and was listened to with that respect which it deserved. But was it desirable that the effect of this united action should be at once weakened, if not indeed defeated, by revealing that the colonies had no common objects of

First night.

interest, that they were more influenced by jealousy of each other than inspired with a desire for their common protection? Would it be conducive to the success of our representations that we should proclaim our inability to agree upon a basis of united action before one of the main objects of it had been achieved? I think what has already been done, and what may be reasonably expected to be accomplished by means of such action would be amply sufficient to justify the adoption of the resolutions of the convention. I need not occupy your time with the consideration of such questions as the service of civil process of the courts of any colony out of the jurisdiction on which it issues, the enforcement of judgments of courts and of criminal process beyond the limits of the colony in which they are issued, the extradition of offenders, of persons deserting their wives and helpless children. These are assuredly vital questions of the deepest interest to all of us. Is, I may ask, the administration of justice in all the colonies in anything like a completely satisfactory state until these matters have been settled? And they never will or can be settled except by some such measure as that submitted. There is not the faintest justification as I have said, and I trust have shown, for any apprehension about the invasion of the independence of local legislatures. No subject could be presented to the council with which any other body than itself could deal. The council would be an extension rather than an infringement of legislative authority. It would afford each colony precisely the same powers, and in the legislature of each would be vested the sole power to refer to the council certain subjects upon which power existed to legislate within the limits of each colony, and which it might be deemed desirable to make the subjects of a law of universal application. These are the clear and simple words of the bill. Of my honorable friend's last resolution there can be no difference of opinion as to the expediency not only that legislation should take place but that it should be of the most effective character. If it were confined to one, two, or three colonies, if, moreover, it differed in each in character, it would be of little avail. To be effective it should be the united expression of the

[*Mr. Dalley.*

Australian people. The peril to which it points is the most powerful argument for immediate approval of federal action. I have felt it my duty in the discussion of these resolutions to attempt to clear away much of the misunderstanding which has arisen on the subject of which I mainly treated—to vindicate the action of my colleagues in the Ministry who were assembled with me in the convention to protest against unjust and ungenerous imputations upon the motives of the public actions of leading men elsewhere, and to put a great question before the public in the light in which it presented itself to my mind. It may be that the colony is not disposed to regard the proposals which have been made with favour, and feels that even so safe, so modest and restricted a scheme as that adopted is prematurely presented for acceptance. But if, as it is perfectly certain will be the case, other colonies perceive the fitness of the time, recognise the force of the circumstances and the necessity of the union, it is quite impossible that this country can escape the consequences of abstaining from a movement which will fix the attention of the world upon those who have the courage, the sagacity, the statesmanship, and the patriotism to avail themselves of its advantages for their own benefit and security, and for the increased greatness of the empire.

Mr. PIDDINGTON: I always listen to the speeches of the Attorney-General with a great deal of pleasure, and on this occasion I acknowledge that I have heard him with the same degree of pleasure that I have always experienced in listening to his addresses; but notwithstanding that I think that some of his statements are rather overcoloured, and that some of his conclusions are erroneous. Before I go into the question of federation I wish to allude to the statement made by the Attorney-General that the present Colonial Secretary had not committed himself to the proposal to annex New Guinea, and that the Government had not adopted any bill that would have the effect of establishing a federal system of parliamentary government. I find on page 53 of the papers referring to the convention that the Colonial Secretary of New South Wales addressed a letter to the Colonial Secretary of Queensland, dated Sydney, the 31st

July, 1883, and I find in the last paragraph but one the following remarks:—

I have always looked upon the question of federation as one which would not probably assume a definite shape until the outward pressure of some common danger compelled the various colonies to sink many minor differences and jealousies in the necessity for combined action for common safety. Whether such danger exists in the present refusal by the Imperial Government to recognise the action you have taken with regard to New Guinea, I feel hardly called upon at present to decide; but I gladly accede to your suggestion that the question of federation should be discussed by the colonies, and if it be considered that the present is a fitting time, then that such discussion should take the form of putting forward the basis on which a federal government could be constituted.

Is not that a clear acknowledgment on the part of the Colonial Secretary that he regarded these proceedings—as they eventually crystallised into the establishment of a draft bill—as the basis of a federal scheme of government. On what ground, then, does the Attorney-General assert that the Government have not committed themselves to the proposal for the establishment of a federal government? That letter entirely disproves the statement. The honorable and learned gentleman, feeling that the proposal to annex New Guinea required some explanation, stated that the Colonial Secretary had never adopted the principle of annexation; but I find from a letter addressed by the Colonial Secretary to the Governor of New South Wales, dated 1st August, this statement:

I was at one time inclined to think that a protectorate of the southern coast would have been sufficient, and even yet it may be so if its effect would be to keep any other nation from obtaining a footing; but if a protectorate be inefficient for that purpose it would be better to accept the annexation.

That clearly shows that the Colonial Secretary accepted the proposal for the annexation of New Guinea. I agree with a great deal that fell from the Attorney-General with regard to the impropriety and inexpediency of any colonial politician using language with respect to the French Government and their desire to establish a convict colony in the Pacific which might have the effect of causing undue irritation. A portion of the French press, I believe, has viewed the comments made in some of the Australian colonies with indignation and hostility; but where were those comments published? Whence did

they spring? Not from politicians resident in New South Wales, but from politicians in the colony of Victoria; and we are saddled by the press of New Caledonia with the responsibility of asserting that there were so many convicts in New Caledonia that if armed they might be available for the invasion of Australia.

Mr. STEWART: 18,000 strong!

Mr. PIDDINGTON: This statement did not emanate from New South Wales, but emanated from Victoria, where evidently the transportation of criminals to New Caledonia is being used as a lever for carrying out the views with regard to federation which have commended themselves to the favour of the Premier of that colony. I do not agree with such irritating remarks being made with regard to the power of either the French or German Government, or indeed of any government, to adopt a policy which they correctly regard as one of internal administration. They have a perfect right to establish a colony in the waters of the Pacific if they choose to do so. I should not feel the slightest jealousy though any French or German colony was established in the South Seas; but when we find in New Caledonia a large convict settlement I think the French people cannot be much surprised at the Australian colonies viewing such an establishment with some degree of alarm, although I admit that there has been much exaggeration as to what was likely to take place. It is perfectly reasonable therefore to object to some thousands of convicts being established within 1,100 or 1,200 miles of the Australian coast. I was an opponent of the continuance of the system of transportation to our own shores. I happen to be one of the survivors of the Anti-transportation Committee which was established, I am almost afraid to say how many years ago. The object of that Committee was to resist the continuance of the system of transportation even into New South Wales; but the hostility to that was not founded upon any pharisaical idea of any superiority on our part to those who came here as George Barrington said, "For their country's good." The people of this colony came to the conclusion that New South Wales had arrived at such a period of her existence that the importation

First night.

of convicts was no longer expedient. The committee in Sydney had affiliated societies all over the country which exercised a great influence in deciding the question whether criminals not of the deepest dye, but persons convicted of comparatively venial offences, should continue to be sent to New South Wales. The system was supported by men of great influence in New South Wales, two of whom, the late William Charles Wentworth and the late Dr. Dobbie, will be remembered by some honorable members. They had not the courage to advocate the continuation of the convict system in its naked form, so they attempted to gild the pill by giving the convicts the name of exiles. The convict system, however, even under this guise excited the strongest hostility in the colony. I for one feel the utmost astonishment that the British Government have not before now established a convict colony in some other part of the world instead of dealing with their criminals in the way in which they do at present at such places as Portland Prison, where they are herded together in large gangs under circumstances which are not calculated to promote their moral improvement. The system of assigning convicts formerly carried out in this colony, as many honorable members here are aware, tended in a great degree towards the reformation of the prisoners themselves. I am opposed to the practice of keeping convicts together in large gangs. I do not feel any objection, therefore, to the establishment by either England or any other power of convict colonies so long as they are at a sufficient distance from the shores of Australia; but it can hardly be said that the convict colony of New Caledonia is sufficiently far away. Some of the evils connected with the system have been very much magnified in Victoria. The number of prisoners who have escaped has been represented as large; but as a matter of fact it is quite insignificant. I think it is quite possible that if by diplomatic action some definite proposition on the subject were made to the French Government, we might get rid of the dangers to which we are exposed with regard to the transportation of convicts to New Caledonia. I have seen it proposed that England should consent to exchange the Falkland Islands, near the coast of America, for that purpose,

[*Mr. Piddington.*]

and if they would agree to that probably the difficulty would be got rid of. If the French Government proposed to continue their occupation of New Caledonia as a non-convict colony, I do not see that we could offer any objection to that. The Attorney-General told us that federation was advocated by the men of Victoria from the highest and most disinterested motives. I think, however, that the honorable gentleman went to a great length when he made that broad assertion, because, although I have not had the advantage of reading the whole of the debate which took place recently in the Legislative Assembly of Victoria, I have read a great portion of it, and it appears to me that whilst the motion in favour of federation was carried in that assembly by a very large majority, something like 55 to 5, there was underlying the speeches of members a kind of under current of feeling that the accomplishment of federation would be one step towards securing a colonial tariff union. Some of those gentlemen avowed that if the resolution in favour of federation were adopted the border customs would be abolished; and then what would follow? One of those gentlemen was bold enough to state that he was in favour of intercolonial free trade on a basis of protection; that is, that if the colonies were federated we should have free trade between the colonies of Australia; but we should be required to adopt a protective system so far as the outer world was concerned. These gentlemen, however, plume themselves upon exhibiting for the admiration of, and as an example to the Parliament of New South Wales, a wonderful amount of cosmopolitan high-mindedness and liberality. It appears, however, that they are acting from a most selfish view, their object being to secure a more extended market for their own goods; and that the free trade colonists of Australia are to be hoodwinked into what will involve the adoption of a protective policy, although it is against their own convictions. With every disposition, therefore, to acknowledge that some of the speeches which were delivered in the Victorian Assembly were marked with a great deal of good feeling, I cannot but feel a lurking notion that federation is supported in the sister colony not for the love of federation pure

and simple, but for the purpose of securing some advantage for that colony which cannot be secured under existing circumstances. I am not speaking as a person opposed to federation. If a representative form of federal government, of which the Government and this country approve, is brought forward, I shall not hesitate to give it my humble approval; but I do not believe that the time is yet ripe for it. Honorable members know well enough how difficult it was to secure unity of action between Victoria and New South Wales on the very minute and insignificant question as to the junction of our railway system at Albury with that of Victoria. A great fuss was made by the Victorian people about the railway from New South Wales running into their station at Wedonga, whilst the Victorian railway was to run into a station on the New South Wales side. As a matter of fact there was to be no junction at all. If it was so difficult to come to any understanding on so simple a question as this, how can we expect that any understanding will very easily be arrived at in regard to the highly important question of federation? If we are to have a federal government, where is to be the seat of government? This question was one which gave rise to a very serious difficulty in Canada; so great was that difficulty that it was found necessary to invoke the personal authority of the Queen as to whether the seat of government was to be at Quebec, Montreal, Toronto, or Ottawa. The Attorney-General made one remark which seemed to cut the ground from under all his eloquence. He said that the Government were fully aware that they had no enthusiastic support in the colony when they proceeded to the convention. That is a reflection of the deepest character, a stigma upon the want of judgment and common-sense on the part of the Government. The honorable gentleman went on to say that it would have been a dishonor to the Government of the country if they had not taken part in the conference. I cannot see that that is so, if they were satisfied that the propositions which they were called upon to agree to were not likely to receive the support of the people and Parliament of New South Wales. I observe that this conference was dignified by the name of convention. I do not

know whether the term was derived from the republican practice, but I maintain that this conference was no more a convention than were the former meetings of the representatives of the various Australian colonies. But be this as it may it certainly was not necessary for Mr. Stuart, Mr. Dalley, and Mr. Dibbs to agree to a system of federal government which they themselves knew was not palatable to the country, was not approved of by the people they assumed to represent. As the mover of the resolution has stated these gentlemen assumed to represent the various colonies without having received the authority of their parliaments. As a matter of fact two of the governments of which these gentlemen were members have since been hurled from office—I refer to the governments of New Zealand and of South Australia. Of what use is it for the Attorney-General to talk of the conference being composed of representatives with the highest parliamentary authority, when as a matter of fact the members had no parliamentary authority whatever. I agree with many of the honorable gentleman's observations as to the first of the resolutions submitted by the honorable member, Mr. Stewart. If the annexation of a portion of the coast of New Guinea is really carried out under the authority of the Imperial Government, I do not think the consequences described by the mover of the resolution will follow. I am aware that there are in the mother country two parties who are opposed to the extension of the colonies of Great Britain. One party is opposed to the extension of our colonies to any place in which aboriginal inhabitants are to be found. I allude to the extreme radical party, who think that it would be a good thing for Great Britain to get rid of the whole of her colonies, throwing India into the bargain. The second party to which I refer is composed of men of the most humane and philanthropic character, who object to our taking possession of any country, the aboriginal inhabitants of which will by our so doing be exposed to injustice. This party has been ridiculed as the Exeter Hall Society; but, however extreme may be the views of some of this party, I believe that their intentions are not only humane in their origin, but are perfectly justifiable. The British Government is evidently acting under the idea

that it is desirable that a British protectorate should be established with regard to the islands of the South Seas, so far as that course is necessary to secure the aboriginal inhabitants from injustice and persecution. From that point of view I think the step is a very wise one; and I am of opinion that, in referring to the course taken by the emissary of the Queensland Government, the mover of this resolution made a decided hit. What right had the Queensland Government to send Mr. Chester, or any other man, to New Guinea for the purpose of putting up the British flag, without their having in the first instance signified to the British Government that intention? Such conduct is unjustifiable and unparalleled. I think, therefore, that it is a very happy circumstance that, according to latest advices, the Imperial Government have expressed their willingness to establish a protectorate in the waters of the Pacific and on the coast of New Guinea. I have heard—and I think the rumour is likely to be correct—that the Government of New South Wales have expressed a desire to contribute a fair quota towards the expenditure in connection with such a protectorate. I for one am very happy to believe that that is the case. I do not think my honorable friend, Mr. Stewart, justified the moving of the first resolution, and I shall therefore vote against it. The Attorney-General reserved most of his observations for a justification of the extraordinary draft bill to which the Government appear to have assented at the time of the conference. The honorable gentleman stated that this bill was the first step towards colonial union. The bill, said my honorable friend, was never regarded as one for the establishment of a federal government. Then why did the members of the Government attend the conference? If they did not intend to establish federal government, if the bill was not drafted with that view, why did they furnish so many statements in reference to the immense advantages of federal government? When the Government knew that the people of New South Wales did not feel strongly upon this subject, of what use was it for them to take the first step? It looks to me very like breaking a fly on a wheel to take all this trouble to justify a meeting of gentlemen calling themselves a convention

[*Mr. Piddington.*

of the states of New Holland for the purpose of establishing something which, the Attorney-General himself states, does not receive the support of the people. The draft bill proposes in clause 1 that the colonies of Fiji, New Zealand, New South Wales, Queensland, Tasmania, Victoria, Western Australia, and the province of South Australia shall come under the operation of the act; but with reference to Fiji a despatch has been received from Lord Derby stating in express terms that the Imperial Government will have none of this draft bill so far as that colony is concerned. The 4th clause of the bill provides that a session of the council shall be held once at least in every two years. Why this prolonged time between the sessions? If there really be any business of importance for the council to transact, surely they would require to meet more often. Every municipality in New South Wales meets, not once a year, but at least once a month; yet this federal council—clothed with enormous powers, possessing, among other powers, the power to override the laws of the several colonies of New Holland—is to be called together only once in two years. Is that not an acknowledgment, on the face of the bill, that it is not regarded as a measure of immediate and practical importance? The 5th clause says that each colony shall be represented in the council by two members, except in the case of Crown colonies, which shall be represented by one member each. My honorable friend was at great pains to justify this particular provision; but his remarks amounted to nothing more than a confession of the imbecility of the Government in supporting a measure of this kind. The honorable gentleman stated that the council would not affect the independence of any colonial parliament—that neither questions of taxation nor of railways were to be dealt with by this embryonic council. Is not that a confession of inutility so far as the council is concerned? But even supposing the proposals in reference to the establishment of this council were as perfect as the machinery of the Federal Government of the United States, or as that of the Federal Government of the Dominion of Canada, I think the principle of equal representation, under certain conditions, is a wise, just, and proper one; because every one must

acknowledge that, as regards New South Wales and Victoria, or South Australia and Queensland or Western Australia, each of these colonies, as compared with the other, is equivalent to a sovereign state. Nothing, for instance, which the Parliament of New South Wales can do can affect the independence and privileges of the Parliament of Victoria; and so on throughout the whole of the Australian colonies. We have the precedent of the greatest federal government in the world—the United States, which has risen to the control of a population amounting, not to 800,000, or even 3,000,000, but to 50,000,000 people. In the machinery of this great government we find the principle of the recognition of the independence of each state, notwithstanding that the congress of the United States has absolute power to raise money by taxation, and to sell every furlong of land in the states. I have had the curiosity to examine this system of the representation of the people of the United States in congress, irrespective of any consideration arising out of the imports, exports, or population, and I find that there are four or five states in the union which possess but a very small population; but in which the representation of the people in the Senate is perfectly equal with the representation of the largest and most populous states. I observe from the American almanac for 1883 that according to the census of 1880 the population of Nevada was 62,000 people, the state sending one representative to the House of Assembly; the population of the state of Delaware was 146,000, with one representative; Oregon, 141,000, with one representative; Colorado, 196,000, with one representative; Rhode Island, 276,000, with two representatives in the House of Assembly, which I may add is the House of Commons of the United States. Contrast this representation with the similar representation in the Senate of such populous states as that of New York, with 5,000,000; Pennsylvania, with 4,262,000; and Ohio, with 3,198,000 inhabitants. The state of Nevada, with a population of 62,000, has two representatives in the Senate, and the state of New York, with a population of 5,000,000, has a representation no larger. No doubt this principle was adopted when the thirteen republics of the United States were first

joined in a perfect federal union—not such a contemptible scarecrow as the proposal contained in the bill which has been placed before us. The union was formed at a time of some trouble; there was an immediate prospect of a war with the mother country, and one or two of the states held out for a couple of years, even in the face of such urgent circumstances as these. But it was held desirable that each of these states, small or great, should be represented in the Senate in virtue of their sovereign position. It was impossible to induce them to join in the federal union unless they were secured absolute and perfect equality in their representation in the Senate. I think the states of Australia, if I may so call them, have an equal right to be represented in the same way in any federal council which may be formed; but that is a principle which is not recognised in any way whatever in this contemptible scarecrow of a bill. There is no provision for any parliamentary government worthy of the name in this barbarous proposal, which the eloquence of my honorable and learned friend has been invoked to justify. I do not recognise federal government in any proposal which does not include two houses of parliament; the principle of two houses of legislature is engrafted in the very idea of the Anglo-Saxon system of representation in parliament. We not only find the houses of parliament contained in the Congress of the United States, but in every state, however small and comparatively insignificant as regards its population or resources, the same principle is recognised. This wretched bill contemplates a kind of executive council consisting at the most of fourteen individuals, and this council is to be endowed with authority to over-ride the acts of every local and independent legislature. A more monstrous absurdity, a more quixotic idea was never conceived by men professing to be statesmen. Clause 22 of the bill says:

If in any case the provisions of any act of the council shall be repugnant to or inconsistent with the law of any colony affected thereby the former shall prevail and the latter shall so far as such repugnancy or inconsistency extends have no operation.

These fourteen representatives are to have the power to annihilate any act of parliament passed by any one of the colonies having representative government, and

First night.

this proposal has actually been ratified by the Government as far as they have been able to ratify it. The 26th clause says:

The necessary expenditure incurred by the council shall be defrayed in the first instance by the colony wherein the expenditure is incurred and shall be ultimately contributed and paid by the several colonies in proportion to their population. The amounts payable by the several colonies shall be assessed and apportioned in case of difference by the Governor of the colony of Tasmania.

What extraordinary views the Government must entertain with reference to their duties, when they consent to clothe the Governor of an insignificant colony like Tasmania with the authority to apportion the expenditure under this bill in any way he may think proper. The great feature in the bill is the attempt, which appears to me to be a most extraordinary one, to confer legislative authority upon the council. The 15th clause says:

Saving her Majesty's prerogative and subject to the provisions herein contained with respect to the operation of this act the council shall have legislative authority over all her Majesty's possessions in Australasia and over all British ships sailing between them in respect to the several matters following:—

(a) The relations of Australasia with the islands of the Pacific.

Is that a matter of such transcendent importance as to necessitate the establishment of a federal council, clothed with all these powers? Moreover, even if the council were established they could not take action in the matter without reference to the imperial authorities. Then, as regards the prevention of the influx of criminals, is not the very non-necessity for such a proposal proved by the fact that Victoria has already passed a statute with this very object? This is one of the reasons why I regard the third of my honorable friend's resolutions as unnecessary. Even if the council were so unwise as to pass the resolution, and it were forwarded to the Secretary of State for the Colonies, he would probably tell us that we had full power to make any law we pleased in reference to the influx of escaped or emancipated convicts.

Mr. STEWART: The bill must be sent to England!

Mr. PIDDINGTON: I doubt it. I think there would be no more restriction of our rights in dealing with a bill of that character than in our dealing with a

[*Mr. Piddington.*

private bill creating, say, a bank of issue. If it were the desire of Parliament to prevent the landing in this colony of convicts from New Caledonia, they could take the necessary steps. The convicts could be returned to New Caledonia quite independently of the existence of an act of Parliament of the imperial authorities dealing with the subject. Another matter referred to in this clause is the service of civil process for the apprehension of absconders. This trifling matter was magnified by the Attorney-General into something of vast importance upon which the happiness of the people of New Holland is dependent. The clause refers, among other matters, to marriage and divorce. This is by far the most important matter which it is proposed to refer to the council, but I, for one, will not trust this municipal council with authority to repeal our laws as to marriage or divorce. I could have understood the proceedings in connection with this conference if the matter had been discussed at a general election. If this question is to be properly dealt with, I maintain that no government will take action until the people have had an opportunity to express their views upon the subject. It is not because I should be opposed to a formal and complete system of federation that I am opposed to the proposal of the Government; but because it is a burlesque of the principle of federation. I feel humiliated at any government asking any parliament to give their assent to any such proposal as this. We find federations formed in various foreign countries, using the term "foreign" in its technical application. We have the federation of people of the British empire. The first colonies of North America were established unquestionably by the people of England, and they have opened their arms to a large influx of immigrants from England, Germany, Sweden, Ireland, and indeed from all quarters of the world. But there we find a perfect form of federal government, a legislative establishment of two houses, the Senate representing the sovereign states, and the House of Representatives representing the people in proportion to population. If a system of that kind is regarded with favour in this colony, or any other, I should view it as a desirable consummation; but not at the expense of due consideration of the terms of the union, of

what we are to give up and what we are to retain. That great question ought to be definitively and carefully explained in one of the clauses of any bill for an object of that kind. So it is in the United States, where the constitution was established by such men as Hamilton, Madison, Monroe, Jefferson, and Franklin, names compared with which those of Australian statesmen sink into insignificance. Now let us come to the only federal government in existence in the British empire, I allude to that of Canada. Do we there find such an execrable proposition as that made at the convention in Sydney. The main ground for the establishment of the union of the States of North America, now called the United States, was the fear of a war with the mother country. That induced the first thirteen states to federate. With regard to Canada, for a long time before the Dominion Act passed, there was a great difficulty in securing united action in that colony. Upper Canada was colonised by people born in the United Kingdom, while we know that Lower Canada was colonised in an overwhelming degree by a different race—the old French colonists, who established themselves 150 or 200 years ago. In the process of time it was found difficult to govern Canada on account of this difference between the races, and the predominant view of the Imperial Government in attempting to secure a federal union of the Canadas was based on the fact that this difference of race existed. There was, however, not only a difference of race, but also a difference in point of religion. Then it was considered desirable to secure federation with a view to “swamp” (to use a somewhat vulgar term in such a sense) the differences of the two races and bring them into harmony. Then Nova Scotia and New Brunswick were included, and afterwards Newfoundland. Is there any difference of races in Australia? On the contrary we find here homogeneousness in the character of the population, English, Irish, Scotch, and Welsh. What reason can be found in that respect for federation of any kind? I say there is none. An attempt was made by Lord Carnarvon when Secretary for the Colonies to induce the colonies of South Africa to unite in a federal government. It would have been a happy proposition if it could

have been realised, for in that part of the dependencies there were two races. The Cape Colony is British, Natal and the Transvaal were colonised by the Boers, representing the Dutch element. It was a desirable object to secure a federation there, but it has never been carried out. However wise the proposition the people of South Africa have not listened to it, although I think it would be more advantageous to them if they agreed on some terms of union. The subjects in the bill sanctioned by our Government, are, as I have said, insignificant as the materials with which a federation is to deal. Compare them with the subjects dealt with in the act for the federation of Canada. The Parliament of the Dominion of Canada has legislative authority with respect to the public debt and property. Are we prepared to hand over our public debt or participate in the public debt of other colonies, or to hand over our lands, railways, telegraphs, and post office, to a federal government? I maintain that, unless you do, you do not establish a federal government worthy of the name. I object to the surrender of the control of our public lands or of our railways. It has always been held that the federal government should have control over the public lands in the United States. The Government there do not construct railways as in New South Wales and Victoria; and I presume that here no parliament would surrender the control of lands and railways to any federal government, however constituted. Yet that is one of the powers given to the Parliament of Canada. Then there is the raising of money for public purposes by means of taxation. Are we prepared to give up that authority to a federal government? Unless you devolve on them the exclusive right of raising funds by means of taxation you cannot have a federal government worthy of the name. Are the people of New South Wales prepared to submit themselves to a federal government having that power? We might unite for special objects; but not to surrender the general powers of parliament. The next authority enjoyed by the Dominion of Canada is the right of borrowing money on the public credit of the country. Our debt is swelling, and, I presume, will soon equal if not exceed in amount

the debt of New Zealand or that of Victoria, and I also presume that we desire to maintain the good credit that belongs to us. That is a happy thing in one respect, though not in another. Will the Postmaster-General be prepared to surrender his department to a federal government? Military and naval matters, and the control of general arrangements for the purpose of defence, form a desirable object to be dealt with by a federal authority, but in the bill it is not proposed to include them. Currency and coining, the incorporation of banks, the issue of paper money, and the question of legal tender, marriage and divorce,—altogether on twenty-nine subjects of the highest importance to the welfare of any commonwealth, the act authorises the Dominion of Canada to make laws. There is a section defining the power of the provincial legislatures. They have authority to impose direct taxation for provincial purposes,—to borrow money on the sole credit of the province. The provincial parliaments deal with the sale of lands and woods. They took care not to surrender that important question into the hands of the Dominion Parliament. Provincial parliaments deal also with local works and undertakings, except such lines of steam-ships and other ships, railways, canals, telegraphs, and other works and undertakings which connect two provinces, or one or more provinces with others. So under a bill of this kind, when extending a railway into Victoria or Queensland, if a perfect federation were formed, the work, as regards the communication between the colonies, would be a subject for federal control. I do not wish to occupy the time of the House further than to state my objections to two of the resolutions. I object to the 1st because I think it might be a benefit of the highest character that a protectorate should be established in the South Seas, including New Guinea; to the 3rd, because if there is any necessity for a local bill to prevent the landing of escaped convicts from New Caledonia on our shores, our Parliament is quite competent to pass such a measure. But I approve of the 2nd resolution:

That any attempt to establish a federal government having legislative jurisdiction over any two or more Australian colonies is not at present necessary or desirable.

[*Mr. Piddington.*]

That is the only one of the resolutions which I can conscientiously support, because I am satisfied that the people of the country have not had the question of federal government before them. It would be a highly improper act for any government to make a proposition for federal action without consulting the people of the colony on that special subject. Notwithstanding the action of the Attorney-General, I say that if you establish a federal government you must interfere with the independent action of the local parliament; and it is only a question of degree how far you should go in the creation of a federal parliament, and devolve upon that parliament the powers and authorities now enjoyed by the provincial or local legislatures. There can be no two persons in this House who believe that the people of New South Wales are now prepared for the establishment of a federal government, and I think every one who respects federal institutions ought to scout the proposals in the draft bill of the convention.

Motion (by Mr. C. CAMPBELL) agreed to:

That this debate be now adjourned to this day week.

House adjourned at 9·2 p.m.

Legislative Assembly.

Wednesday, 9 July, 1884.

Deputy-Chairman of Committees—Third Readings—Release of a Lumatic—Fire Brigade Regulations—Haulage of Coal on Western Railway—Crown Lands Bill—District Courts Act further Amendment Bill (No. 2).

The CLERK announced the unavoidable absence of Mr. Speaker.

Motion (by Mr. STUART) agreed to:

That Angus Cameron, Esq., Chairman of Committees, do take the chair of the House for this day only.

DEPUTY-CHAIRMAN OF COMMITTEES.

Motion (by Mr. STUART) agreed to:

That Louis Francis Heydon, Esq., do take the chair in Committee of the Whole House for this day only.

parents, as long as their parents held contiguous selections. He intended to vote for the clause, and if it was carried no doubt the Minister would be obliged to make the necessary changes in the bill to enable it to be properly carried into effect. Minors who had selected had been forced to reside on the land, or to make declarations which were not in accordance with the truth. [*Committee counted.*]

Question—That the proposed new clause stand clause 36 of the bill—put, whereupon the Committee divided with the following result :—

Ayes 11 }
 Noes 24 } Majority, 13.

AYES.

Barbour, R. Luscombe, R. C.
 Burdekin, S. Lynd, W. J.
 Copeland, H. Smith, R. B.
 Fremlin, A. R. *Tellers,*
 Gill, J. Hammond, M. J.
 Griffiths, G. N. Proctor, W. C.

NOES.

Abbott, J. P. Merriman, G.
 Brunker, J. N. Quin, E.
 Burns, J. F. Ryrie, A.
 Campbell, G. Stephen, S. A.
 Campbell, W. R. Suttor, F. B.
 Cramsie, J. Teece, W.
 Dibbs, G. R. Trickett, W. J.
 Farnell, J. S. Wilkinson, R. B.
 Fergusson, W. J. Wilson, A.
 Fletcher, J. *Tellers,*
 Holborow, W. H. Chapman, M.
 Loughnan, G. C. Withers, G.
 Melville, N.

Question so resolved in the negative.
 Progress reported.

House adjourned at 12.5 a.m.

Legislative Council.

Wednesday, 16 July, 1884.

Bishophthorpe Estate: St. James's School—Third Readings
 —Dillon's Estate Bill—Sydney Tramways: Decision of
 Privy Council on Appeal—Chairman of Committees
 —Additional Conditional Purchases Declaratory Bill
 (second reading)—Federation: New Guinea—City
 Bank Act Extension Bill—Stirling's Trusts Bill—Consolidated Revenue Fund Bill (No. 8).

The PRESIDENT took the chair.

BISHOPHTHORPE ESTATE: ST. JAMES'S SCHOOL.

Mr. STEWART asked the REPRESENTATIVE OF THE GOVERNMENT,—(1.) Are the rents of the Bishophthorpe Estate collected

or received by any officer of the Government? (2.) If so, what duty has Government to discharge in connection with that estate, and by what authority is the duty imposed? (3.) What did the rents amount to during the vacancy in the see of Sydney, and to whom will the amount be paid? (4.) What was the value of the property occupied by St. James's Church of England School at the time it was resumed by Government, and to whom was the value paid?

Mr. DALLEY answered,—(1.) No. (2.) None. (3.) The Government has no information. (4.) The amount is £33,209. It has not yet been paid, payment having been deferred by arrangement in the absence of any authority competent to execute a release to the Government.

THIRD READINGS.

Cootamundry Roman Catholic Church Land Sale Bill.

Boorowa Roman Catholic Church Land Sale Bill.

DILLON'S ESTATE BILL.

Bill referred to select committee for consideration and report, on motion by Sir Alfred Stephen.

SYDNEY TRAMWAYS: DECISION OF PRIVY COUNCIL ON APPEAL.

Mr. THORNTON asked the REPRESENTATIVE OF THE GOVERNMENT (*without notice*),—Referring to an important telegram which appeared in the evening papers of yesterday and in the morning papers of to-day, relative to a decision by the Privy Council in reference to the use of steam-motors on tramways in the streets of Sydney, confirming the judgment of the full Supreme Court here, that it was illegal, can the honorable and learned member inform the House whether the Government are in possession of any information confirming or otherwise the said telegram, or will he give such authentic information as it is in his power to supply?

Mr. DALLEY answered,—The Government has received a telegram on the subject from the Agent-General which does not confirm the telegram to which the honorable member refers; on the contrary, it states that the Privy Council did not hold the use of steam-motors to be illegal, but dismissed the appeal on the ground of negligence having been established.

CHAIRMAN OF COMMITTEES.

Motion (by Mr. DALLEY) agreed to :

That during the absence of the Chairman through illness the chair of Committees of the Whole be taken by the Honorable W. R. Piddington.

ADDITIONAL CONDITIONAL PURCHASES
DECLARATORY BILL.

SECOND READING.

Mr. DALLEY rose to move :

That this bill be now read the second time.

He said : This measure is rendered necessary in order to correct a supposed error in legislation, which, if it is permitted to exist, will prejudicially affect some three millions of acres of conditionally purchased lands. In a case recently tried in the Supreme Court it transpired that a conditional purchase of more than 280 acres having been made under the 13th section of 25th Victoria No. 1 (the Crown Lands Alienation Act of 1861), and an additional selection having been made under the 21st section, which made the total area greater than 320 acres, it was said that such additional conditional purchase was illegal, because under the last section referred to 280 acres was the maximum area in virtue of which an additional conditional purchase could be made. The 21st section was in these words :

Conditional purchasers of portions of Crown lands under sections thirteen and fourteen of this act not exceeding two hundred and eighty acres or their legal alienees may make additional selection of lands adjoining to the first selection or to each other but not otherwise and not exceeding in the whole three hundred and twenty acres and subject to all the conditions applicable to the original purchase except residence. * *

Honorable members are aware that by the 29th section of 39 Victoria No. 13 (the Lands Acts Amendment Act 1875), the maximum area of conditional purchases was enlarged to 640 acres. That section was in these words :

Not more than one selection of land shall be applied for by one person as a conditional purchase on the same day and the maximum area of land which any person may at one time apply for and of which he may become the conditional purchaser together with that which he may subsequently acquire by way of additional selection as also the maximum area of land to be sold by auction in any one lot shall be six hundred and forty acres. * * * * *

The legislature, of course, intended to enlarge the operation of the act of 1861 ; but if the view of the law recently taken is correct there has been a failure to

accomplish their object. It consequently becomes necessary to remove any doubts on the subject, and to declare the law relative to additional conditional purchases in certain cases. This is done in this bill by a single clause which was immediately and unanimously passed elsewhere.

Question proposed.

Mr. PIDDINGTON : In reference to any free selector or his alienee who has taken up a conditional purchase under the act of 1875 amending the act of 1861—for example, has taken up 400 acres, paid the balance of the purchase-money, and obtained a deed signed by the Governor—would the decision of the Supreme Court have a retrospective effect so as to invalidate a deed granted under the great seal of the colony ?

Mr. DALLEY, in reply : It was not a decision of the Supreme Court, but a dictum by one of the judges, who expressed the opinion that it was desirable to have the doubt removed.

Question resolved in the affirmative.

Bill read the second time, reported without amendment ; report adopted.

FEDERATION: NEW GUINEA.

Debate resumed (from 9th July) on motion by Mr. Stewart :

That this House is of opinion :

(1.) That the annexation, appropriation, or conquest of New Guinea by any government, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

(2.) That any attempt to establish a federal government, having legislative jurisdiction over any two or more Australian colonies, is not at present necessary nor desirable.

(3.) That considering the many criminals who have recently reached Australian territory, it seems expedient that an act of the legislature should prohibit the influx of escaped or emancipated convicts into any part of this colony.

(4.) That the foregoing resolutions be communicated by address to the Governor, with a request that his Excellency will be pleased to forward a copy of the same to her Majesty's Secretary of State for the Colonies.

Mr. C. CAMPBELL : The resolutions before the House seem to me as they appear to other honorable members, to be contradictory, and we might apply to them the words "*Non bene junctarum discordia semina rerum.*" I should have felt disposed to move the previous question had not the Attorney-General thought it right to take

notice, in a very eloquent speech, of the question whether a federal government or federal council is required by the colonists. I shall invert the order of these resolutions, and speak first on the one which is set down as 3rd :

That, considering the many criminals who have recently reached Australian territory, it seems expedient that an act of the legislature should prohibit the influx of escaped or emancipated convicts into any part of this colony.

Why the honorable member should have introduced this resolution I am at a loss to conceive, because, turning to the resolutions adopted by the convention, I find the 6th to be this :

That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relaxed criminals to the French possessions in the Pacific, and urges her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia.

I do not see that we could add to the force of that resolution, coming from gentlemen who were considered to be the representatives of the whole Australasian colonies. It would have more weight given to it by their adoption than if it were passed by the Legislative Council of one of the Australian colonies, and that colony New South Wales. I am not at all surprised at the scare that has been produced in the Australian colonies generally by the introduction of a great number of French criminals to a place so near to us as a French colony in the Pacific. It appears to have escaped the notice of most persons that this step on the part of the French Government is really a compliment—whether it was so intended or not—to the English system adopted in past years. I quite concur with the honorable member, Mr. Piddington, in his praise of the assignment of convicts as the best secondary system of reformatory punishment, and any one who has read the reports of the French navigators who had been in New South Wales must be aware that they brought under the notice of their government in the strongest terms the great efficacy of the system originally adopted in this colony. So that in fact the French Government when they resolved on the establishment of this penal settlement were treading in the steps of the English, and they would not, therefore, be prepared to expect so strong a

13 x

Chas. Campbell.

feeling of opposition on the part of British colonists as we know has been called into existence. I quite agree with that feeling, having, like the honorable member, Mr. Piddington, been a member of the first committee on the subject of transportation to this country, who waited on the then governor with a protest against the continuation of the system ; but it was not from an abhorrence of the system, but because I, like Mr. Wentworth and many others, thought this colony had outgrown that state when such a system could with any advantage be continued. I am still of that opinion, and with the honorable member, Mr. Piddington, I wondered that the British Government did not then establish a penal settlement in Australia, but at a distance from the other colonies. It would have been impossible to carry on a penal system in a colony when public rights and liberties had been fully extended to that colony. That was a strong argument against the continuation of transportation to New South Wales. The very strong objection originally urged by Lord Bacon against the exportation of criminals to a new country must naturally exist in a stronger degree on the part of English colonists to the introduction of great numbers of French criminals to a place so near to them. It is not, therefore, on the ground of my differing from the view expressed in the 3rd resolution that I should object to it, but because I think the expression of opinion contained in it would be utterly useless. For that reason I should be inclined to move the previous question. I now pass from that to come to the 1st resolution :

That the annexation, appropriation, or conquest of New Guinea, by any government, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

I do trust that this Council will not stultify itself by the adoption of such a resolution as this. Apparently the honorable mover is inclined to say with the cynical Tacitus, "*Quanto plura recentium seu veterum revolvo, tanto ludibria rerum mortalium cunctis in negotiis observantur,*" which may be rendered thus : The more I revolve in my mind the doings of the ancients or moderns the more absurdity and folly do I observe in all human affairs. This appears to have been the

Second night.

leading idea of the honorable member in moving the resolutions. I need not, I am sure, point out to honorable members who have at all read up the subject of international law that the statement contained in the resolution is entirely opposed to the tenor of that law. The only true law—the only perfectly pure law—was what ancient lawyers called the “law eternal,” but as that was known only to those blessed spirits who stood before the throne of the eternal the term is applied to an inferior kind of law. The second best law was what we call the “law of nations,” which is to a great extent an invention of modern times. I quote from an American writer (Kent):

The law of nations is the offspring of modern times; for the most refined states among the ancients seem to have had no idea of the moral obligations of justice and humanity between nations; and there was no such thing in existence as international law. They considered strangers and enemies as nearly synonymous terms. We, however, regard states as moral persons, having a public will, capable of right and wrong, and free to do either; being merely collections of individuals, each of whom carries with him, into the service of the community, the same binding law of morality and religion which ought to control his conduct in private life. So far as founded on the principles of natural law, the law of nations, as we have seen, is equally binding in every age, and upon all mankind. But the Christian nations of Europe and America, by their superiority in the arts of civilisation, as well as in policy and government, and above all, by the brighter light, the more certain truths, and the more definite sanction which Christianity has communicated to the ethical jurisprudence of the ancients, have established a law of nations peculiar to themselves. They form, together, a community of nations united by religion, manners, morals, humanity, and science; as well as by the mutual advantages of commercial intercourse, and by the habit of forming alliances and treaties, of interchanging ambassadors, and recognising and studying the same writers and systems of public law.

Now, according to this international law, what we are asked to state in the resolution before us is utterly contradictory to what has long been held among nations, namely, that if a country was found in which the people were so savage that they were regardless of what we call international law, they were placed beyond the boundary of civilised men, and those who discovered the country had a right to occupy it; hence the practice of hoisting the flag of a nation in any country so discovered. If, therefore, we were to pass a resolution

[*Mr. C. Campbell.*

to the effect that the annexation, appropriation, or conquest of New Guinea would be widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island, we should be contradicting the international law of Europe. I do not think I need dwell longer on this subject, as both speakers who preceded me have gone over the same ground. I should not, therefore, have dwelt further on it had not the honorable mover taken upon himself to denounce the employment of missionaries, and, as far as I could gather, stating that instead of rendering any benefit to the natives of any new-found isle, they actually inflicted moral if not physical evil on them. The honorable member seemed to have adopted as his text the lines of Pope, which were certainly written in a satirical way:

Lo, the poor Indian! whose untutored mind
Sees God in clouds, or hears Him in the wind;
His soul proud science never taught to stray
Far as the solar walk or milky way.

It appears to me that the honorable gentleman is under the impression that this is a disadvantage rather than a benefit to men. How it could be possible that we in this hemisphere, remembering what has been done by Christian missionaries towards the civilisation of the world—by the Jesuits in Brazil, the Portuguese missionaries in East India, Marsden in New South Wales, the Wesleyans in the Fijis, the martyrs Williams and Patteson (that naval hero Goodenough may be included)—how in this southern hemisphere we could venture to assert, as the honorable mover did, that missionaries inflicted moral if not physical evil on the persons amongst whom they work, I am at a loss to conceive. What does the missionary teach? He gives them a hope that raises men above the material world. It is the hope of something far better than what we have here in this world that is held out to us. It is not what we shall have or what we shall become. It is something so raised above the present base nature of man that the very conception of it, the very hope, is calculated to improve him in purity; and it is not merely a theory upon which we base our defence of Christian missionaries, it is on the facts now before us. Look at the state of Fiji and at the state of New Zealand for many years after Cook discovered them. Contrast their cannibalism

and their barbarous rites and the state of their existence then with what is described as existing now, by Miss Gordon Cumming, who says that family after family can be seen conducting family worship with an ardour not excelled even in Scotland. Is it not a miracle that people in a state of cannibalism should have been converted into a God-fearing race; that they should be brought to a knowledge of the dominion of Christ and to live as Christians live in Europe? I do not deny that there is another view to be taken of the subject. I believe that by an inscrutable law of our being any body of men who have been separated from civilisation, who have fallen below a certain point of civilisation for instance—who have lost the use of letters,—I believe that that fragment of humanity, although they may be again brought into contact with civilisation, will never regain the position in the great family of men which they have lost. I believe I am correct in stating as a student of history, that there is no instance on record of such a fragment, after having once been broken off, regaining the status of civilised men. In the case of the aborigines of this country, and also of New Zealand and the Sandwich Islands, it would seem that the same mysterious law of our being produces this result: that when those savages once adopt our habits they die off, as the zebra would if you took it out of its wild state and attached it to an omnibus in our streets. But that is no reason why we should treat with cruelty those savages who have become subject to this unhappy fate; on the contrary, it is the more our duty to protect them, looking upon them as orphans, or as persons not of age, who ought to be cared for by their more enlightened brethern. I have thought it due to say this much in answer to what has been stated here with reference to the missionaries, of whom the mover of the resolution has spoken so slightly. The 2nd resolution to which I shall now refer is as follows:—

That any attempt to establish a federal government having legislative jurisdiction over any two or more Australian colonies is not at present necessary nor desirable.

The Attorney-General in the course of his eloquent speech the other night showed that the Government of New South Wales had not been peculiarly responsible for the

course adopted by what is called the convention. I admit that I do not like the word convention. I believe the honorable and learned gentleman does not like it himself, and it was not introduced by the representatives of New South Wales. I think that a great deal of misconception would have been avoided if the assemblage had been called a conference. I have before me the speech delivered by the Honorable James Service, Premier of Victoria, on the 19th of last month, and I must admit, differing as I do from that honorable gentleman and from those who are in favour of federal government, that I see a good deal to admire in that speech. I think it a very reasonable speech, and viewed from his point of view quite unobjectionable. The 1st of the resolutions which that honorable gentleman stated had been adopted at the Australian convention is as follows:—

That further acquisition of dominion in the Pacific, south of the equator, by any foreign power, would be highly detrimental to the safety and well-being of the British possessions in Australasia, and injurious to the interests of the empire.

I do not say that I should have adopted that resolution in its entirety. I think it was going rather beyond our province to pass such a resolution. I agree with the mover on one point. I cannot help thinking that those who are so much in favour of federal government are looking forward to a great Australasian republic; they are really indifferent to the fact that we are members of that powerful state under whose protection we have the happiness to live—the state called England, Scotland, and Ireland. As long as we have the happiness to be colonies under the dominion of her Majesty Queen Victoria there really is no necessity for a good deal of what has been said on the subject. The 3rd resolution of the convention is as follows:—

That having regard to the geographical position of the island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this convention, while fully recognising that the responsibility of extending the boundaries of the empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently

and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto, as is not claimed by the Government of the Netherlands.

I think it would have been impossible to have constructed a fairer, a more moderate, or a more reasonable declaration than the one I have read. The next resolution says :

That although the understanding arrived at in 1878 between Great Britain and France, recognising the independence of the New Hebrides, appears to preclude this convention from making any recommendation inconsistent with that understanding, the convention urges upon her Majesty's Government that it is extremely desirable that such understanding should give place to some more definite engagement, which shall secure those islands from falling under any foreign dominion ; at the same time the convention trusts that her Majesty's Government will avail itself of any opportunity that may arise for negotiating with the Government of France, with the object of obtaining the control of those islands in the interests of Australasia.

I do not see how we could object to a line of that resolution. The 5th resolution says :

That the governments represented at this convention undertake to submit and recommend to their respective legislatures measures of permanent appropriation for defraying, in proportion to population, such share of the cost incurred in giving effect to the foregoing resolutions as her Majesty's Government, having regard to the relative importance of imperial and Australasian interests, may deem fair and reasonable.

I do not see that a fairer or a more moderate resolution could have been drawn than that. Now I come to the 6th resolution :

That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands.

I must say that that resolution is a little stronger than I should have been able to subscribe. I do not for a moment see how the British Government could protest against the French Government sending criminals to an island belonging to France, so long as the French Government take sufficient pains to keep the prisoners in that island, so that we shall not be exposed to an inundation of them in the Australian colonies. I do not think that we could protest against the French Government doing what we ourselves have so often done. Transportation is a very ancient punishment in England, and the American

[*Mr. C. Campbell.*

colonies were in a great measure formed by transportation from England and various parts of Europe. The 7th resolution is :

That the convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient.

That is a hope which sanguine persons may indulge in ; but to which I have nothing whatever to say. Then the final resolution requests his Excellency to forward for adoption the bill prepared by the convention to the Secretary of State. I believe that this last resolution has been carried by a great majority, if not unani- mously, in the Legislative Assembly of Victoria. I shall be very sorry to see such a resolution passed here. I presume that a resolution of this kind will be submitted to the two houses here, and I, for one, should be disposed to oppose it strongly. The honorable member, Mr. Piddington, pointed out in his address many objections to it ; I am not quite certain that we have before us the exact shape which the resolution would take. Therefore, we do not know exactly what we are asked to pass. It appears to me that instead of a federal government, those honorable gentlemen who drew out the resolutions must have had in view the ancient Amphictyonic Council of Greece. I cannot find anything which so closely resembles the Amphictyonic Council, which represented eleven states, and sat alternately at Thermopylæ and Delphi, as the body proposed by the convention to be established. I do not think that such a council would do any good in Australia. It appears to me that it would be absurd to think of establishing such a body. It seems impossible that a country as large as Europe, and we include New Zealand, Tasmania and the neighbouring islands, could be governed by a body resembling the ancient Amphictyonic Council of Greece. An attempt, however, may be made to establish such a body. As I have said before, I cannot help thinking that there is a republican tendency shown in the proceedings of the convention, and during the last few months I have noticed that our ministers, who formerly styled themselves servants of the Crown, now

speaking of themselves at the various convivial gatherings taking place throughout the country as the servants of the people, and say they are ready to do whatever the people direct them to do. I suppose this is one of the indications of the coming great Australian republic. We have some reason to regret that this imbroglio with France has occurred under the present Ministry. When we think of Egypt and the state of the Pacific at the present moment we may well regret the death of Lord Beaconsfield. I am almost inclined to apply to him the lines addressed by Sir Walter Scott to the great Pitt :

Hadst thou but lived, though stripp'd of power,
A watchman on the lonely tower,
Thy thrilling tramp had roused the land
When fraud or danger were at hand ;
By thee as by the beacon light
Our pilots had kept course aright,
As some proud column though alone
Thy strength had propp'd the tottering throne.
* * * * *

Oh, could we but apply Sir Walter's words in memory of Pitt's rival and successor to him who now occupies Beaconsfield's place!

Record that Fox a Briton died !
When Europe crouch'd to France's yoke,
And Austria bent, and Russia broke,
Even then dishonor's peace he spurn'd,
The sullied olive-branch return'd,
Stood for his country's glory fast
And nail'd her colours to the mast !

Unhappily is it not true that in England's greatest orator we find a resemblance to the great orators of Greece and Rome, Demosthenes and Cicero, especially the latter, of whom it may be said that at the greatest crisis of his country's history he exhibited a most painful and humiliating spectacle of doubt, vacillation, and timidity, together with an utter absence of all singleness of purpose and a lamentable want of moral firmness? Alas that this should be said of that Cicero who wrote those glorious words :

Nulla enim vitæ pars, neque publicis neque privatis, neque forensibus, neque domesticis in rebus, neque si tecum agas quid, neque si cum altero contrahas, vacare officio potest ; in eoque colendo sita vitæ est honestas omnis, et in negligendo turpitudò.

Mr. STEWART rose to order. There was a law prohibiting the use of any language except English in Parliament, which he believed was passed in George the Second's reign.

Sir ALFRED STEPHEN : It relates only to acts of Parliament.

The PRESIDENT : They quote Latin and Greek to a very large extent in the Imperial Parliament.

Mr. C. CAMPBELL : I have stated my views with regard to the resolutions, and as I have remarked I hold in utter abhorrence the idea of a premature separation of this colony from Great Britain. I have spoken warmly ; but I think that honorable members will concur with me when I say that I hope that the fair plant of freedom, or rather that the stately tree of the British Constitution, which has been for ages the boast of our favoured mother isle, which was watered by the rich blood of patriots and martyrs, and fostered and reared and brought to maturity by the labour of sages and saints and statesmen, will still long flourish the admiration of the world, and that under the protection of its wide-spreading branches our children and children's children may dwell in security and peace. I beg to conclude by moving the previous question.

Question proposed—That the question be now put.

Mr. A. CAMPBELL : I do not intend to detain the House long while I give my reasons for the vote which I shall give upon the resolutions. I have no hesitation in saying with regard to the first resolution that it does not, in my opinion, express the public sentiment. I think the first resolution is not at all in accord with what we know to be the sentiments of the people of this colony. If it were otherwise I do not think that this is the place, or that this is the time to adopt a resolution of that kind. My own opinion is that the annexation of New Guinea by the Imperial Government would be a step highly advantageous to the empire, and greatly to the advantage of these colonies. I do not think there are many persons in the colony who will dispute that. With regard to the meaning of the resolution, I suppose it is intended to apply to the British Government, not to a foreign government. I do not suppose the mover is so foolish as to ask us to pass a resolution which is intended to apply to a foreign government. I suppose the intention is that an intimation shall be conveyed to the Imperial Government that they are not to take or annex, or establish a protectorate over, the island of New Guinea. I shall vote against this resolution on the

Second night.

ground that it is not desirable to pass it, and because I do not think that it expresses the sentiment of the public in reference to the question. With reference to the second resolution I am not in accord with my honorable friend, Mr. Piddington, and with others who think that no attempt should be made to arrive at a federation of the colonies. I will not undertake to lay down the precise form of federation with which we should commence; I am not sure that those who have paid very great attention to the subject are prepared to do that; but I do say that necessity has arisen for these colonies to combine together in order that certain laws for the benefit of the whole of them may have uniform operation among them. I shall not now discuss the bill which was adopted by the conference—it is not before us, and I do not think that much good can be gained by discussing its provisions; I do not think, however, that the proposal of the conference with reference to the first steps which should be taken to secure federation is desirable. I can conceive that it would be possible for the five colonies of continental Australia to arrive at an agreement with reference to some of the purposes indicated in the bill; but I doubt whether we should find that that agreement would be shared by the island colonies of Tasmania, New Zealand, and Fiji. I think it would be well, therefore, if any attempt to bring about federation were confined in the first instance to the five continental colonies. I do not wish for a moment to cast any reflection upon the action of the conference in inviting the assistance of delegates from the island colonies—that course was perfectly right and proper. With reference to the legislative authority which it is proposed to confer on the federal council, I think the purposes indicated by the 15th clause are, for the most part, perfectly practicable. I shall not say much with reference to the first object named in the clause, because I really do not understand what the words mean; but no one can deny that the prevention of the influx of criminals, matters connected with fisheries in Australian waters, the service of civil process in the different colonies, the enforcement of the judgments of courts of law and of criminal processes beyond the limits of the colonies in which they

[*Mr. A. Campbell.*

are issued, and the other matters referred to in the last part of the clause, such as general defences, quarantine, patents of invention and discovery, copyright, uniformity of weights and measures—no one can deny, I say, that these matters can be advantageously dealt with by a federal council; the whole of these matters can be dealt with far more readily by the council than they could be dealt with by the legislatures of the respective colonies. The whole of the matters which I have named are such as could not be dealt with in a uniform manner by the different parliaments. For my own part I should be content with a very small beginning in any arrangements the ultimate effect of which will be to bring about the federation of the colonies. I do not quite despair of seeing the day arrive when the five continental colonies of Australia will be in a position to agree to a common tariff, and when the custom-houses on our borders will be abolished; I do not think that that is an event which is so very distant. I am satisfied that the fiscal condition of none of the colonies will be placed on a satisfactory footing until some such arrangement is carried out. For these reasons I quite agree with the second resolution. I should have felt inclined to vote for the third resolution if it had been placed before us in a more specific form, and if it had been placed before us by the Government; but I do not think that we should take action upon such an important question at the instance of a private member. If we are to speak out at all with reference to the question of the deportation of criminals from France to New Caledonia, we must speak out with precision—we must say what we mean. The resolution in the terms proposed by my honorable friend would have no effect whatever—no notice would be taken of it by the French authorities; they would not allow their course to be influenced by it. If the Government were to propose a resolution dealing with this question, and if such a resolution were adopted—and I have no doubt it would be—by both houses of the legislature, I believe that it would have due weight both with the imperial authorities and with the French Government. I quite agree with the principle of the 3rd resolution; but I do not see my way to vote for it.

Mr. OGILVIE : It is my intention to vote against the resolutions ; and I feel that it is incumbent upon me to give some reasons for so doing. I wish in the first instance to address myself to the 1st and 3rd resolutions. I should not have so much difficulty in voting for the 1st resolution if we were dealing with the abstract proposition as to whether New Guinea should be for the New Guineans, or whether steps should be taken to convert it into a British colony. Justice would at once reply, "By all means let the island be for the New Guineans." But that is not the question ; our experience in the past should be sufficient to convince us that the question which we have in reality to face at the present time is rather whether New Guinea shall be annexed by Great Britain or shall be allowed to be annexed by some other European power. The question which we have practically to consider is whether the annexation of the island by Great Britain would be the means of inflicting greater injury upon the native inhabitants than would be the case if the island were annexed by some other power. The House will remember that Great Britain was very reluctant to take possession of Tahiti ; its inhabitants were known to be an interesting people, and it was thought that they were capable of great culture and improvement ; our refraining from taking possession of that island, however, led to its being annexed by another power. The same course was taken with reference to New Caledonia ; the British Government were urged to take possession of that island, but they declined to do so ; consequently, New Caledonia fell into the hands of France. I have not the slightest doubt that the same course of events will follow in the case of New Guinea if that island be not annexed by Great Britain. Believing, as I do, that that island cannot remain for any length of time in the hands of its present inhabitants, I shall record my vote against the 1st resolution. I think that too much has already been said with reference to the question dealt with in the 3rd resolution ; I must say I quite agree with my honorable friend, Mr. Charles Campbell, that in making such frequent and strong representations with reference to the deportation of criminals to the islands of the Pacific we are making great demands upon

the good nature and friendly feeling of the nation to whom these protests have been addressed. We know that the Imperial Government has made serious representations to the French authorities with reference to this matter, and I think it is far better that the question should be left in the hands of these two European governments than that this continual nibbling at the question by bodies of inferior status should be continued. I think it is very much to be regretted that there should be such a frequent recurrence to the question on the part of the agents-general, and that such threatening language should have been used in some of the Australian colonies ; the only effect of such a course will be to render any concession on the part of France more improbable than it otherwise would be, and to increase the difficulties of the Imperial Government. We have been told that the Federal Council Bill formulated by the so-called convention which met in Sydney is not to be regarded as a serious step towards the establishment of a federal government ; but it is impossible to read speeches which have been delivered in the Legislative Assembly of the neighbouring colony of Victoria without seeing that in that colony the question is regarded from a very different stand-point ; it is evident from these speeches that the establishment of this council is regarded as the first, and a very decided step towards the establishment of a federal government. It is assumed in Victoria that if the bill formulated by the convention should receive the sanction of the Imperial Parliament federal government will to a certain extent be thoroughly established. The 22nd clause of the bill provides :

If in any case the provisions of any act of the council shall be repugnant to, or inconsistent with, the law of any colony affected thereby, the former shall prevail, and the latter shall, so far as such repugnancy or inconsistency extends, have no operation.

Let us see what description of body this federal council will be if constituted in accordance with the proposals contained in the draft bill of the convention. The 30th clause says :

This act shall not come into operation in respect of any colony until the legislature of such colony shall have passed an act or ordinance declaring that the same shall be in force therein, and appointing a day on and from

Second night.

which such operation shall take effect, nor until four colonies at the least shall have passed such act or ordinance.

It is evident that the bill may be brought into operation by the action of four colonies. The bill provides that each of the colonies having representative Government shall send two representatives to the council and that each Crown colony shall send but one representative; the federal council, therefore, cannot be composed of more than fourteen members. But let honorable members observe that four colonies may bring the bill into operation, and as a quorum is constituted by the presence of a majority of the representatives of the colonies with respect to which the bill is in operation we may have four members of the council overruling the acts of no less than four of the Australian colonies; that is to say, if the colonies represented consist of two Crown colonies and two colonies containing representative government. To my mind that proposition is simply monstrous and cannot be defended. The Attorney-General mentioned by way of illustration of the efficacy of the proposed federal council that the Imperial Government had taken action with reference to the French convict question upon receiving a report of the proceedings of the so-called convention which met in Sydney; it seems to me, however, that the honorable gentleman's illustration is not worth very much, because, even at the present time there is no federal council in existence. With reference to the 15th clause of the bill, enumerating the matters which it is urged may be satisfactorily dealt with by a federal council, I should like to say a few words. The prevention of the influx of criminals I think is a subject which may be dealt with by a conference of the colonies who are interested in the matter; I do not see why such a conference should not deal with the question as satisfactorily as a federal council. "Fisheries in Australian waters beyond territorial limits" is a subject which does not require a federal government to deal with it. The several governments may assist each other and form regulations by means of conferences to prevent intruders coming into these waters without resorting to federal government. Nor is it necessary in order to provide for civil process of the

[*Mr. Ogilvie.*

courts as between the colonies. Surely that can be done by correspondence of the governments with each other in order to come to an agreement. At any rate if it were not agreed to by correspondence it would not be a subject requiring federation in order that it may be dealt with. "The enforcement of judgments of courts of law of any colony beyond the limits of the colony" is another matter which would be quite feasible and easy to arrange by means of intercolonial conference. For "the enforcement of criminal process and extradition" surely it is not necessary that a federal government should be established. The more I look at the proposal for a federal bill the less I like it. What can be attained by a federal council can be attained as easily without it. Going beyond this question of a federal council I do not think the time has arrived when federal government would be desirable or be an advantage to the colonies generally, or to this colony at any rate. If we should be threatened by invasion or should find an enemy on our borders federation may be necessary, and when such a state of things arises federation could be brought about without much delay. Having explained my reasons for the course I intend to take I have only to add that I shall vote against the resolution as a whole.

Mr. PIDDINGTON: It is deeply to be regretted that on a question of this high importance so many members of the Legislative Council consider it their duty to absent themselves, as the bare state of the benches attests. It is true that the question of the federation of the Australian colonies is not so great a question as to enlist the interest of every well-wisher of this country as intensely as would the federation of the empire; but the question brings along with it matters of the very highest import to the inhabitants of the various colonies of Australia, and when the question is raised many members of the Council are conspicuous by their absence. I have been in favour of the Legislative Council being constituted by election, and having imbibed that idea thirty years ago, my experience certainly has been of such a nature as to confirm rather than to change that opinion. Were the Chamber elective we should find a larger number of members present than are here now. I

have seen far more members present when a paltry private bill to enable church authorities to sell or exchange land had to be dealt with. I am glad that the Constitution provides that at least one Chamber of our legislature shall be elective, for whatever may be done here an elective chamber would never pass such a proposition as that which was submitted to the conference of delegates in December last. I am gratified at the proposition made by the honorable and learned member, Mr. C. Campbell, and with a great portion of his speech I feel it my happiness to agree. He even quoted for our edification a reference to the Amphictyonic Council in ancient Greece. Yet he is not prepared to give his vote on the question before us for the establishment of some such council as that. He descended to what appears to be a deplorable view when he proposes to meet these resolutions by moving the previous question, which means that the House is not in a position or does not desire to express an opinion on the question mooted. This appears to be a mark of timidity. What are the facts of the case? This so-called convention met in Sydney in December, 1883, and now we are in July, 1884. Seven months has the Council held its sittings before the Government invite them to express an opinion on this great question—aye or no. Parliament has been in session ever since the conference assembled, yet the Government have not thought proper to invite an opinion on the result of its labours. When the conference was held neither the parliaments of Queensland, Victoria, South Australia, New Zealand, nor the legislature of Western Australia were in session; but they have not shirked their duty on this great question, as our Government with a parliament in session has done. The honorable member, Mr. A. Campbell, asked how it was possible to get the assent of the authorities of Australasia against the influx of criminals from New Caledonia unless we have federation. Was there ever a greater *non sequitur* than this? The honorable member's idea of federation is like the play of "Hamlet" with the character of "Hamlet" omitted. I maintain that any form of a federative parliament would be utterly inadequate and unworthy of the name that was not enabled to levy taxes and duties for the support of

the federation so formed. Are we to hand over—and that is the object of the members of the convention—all the numerous privileges and rights of local parliaments to a mere council of fourteen members? The thing is so utterly absurd that I am surprised it is not scouted from the minds of all. Having this morning looked at the speech of Mr. Service, I find that he began his explanation in the Parliament of Victoria by alluding to the number of topics on which the federal parliament would have a right to legislate. He numbered them from one to ten, and he says that if we cannot get the ten let us get the three so as to make a beginning, showing that he has no adequate idea of what should be a federal parliament, but that he desires to substitute something called a federal council, without true federative characteristics or functions. It is thought that recently I spoke in terms of disparagement of the Exeter Hall party; on the contrary, I consider that it consists of some of the best and ablest men in England. They were honorably connected with the emancipation of many thousands of slaves in the West Indies; among them were such philanthropists as Clarkson, Wilberforce, Buxton, and Zachary Macaulay; and Daniel O'Connell was an able supporter of the party in their efforts for the abolition of slavery. I have regarded with a respect almost amounting to veneration this party called the Exeter Hall party, and I could never have felt it possible for me to speak of them in derogatory terms. The party has high philanthropic purposes, not being slavish politicians, looking out for places, but men of the highest character. Now the main question is, "Is the present proposition out of time?" Is it not time the Council expressed some opinion for or against it, seeing that seven months have elapsed since the transactions which gave rise to it? The Government ought to have dealt with it before. Two months after the conference Victoria dealt with the question, and I cannot see on what ground our Government can excuse their want of duty in not submitting this question at an early date. They have certainly had an engrossing subject, the Land Bill, to deal with; but that has not been in this House, where resolutions on the question of federation might have been submitted, as there have

Second night.

been occasions when the Council had little business to transact. Something has been said in the Assembly by a gentleman who is a general supporter of the Government. Mr. Heydon, I find, four months ago raised the question of the proceedings of the conference by a distinct resolution. Yet it is considered too soon for the Legislative Council to consider the question in July. Mr. Heydon, on the 25th March, proposed :

(1.) That as the proceedings of the delegates at the late Intercolonial Conference, including the Federal Council Bill prepared and sent by them to the Secretary of State for the Colonies for enactment in the British Parliament, have not yet been submitted to this House for its consideration, and it is stated in the London telegrams that the British Cabinet is about dealing with the said bill,—This House resolves that, in its opinion, it is desirable before the said Federal Council Bill, or any bill based upon it, be passed into law by the British Parliament, that such bill should be submitted to the Parliament of this colony.

Are we to have a bill submitted here before the British Parliament takes action to deal with an enabling bill? The Legislative Assembly says that before the Federal Council Bill, or any bill based on it, be passed by the Imperial Parliament to authorise the establishment of a federal council for the Australian colonies, such bill should be submitted to the Parliament of this colony. That is the right course to adopt. When our Constitution was initiated it was the subject of prolonged consideration by very able men who represented the country in 1851; but that was before the Imperial Parliament took the question in hand in any way whatever. The bill was, indeed, sent to the Imperial Government, with the request that they would take such steps as were necessary to give it effect, and they did take them. The bill passed in the colony was adopted with very few variations from its text as passed here. It is a pity they did not then make our Legislative Council an elective body. It shows a lamentable want of patriotism to move the previous question at this period of the session. Does not the honorable member perceive that the Government must bring down resolutions—and why not deal with the subject now? What, in the name of public principle, is there to justify the House in sliding over and abandoning the consideration of the question by adopting the pusil-

[*Mr. Piddington.*

lanimous proposal to say nothing about it? Whether the Legislative Council is comprised of nominated or elected members, it has the same duty to the country as that devolving on the Legislative Assembly, namely, to give a vote according to their consciences. Yet honorable members here appear to shirk even the consideration of the matter. It is due from the Council to rise to the grandeur of the question, and to deal with it in some logical form based on sound principles. I move :

That the debate be now adjourned.

Motion agreed to ; debate adjourned till Wednesday next.

CITY BANK ACT EXTENSION BILL.

Bill received from the Legislative Assembly, and read the first time.

STIRLING'S TRUSTS BILL.

Bill received from the Legislative Assembly, and read the first time.

CONSOLIDATED REVENUE FUND BILL (No. 8).

Bill received from the Legislative Assembly, and read the first time.

Motion (by Mr. DALLEY) agreed to :

That so much of the standing orders be suspended as would preclude the passing of the bill through all its stages at one sitting of the Legislative Council.

Motion (by Mr. DALLEY) proposed :

That this bill be now read the second time.

Mr. PIDDINGTON : I did not expect a supply bill to be brought in so early in the month. I should like to know whence the money for the expenditure is derived, and how the government of the country is carried on. I find on looking at the *Government Gazette* of the dates of April 1st and July 1st that the income of the country during the first six months of the year amounts to nearly half a million less than the expenditure. I have not brought my memoranda, because I did not expect a bill of this kind to be introduced this evening. I find that we have spent nearly half a million more than we have received in ordinary revenue. I hope honorable members will not suppose that I am alluding to borrowed money ; I am simply referring to the fact that our ordinary revenue is nearly half a million below our income. Is it not right that honorable members should know how the deficiency

acting in this dog in the manger fashion, doing nothing themselves and preventing others from doing anything, is there no remedy? Is there anything in this bill dealing with this objectionable discretion vested in the hands of the Minister for Mines?

Mr. DALLEY, in reply: In answer to the honorable member's queries I may say that I am informed for the first time of the proceeding by the honorable member's speech. I do not think it is in accordance with law, or that the bill will give facilities for such a course of action. But I will make inquiries into the matter and give the honorable member the sought for information at the earliest opportunity. The bill is simply to develop legitimate enterprise; therefore I think there can be no objection to passing it.

Question resolved in the affirmative.

Bill read the second time.

Reported without amendment; report adopted.

IMPORTED STOCK ACT AMENDMENT BILL.

Bill received from the Assembly, and (on motion by Mr. Dalley) read the first time.

FEDERATION: NEW GUINEA.

Debate resumed (from 16th July) on motion by Mr. Stewart:

That this House is of opinion:

(1.) That the annexation, appropriation, or conquest of New Guinea by any government, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

(2.) That any attempt to establish a federal government, having legislative jurisdiction over any two or more Australian colonies, is not at present necessary nor desirable.

(3.) That considering the many criminals who have recently reached Australian territory it seems expedient that an act of the legislature should prohibit the influx of escaped or emancipated convicts into any part of this colony.

(4.) That the foregoing resolutions be communicated by address to the Governor, with a request that his Excellency will be pleased to forward a copy of the same to her Majesty's Secretary of State for the Colonies.

Upon which Mr. C. Campbell had moved the previous question.

Question again proposed—That this question be now put.

Sir ALFRED STEPHEN: The subjects to which the attention of the House has been drawn by the honorable member, Mr. Stewart, are of very grave and unusual importance, and I am desirous as an old colonist, and old lawyer, of offering to the House shortly my views on the matters. With respect to the 1st resolution—involving the question of “the annexation, appropriation, or conquest of New Guinea,” I cannot doubt that the statement made by an honorable member, in the course of the first evening's debate, is perfectly relevant—that the almost universal opinion of the colonists is distinctly against the resolution. I for one join in the general opinion that it would be for the benefit of the Australian colonies—if not necessary on the part of the home Government—for it does not devolve upon any colony—if the island were incorporated at an early date with the empire. I think that, by the conference recently assembled, conclusive reasons are given for the measure; whether it be by the establishment of a so-called protectorate, or by annexation, is not a matter we are called on now to discuss. I hope the House, however desirable it may be for some reason to give the previous question a negative, will decisively reject the first resolution. I offer no comment on the question—because it is not directly or necessarily connected with the propositions submitted, nor with any observations I propose to make on the subject—whether the action of the neighbouring colony of Queensland was or was not justifiable, or simply a remarkable and unusual proceeding. I offer no opinion on that point. I confine myself to the question whether the proper authorities at home shall or shall not, in some form or other, cause the island to be incorporated with the empire. I am of opinion that the reasons suggested by the conference are amply sufficient to justify the opinion I express. The conference passed this resolution unanimously:

That having regard to the geographical position of the island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this convention, while fully recognising that the responsibility of extending the boundaries of the empire belongs to the Imperial Government, is emphatically of opinion that such steps should

be immediately taken as will most conveniently and effectively secure the incorporation with the British empire of so much of New Guinea, and the small islands adjacent thereto, as is not claimed by the Government of the Netherlands.

I repeat that in my view these reasons are amply sufficient to justify the conclusion at which the representatives of these colonies unanimously arrived on the subject. In the 3rd resolution the honorable member says :

That considering the many criminals who have recently reached Australian territory it seems expedient that an act of the legislature should prohibit the influx of escaped or emancipated convicts into any part of this colony.

With that I entirely concur ; I conceive it to be highly desirable that such an act should be passed. We ought never to allow escaped or emancipated convicts to enter the colony if we can keep them out. We can pass an act to prevent them from entering the colony ; but it would be of very little service without this very federation to which the mover objects. Of what use would it be to pass an act to prohibit the influx of escaped convicts when in Queensland or Victoria they might pass no similar measure ? Escaped convicts might arrive in considerable numbers in those colonies, and it would be impossible for us to prevent them from coming into New South Wales. The fact that there is a convict colony established, and the additional fact that other convict colonies are to be established, and that the worst class of convicts are to be sent to the island over which the French Government have control, are strong reasons in favour of united action. I say nothing as to whether what was said or done at the conference on the subject was judicious or was anything to which the Government of France could take exception. I have a strong opinion on the subject, and I join heartily in the regret which has been expressed by the Attorney-General that such strong language should have been used against the French Government. I doubt whether we ought to use language strongly protesting against the French Government sending their criminals to New Caledonia. The question is not directly involved in the resolution ; but it is incidentally.

That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific * * * *

[*Sir Alfred Stephen.*

Adopting the golden rule of acting towards others as we would have them act towards us, I ask this question : Suppose New Caledonia was a free colony, and this colony was, as it was forty or fifty years ago, a place for the reception of convicts ; and suppose that the Government and people of New Caledonia used towards the British Government the same kind of language that we are now using to the Government of France, will it be imagined that the Government of England would pay the slightest attention to a remonstrance of that kind expressed in such a way ? There can be but one answer. The Government of France have a perfect right to send their criminals to any place within their control. It is very probable, no doubt, that some—not any very large number—will contrive to make their escape from New Caledonia and come to this colony ; and it will be a very proper thing for us to say to the French Government, “ We consider that what you propose to do will be a great danger to us, and we trust that you will reconsider your determination.” To protest against the Government of France sending their own criminals to their own colony is very unusual, and it is not such language as will induce the French Government to alter their decision. The 2nd resolution says :

That any attempt to establish a federal government, having legislative jurisdiction over any two or more Australian colonies, is not at present necessary nor desirable.

Upon this question I will read two extracts, one from a speech of Sir Hercules Robinson, and another from a lecture delivered by Sir William Jervois, Governor of the colony of South Australia, on the general question as to whether a federal union of the colonies is in the abstract desirable. It is said that this colony has been very lukewarm on the subject of federation ; but if there was any justice in the remark I might retort that whatever enthusiasm exists in the neighbouring colonies is quite new-born ; the idea of federation having been first started here and taken up and agitated in another colony. Victoria does not appear to have entered the lists until very recently. I have no doubt that Victoria is entering into the question in perfect good faith, being aware of the importance of federation, and being no more influenced by

unworthy motives than we are ourselves ; but when the remark is made that we are supine and indifferent I answer it in the way I have indicated. There never has been any indifference on the subject in this colony. The question has been mooted here repeatedly, and the opinion prevalent here has been favourable to federation taking place at the proper time and under proper conditions. Sir Hercules Robinson spoke on the subject at Albury in October, 1876, and he showed how impossible it was that anything could be done satisfactorily to either one colony or the other without federation. He showed by several examples that the efforts made to effect a good understanding between the two colonies had been futile. He said :

All the expedients which have from time to time been suggested or attempted, to mitigate the inconveniences to which you are exposed on the border, have failed, as I maintained they were bound to do ; for such inconveniences are merely the natural consequences of dividing a country which is physically one into separate autonomous sections by means of mere arbitrary geographical lines of demarcation. The case is one which cannot be satisfactorily met by any empirical palliative. It admits of but one effectual and permanent cure, namely, the blotting out altogether of the artificial unnatural boundary line—in a word, federation. It is, I think, well that you should realise this here, and instead of wasting your time in looking for palliatives, which must prove ineffectual, seek rather for the total eradication of the evil by the adoption of the simple and natural remedy—a remedy the attainment of which is, I believe, merely a question of time. It is interesting and encouraging in this connection to note the fact that all countries similarly circumstanced to this have, at one period or another of their existence, passed through the succeeding phases of disintegration and reintegration. At a certain stage of development, however, these separate systems in their turn act feebly and antagonistically, and it is then found that union is strength, not only against external influences, but also as regards internal development, the interests of the several sections being more advanced by bringing the wealth and credit and intelligence of the whole to bear in every part, than by encouraging each in the contracted policy of taking care of itself, possibly at the expense of its neighbour. Look, for example, at the early histories of England, of Germany, of Italy, of Switzerland, of the United States, of Canada, and even to the recent history of New Zealand. All have passed through phases of disintegration, and subsequent reintegration. The impelling motive varies. In some cases it is protection against aggression from without, in others against dissensions from within, sometimes merely increased facilities for internal development ; but the tendency of the movement, whatever the impulse which directs

it, is ever in the same direction ; and the result is uniform—namely, the closer political cohesion, in some form or another, of people of the same race and language within the physical boundaries of the country which they inhabit. Whether Australia has yet reached the stage at which her safety can be better secured and her progress better advanced by the substitution of the federal for the provincial system is a question which must be decided by the wisdom and patriotism of her local legislatures. But it is impossible for an impartial looker-on not to perceive that questions are now constantly cropping up, the proper settlement of which would be greatly facilitated by united action, and that resources are being frequently wasted which might largely promote the advancement of the country, under a wider community of interest and a more diffused readiness to co-operate for the general good.

So much for the wise words of Sir Hercules Robinson. Sir William Jervois, speaking on the question as to the defence of the colonies, mentioned several ports which, in his Excellency's opinion, ought to be naval points of defence. He said :

The fine harbour of King George's Sound—the first port in Australia at which the outward, and the last at which the homeward mail steamers call—occupies a most important position with reference to the defence of Australian commerce. It is just one of the places to which the principles I have enunciated respecting the defence of coaling stations apply. Undefended, it may be in time of war be occupied by hostile vessels, which issuing therefrom might cut off our steamers and merchant ships. On the other hand, if defended, it would become a most valuable naval post for vessels of war acting for the defence. The same may be said, though not to so great a degree, of Fiji. Now, as regards the defence of the stations to which I am referring, the fortification and garrisoning of Singapore is undertaken by the British Government, whilst that of Sydney is in the hands of the Government of New South Wales ; but who is to undertake the defence of King George's Sound and of a harbour in Fiji? Neither Western Australia nor the colony of Fiji could bear the expense. My own view, seeing how immediately these naval outposts are connected with the defence of Australian commerce, is that all the Australian colonies, including New Zealand, should share the cost, which I may observe would not be great. The consideration of this matter leads me to observe that the federation of these colonies—on which subject you recently heard a most able lecture from the Rev. Mr. Jefferis—would, amongst many other benefits, be of immense advantage in dealing with the subject of defence. It is, I know, urged by some that the several colonies if federated would be deprived of their individual freedom and power of self-development. This, however, would not be so. Whilst each would unite with the others in matters of common interest to all, the individual freedom of action which now exists would continue to prevail in

all matters of local concern. As regards defences, each colony is now engaged in gradually carrying out a plan for its own protection; but there are matters relating to the general defence of all which can only be dealt with by combined action. Unity of military organisation, and measures required for general naval protection, including the defence of naval stations in Australian waters, which are common to the whole of these colonies, can only be carried out under federal arrangement.

So much, then, as to the general question as to the importance of federal action. I shall be prepared to vote against the 2nd resolution proposed by the honorable member. I will say a few words in answer to what has been said here and elsewhere against federation, and against the action of the conference, whose proceedings I look upon, if not with admiration, at least with the very deepest respect. I am grieved to hear some of the language which has been applied to some of the proceedings of that body. The name of the conference has been objected to, and I will refer to that matter first. It was intended to have called it a conference, and New South Wales, New Zealand, and Queensland were in favour of the adoption of that name which I consider to be the only proper name for it; but Victoria, South Australia, Tasmania, and Western Australia voted for the use of the word "convention." Fiji gave no vote on the subject, and the four colonies I have mentioned carried it. Why was a conference called? For the necessary purpose of conferring. The suggestion of a conference came from the English Government as any one will see who reads the correspondence. The composition of the conference it has been said was not directly authorised by the several legislatures, but it has been already asked how could what has been accomplished have been done in any other way than it has been done? Each colony sent two or three representatives who were members of the governments of the respective colonies for the time being. It was necessary that each legislature should take action separately. It was felt to be necessary [to confer upon the subject of federation, [to remonstrate concerning the transportation of French convicts, [to deliberate on the proposed annexation of New Guinea, and each colony sent several leading members of its government, the Government itself being elective. What was the object of the conference? It is said

[*Sir Alfred Stephen.*

that it was to establish federation, but it was nothing of the kind. Their object was, and they said so, very nearly in these words, to form a basis for combined legislation at a future period on subjects which are of common interest to all. It will be seen from a perusal of the papers that nothing more than this was attempted. The following resolution was passed by the conference:—

That this convention, recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, adopts the accompanying draft bill for the constitution of a federal council —

In other words a federal parliament as defining the matters upon which in its opinion such united action is both desirable and practicable at the present time, and as embodying the provisions best adapted to secure that object, so far as it is now capable of attainment.

I must say that I can conceive nothing more appropriate, more moderate, or more satisfactory than the resolutions which the conference passed. The bill prepared by the conference has been objected to, and I have gone through it to see in what respect fault can be found with it. I think that the bill has been most wisely framed. It says:

Each colony shall be represented in the council by two members except in the case of Crown colonies, which shall be represented by one member each.

The legislature of any colony may make such provision as it thinks fit for the appointment of the representatives of that colony, and for determining the tenure of their office.

I think the proposed number of members of the council is very much too small, the whole body consisting of only sixteen. Each colony is to have two representatives, so that no attempt is to be made to aggrandise any one colony, or to let one obtain greater power than another. Provision is simply made without any regard to the wealth and population of each, that every colony shall be represented by the same number of members. In that respect I dare say the conference took as their model the constitution of the United States of America. We know that in America, however numerous the second branch of the legislature may be, its members being returned according to the population, every state of the Union sends the

same number of members to the great Senate. What are to be the powers of the council? Simply these :

Saving her Majesty's prerogative, and subject to the provisions herein contained with respect to the operation of this act, the council shall have legislative authority over all her Majesty's possessions in Australasia and over all British ships sailing between them, in respect to the several matters following :—

- (a) The relations of Australasia with the islands of the Pacific ;
- (b) Prevention of the influx of criminals ;
- (c) Fisheries in Australasian waters beyond territorial limits ;
- (d) The service of civil process of the courts of any colony within her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued ;
- (e) The enforcement of judgments of courts of law of any colony beyond the limits of the colony ;
- (f) The enforcement of criminal process beyond the limits of the colony in which it is issued, and the extradition of offenders (including deserters of wives and children and deserters from the imperial or colonial naval or military forces).

It is obvious that it would be useless for one colony to make any regulations with regard to the trade carried on with the Pacific Islands unless the other colonies did the same. Then as to the influx of criminals, one colony may make regulations for preventing it and another colony may abstain from doing so, or make different regulations, which would render the working of any regulations by one colony futile. As to fisheries in Australasian waters beyond territorial limits, upon that subject the colonies must be united if any control is to be maintained. Then, again, as to the service by civil process of the courts of any colony within her Majesty's possessions in Australia out of the jurisdiction of the colony in which it is issued, no subject is of greater importance ; and nothing is more obvious than that if any provision is made for such service it must be done by two or more colonies conterminous. Then, again, there is the enforcement of judgments of courts of law of any colony beyond the limits of the colony, and also the enforcement of criminal process beyond the limits of the colony in which it is issued, and the extradition of offenders, including deserters of wives and children and deserters from the imperial or colonial or naval forces ; nothing

can be done in these matters unless by united action. And a necessary arrangement, but one also requiring concert between the colonies, is that with regard to the custody of offenders on board of ships belonging to her Majesty's colonial governments beyond territorial limits. That is necessary, because if a person is a prisoner he must be sent either overland or by sea, and in either case there must be joint action between the conterminous colonies ; no one colony could act alone. I regret that two other subjects have not been included in the list of those to be dealt with by the federal council : one is the establishment of a court of appeal for the several colonies. This subject has been mooted several times ; was discussed at a conference in Sydney, and conclusions arrived at. I believe that the institution of such a court, subject to an ultimate appeal to her Majesty's courts in England, would be very advantageous as regards litigation in the various colonies. Another subject is that of the general defences. With regard to that the remarks of Sir William Jervis are of deep significance. What is to be done in the way of building fortifications, and establishing other means of defence for coaling stations at certain points? Fiji cannot be expected to fortify a coaling station, nor can King George's Sound be expected to have sufficient defences as a coaling station unless the colonies unite to provide them. Sir William Jervis pointed out strong reasons why the coaling stations should be fortified and protected. I think that subject might have been properly added to the list. In reference to matters to be referred to the federal council, the bill provides that in such cases the acts of the council shall extend only to the colonies by whose legislatures the matter shall have been so referred and such other colonies as may afterwards adopt the same ; and I apprehend that there will be no objection to that. If two conterminous colonies required the federal council to legislate for defence or quarantine, they could refer the matter to the council for legislative action ; and they are then to be bound by that action. Then we come to this, which I think a wise provision, unassailable by any reasonable objection, as regards united action on the part of the colonies. It says :

Third night.

This act shall not come into operation in respect of any colony until the legislature of such colony shall have passed an act or ordinance declaring that the same shall be in force therein and appointing a day on and from which such operation shall take effect nor until four colonies at the least shall have passed such act or ordinance.

The reference then to the federal council having no legislative power or direct authority falls to the ground. The bill is very carefully and well drawn and quite unobjectionable as far as I am able to judge, and it is but an enabling act. It is not to be in operation in any colony until it is adopted there. The quotations I have made afford an ample answer to the 2nd resolution :

That any attempt to establish a federal government having legislative jurisdiction over any two or more Australian colonies is not at present necessary nor desirable.

If ever it can be desirable, it is desirable now. It is not a perfect federal arrangement, but simply the initiation of such a scheme—the basis of a federal union hereafter, with such variations as may be found desirable. It is said that among the motives attributed to Victoria chiefly, but also to other colonies, this is a first attempt at separation from the mother country, and that a feeling or desire to separate underlies the deliberations and results of the conference. I confess that I entertain no such suspicion. I am persuaded that only common objects for which combined action is necessary were in the minds of those statesmen who assembled to discuss these very important subjects. Whatever may be said of Victoria, or of any other colony, we ought to think of them as we may wish others to think of us, as if there was no desire for separation. What right have we to assume that any one of the colonies represented at the conference had feelings or motives different from those of other colonies? I believe that when the time comes to make it necessary to fight for the fatherland we shall be quite as ready to fight for her honor as for the protection of our own hearths and homes. Can we suppose that Victoria is so suicidal and forgetful of what is due to that colony, so utterly regardless of patriotic feeling to the mother country, from which they sprung, that they should be anxious to retreat from the proud position they occupy as a part of the great empire? I have no such suspicion. I should be sorry to think that

[*Sir Alfred Stephen.*]

any person in this House entertained such a suspicion. In conclusion, I may say I have not had time to deal with the matter brought before the House so fully as the importance of the subject deserves. The previous question has been moved, I presume, on the ground that the resolutions are inopportune, and I think they are. With regard to the 1st, surely it is undesirable for us, while the subject is under consideration by the Government, to express an opinion in the affirmative or negative. As soon as the Land Bill shall have passed in the other House the representatives of this colony at the conference will no doubt feel it an important and pressing duty to introduce such a bill as the conference proposed into Parliament, and then we shall have a legitimate opportunity of expressing an opinion on it. With regard to escaped criminals reaching Australian shores, that cannot be effectually dealt with until we have combined action. Therefore it is inopportune to discuss the question now. There cannot be a doubt that if we pass a bill for federation it will enable us to take action to keep foreign convicts away; but if the bill fails it will be necessary for us to pass a bill specially for that purpose, and there will be no difficulty in doing so. I shall be prepared to vote for the previous question, or if the resolutions are put separately, to negative the 1st, 2nd, and as to the 3rd, it is not desirable to deal with such a question now, though it ought to be dealt with eventually.

Mr. BRODRIBB: I cannot allow this matter to pass without offering a few remarks. I have taken a great deal of interest in the question for twelve or eighteen months, since the establishment of the Geographical Society in this colony. I felt inclined to give the 3rd resolution my earnest support; but I want to know how it is to be carried out if the British Government will not attend to the suggestion in the 5th resolution of the conference.

That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia.

Aboriginal tribes everywhere where the white man plants his settlements are giving

Mr. Brodrick.

way and disappearing, in Tasmania, New Zealand, and elsewhere ; their numbers in this part of the world get less every year. So it is with regard to Fiji, and will be with regard to New Guinea. I will read a few extracts with regard to the Papuans. Captain Armit was sent to New Guinea some time back to examine the country. To my utter astonishment the natives received him with open arms, and never attempted to injure him. He travelled far into the interior, the natives carrying his goods and stores for him. He was with them for a considerable time in the interior, and speaks of them in the highest terms. He says :

Savages ! I never saw such savages, nor any one else. Let Australians disabuse their minds once for all of such ideas. These Papuans are no more savages than we are. Barbarians they are, no doubt ; but even as barbarians they compare very favourably with us and our vaunted civilisation. Their gardens show an amount of thought and well-directed labour and enterprise of which savages would be utterly incapable. Their houses are well built, comfortable, and quite up to the standard required by the climate.

It is a pity and a melancholy thing to interfere with these people in any way whatever. He again says :

It is a pleasure to me to bear witness to the truly wonderful honesty of these so-called savages. The laws of property here are inviolable. Everything is perfectly safe. My things—the paraphernalia of an exploring expedition, the thousand and one articles of trade and use one has to carry about in a country like this—are lying about in the verandah I occupy, and strange to say they are safer there than they would be in any European thoroughfare ! If a tiny bit of tobacco, or a nail, or a piece of paper falls through the cracks, it will be brought back as soon as found. And this is New Guinea, the land of the bloodthirsty Papuan !

We know that the Dutch have taken possession of the north-western portion of the island, and no doubt the rest will shortly be taken possession of by others, therefore I think it is desirable that the Imperial Government should take possession of New Guinea, and I shall vote against the first resolution. The honorable member, Mr. Piddington, took the present opportunity to abuse the Government for not taking action in this matter, Parliament having been in session eight or nine months. But the honorable member was altogether wrong, for they had already taken action in it. A document before me shows that the Government have been in

communication with the other colonies on the subject. Twenty-three letters and telegrams have been transmitted during a period of three or four months. The first is dated the 24th April, and from the Premier of Victoria, suggesting that the representatives of the colonies should meet. The Colonial Secretary of New South Wales made this reply on the 1st of May, 1884 :

I received a few days ago your telegram in regard to the important question of the Recidivists Bill now before the French Legislature. I have to apologise for not having written to you before.

While I hold just as strong views as you can possibly do with regard to the danger to these colonies from having a large body of these criminals settled at New Caledonia, I yet do not see that any good would be derived from the calling together of the committee recently appointed by the recent convention. I think that we can do all that is requisite by correspondence, while the assembling together of the premiers of the various colonies would tend to irritate those who are opposed to the conclusions which the last convention arrived at, and such meeting might be misinterpreted into an assumption of power on our part as a quasi-federal council, which I am sure is far from the intention of each one of us.

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From the speech of the Premier of Victoria, delivered on the 19th June last, I find that the resolutions proposed by Mr. Service were passed by the Parliament of Victoria, and were sent home in May. I find this by another document addressed by the Colonial Secretary under date 6th May, 1884, to the Governor of New South Wales :

French Criminal or "Récidivistes" Bill.

I desire to lay before his Excellency some remarks relative to the above subject with a request that he would be good enough to forward them to the Secretary of State, so that they may be brought under the notice of her Majesty's Government.

This colony views with the greatest alarm the sending of large numbers of criminals to the French settlement of New Caledonia and possibly to other islands of the Western Pacific, which it is understood forms part of the scheme in the bill now before the French legislature.

Already this colony is put to great trouble and expense by the French escapees from New Caledonia. It is no unfrequent occurrence for several of them to escape the vigilance of the French authorities, and, seizing a boat, to land upon this coast, sometimes in a state of extreme destitution, when they immediately come under the notice of our police, and are detained or kept under surveillance until the French Consul obtains, from the Governor of New Caledonia, an order for their extradition. Sometimes, arriving in better condition, they beg or work their way

Third night.

to our towns, where they swell the criminal class, as is attested by many of them being found in our gaols, while probably a large number elude the vigilance of our police, and continue to live a lawless and vicious life.

I enclose herewith a memorandum from the Inspector-General of Police, showing those cases which have come under his notice. I enclose also a letter from him with a report from an officer whose special duty it is to watch this traffic, pointing out that it has now assumed a new shape in the arrival, by the French steamer, of nine of these criminals who, having performed their sentences, are apparently induced to leave New Caledonia, although not permitted to return to France. These persons take refuge in this colony, and form a most undesirable class for us to receive.

If we suffer so much under the present comparatively limited deportation of French criminals to New Caledonia, is it any wonder that the colonists should view with the utmost alarm, and make the strongest and most indignant protest against a proposal that would deluge New Caledonia with criminals to such an extent as would force them no longer by twos and threes, but probably by hundreds, to seek refuge on this coast?

It is often assumed that the distance of New Caledonia from Australia (about 1,000 miles) renders it a matter of extreme difficulty to get from the former to the latter; but there are many parts of the year during which the prevailing winds—smooth sea and fine weather—enables a voyage to be made in an open boat with comparative ease and safety.

It will be remembered that in former days these colonies made strenuous efforts, which after a long struggle were successful in freeing themselves from the contaminating influence of English criminals, and the prospect of the danger arising from being made the receptacle of escaped or semi-pardoned French criminals causes them to speak out as with one voice against the threatened danger. The colonies cannot appeal direct to France, but they do appeal in the very strongest manner to the Imperial Government to use its high influence in remonstrance with the French Government against a policy fraught with such disastrous consequences to these colonies, and which must in the long run involve England and France themselves in complications and difficulties which cannot then be easily settled.

I enclose copies of correspondence which have taken place between myself and Mr. Service, the Premier of Victoria, with regard to this subject.

That was dispatched to the Home Government. His Excellency writing on the 9th May, 1884, says:

The Governor begs to acknowledge the receipt of the minute addressed to him on the 6th instant, containing observations on the French Relapsed Criminal or Recidiviste Bill, showing the injurious consequences which cannot fail to result to the Australian colonies by their becoming the receptacle of escaped or semi-pardoned French criminals from New Caledonia.

[*Mr. Brodribb.*

The Governor, in conformity with the wish expressed by the honorable the Colonial Secretary, will forward to her Majesty's Secretary of State by the next mail a copy of his minute to be brought under the notice of her Majesty's Government.

Fully recognising the serious consequences which must inevitably result to the Australian colonies by an increased deportation of French convicts to New Caledonia, from whence, as is now unfortunately proved, they escape in considerable numbers to this and the adjoining colony, the Governor considers that these colonies are fully entitled to expect from the Government of France that consideration of their just representation which is dictated by those feelings of amity and friendship which have so happily existed between Great Britain and France.

The Governor cannot doubt that the representations of the colonies, expressed in friendly and courteous terms, will be responded to by the French Government in the same conciliatory and friendly spirit.

The Governor is convinced that the French Government, guided by a spirit of goodwill and justice, will never enforce any measure, however legally entitled to do so, in its own possessions which could in any way bear the character of an unfriendly act towards the Australian colonies.

The honorable member, Mr. Piddington, has warmly attacked the Government for not taking action in the matter; but they have taken action. They have been in constant communication with the governments of all the other colonies. I think, therefore, that my honorable friend was wrong in making such an attack upon them. The honorable member forgets the difference between the two colonies. The area of Victoria is only 85,000 square miles, whilst the area of this colony is 300,000 square miles. They have little or nothing to do in the Victorian Parliament, and there they spend their time in smoking cigars and drinking brandy and water. The honorable member, Mr. Piddington, can come here as fresh as a rose, having had very little to fatigue him; but the Government are engaged until 3 and 4 o'clock in the morning endeavouring to pass the Crown Lands Bill, and they are engaged at their departments all day long. As regards the *récidiviste* question, I think it is nearly settled. I take the following paragraph on the subject from a journal called *The Colonies and India*:—

According to the Paris correspondent of the *Daily Telegraph*, considerable change is likely to take place in the intentions of the French Government with respect to sending old offenders out to the New Hebrides. Those islands have been lately visited by M. Courmeaux, a representative of the Minister of Marine, who has

reported in a highly favourable manner on the work of cultivation and general improvement there effected by French colonists. "This official," the correspondent goes on to say, "recommends his government to take definite possession of the New Hebrides, and if this be done the Republic will have to protect not only Australians but also their own colonists from the filibustering propensities and possible deprivations of escaped convicts or released *récidivistes*. M. Courmeaux, of course, very prudently abstains from pronouncing any opinion of his own as to the advisability of letting loose a band of the worst French criminals on lands reclaimed from savagery and desolation through the energy of French colonists. But it is no secret that the colonists of New Caledonia and adjoining places have protested with energy, through their chamber of commerce, the only elective assembly in the settlement, against the transportation to their settlement of old offenders from the mother country. They have also, no doubt, strongly recommended to M. Courmeaux himself, as the delegate from the home Government, the deplorable consequences likely to arise for themselves if the intention of the authorities in Paris be carried out. It would indeed be an undertaking of great risk to intern thousands of *récidivistes*, composed of all the murderers, burglars, and pick-pockets from the large cities of France, in a country without any great industrial resources or commerce.

I am sorry that I cannot support the resolutions moved by my honorable friend. I agree with the honorable and learned member, Sir Alfred Stephen, that it is highly desirable that the colonies should be federated. It is a monstrous thing that in crossing the Murray we should find two different tariffs in existence. We ought to have free trade between all the colonies, and the sooner federation is brought about the better.

Mr. CADELL: With all respect to the honorable member who has moved the resolutions I must express my regret at their introduction at the present time. The first has reference to the proposed annexation of New Guinea, a very large portion of which is supposed to be claimed by the Dutch. I believe the Dutch claim nearly half the island. New Guinea is said to contain 150,000 square miles, and if England held one part of the island no other power would be very likely to successfully lay claim to the remainder. The honorable member, Mr. Brodribb, has quoted authorities as to the habits of the islanders, I presume in support of the resolution which asserts that it would be barbarous and unjustifiable to annex the country. The portion of the race referred to by my honorable friend may possess all

those enlightened characteristics which have been spoken of; but it must be remembered that at no very distant date a message was sent from a partly civilised tribe to a certain missionary, informing him that they intended to proceed to his establishment and hold a convention, and having attached to it a foot-note to the effect that they intended to eat the missionary. The missionary, therefore, very wisely armed himself, and taking a rifle, visited the tribe, whom he dispersed. This occurrence shows that the natives of New Guinea are not a very peaceable race. Annexation of the country must follow in the wake of commerce. All things seem to be tending in that direction. If honorable members will turn to the 13th page of the convention papers, they will find a resolution which was unanimously passed, which has been constantly alluded to since, which has caused considerable excitement, and to which the recent exhibition of feeling in Germany respecting British acquisitions of territory in the Pacific may be attributed. That resolution says:

That further acquisition of dominion in the Pacific, south of the equator, by any foreign power, would be highly detrimental to the safety and wellbeing of the British possessions in Australasia, and injurious to the interests of the empire.

I think that is one of the most serious resolutions that could possibly have been considered; and I feel sure that such a motion if submitted to this House would not have been passed. Let any one look at the map, examine the Pacific south of the equator, and see the numerous groups of fertile islands, teeming with population and under no particular protectorate. No doubt we sought to congregate in our Garden Palace all the nations of the world, and doubtless we have gained great advantages from the holding of the late exhibition. Probably one of them was the subsidising by the French Government of that magnificent line of steamers—the Messageries Maritimes—which, notwithstanding the existence of the Orient and the Peninsular and Oriental lines, obtains a fair share of traffic; showing how liberally the colonies deal with those who come to their ports. The great German nation are also proposing to come beyond all doubt to seek a share of the trade of these countries in the Pacific. Nations which have been

Third night.

somewhat backward in the work of colonisation are now competing vigorously for colonial possessions, while we see England which has done the most showing a disposition to go the other way. Can it be imagined that we should be wise in passing a resolution of this character, or that England would be guided by it? Have not the French, who have stood beside us in the past, and who have been cruelly aspersed on this *récidiviste* question, a right to add to their territory? Has not Germany a right to occupy some of those unclaimed islands? I say that she has, and so have Russia and America. The true solution of the question will be arrived at by the holding of a European congress—a congress of nations to settle conflicting rights which sooner or later must lead to trouble. I do not believe in one nation taking a country or establishing a protectorate. I believe that the difficulty will be settled in the way I have suggested. I shall certainly vote against the 1st resolution. I think that the 2nd with regard to the federation of the colonies is particularly inopportune, because the matters dealt with by the conference must soon be dealt with in another place. I think that we ought not at present to attempt to offer any opinion on the bill prepared by the conference. I am in favour of federation upon a broad and proper basis, and without offering any opinion on the objects of the bill I shall vote against the 2nd resolution. The 3rd resolution is one of great importance, as it has reference to a proposal to pass a bill to prevent the influx of French criminals. I think that of all the things that we have ever done we have occupied a most ignominious position, owing to the turmoil we have created upon this question. I should deprecate as strongly as anybody the influx of a large number of French criminals; but what have we had to complain of as yet? The arrival of a few refugees from New Caledonia. A man must be possessed of uncommon hardihood, even for a criminal, to cross the water as those men have done, almost without food and water, and the number of those who can accomplish the voyage must always be very small. The attempts which have been made to get up an excitement on this subject; the worrying of the Agents-General in London, and the worrying of the English Government to

[*Mr. Cadell.*

the extent which these things have been done, have, I believe, in a large measure defeated the end we had in view. We may safely trust to the gallantry and honor of the French nation not to do anything which might do us any serious harm. Having a settlement in the Pacific the French have a perfect right to use it as a place for the reception of convicts, and I have often wondered like some other honorable members who have taken part in the debate that the English Government have not fixed upon some island as a place to which to transport their convicts. As regards the transportation of French criminals to New Caledonia, I have no doubt that we shall gain all that we require by the dignified protest of the British Government. The resolution passed on the subject by the convention is in my opinion too strong. It is my intention to vote against the resolutions, as I believe that we should only add to the difficulties of the situation by passing them at the present time.

Mr. GORDON: The honorable member, Mr. Piddington, made some strong remarks last week with regard to the state of the Chamber during the discussion on this subject; but he seems to have followed the example of honorable members whose non-attendance he so much deprecated. It has occurred to me, however, that honorable members may have discovered sufficient reasons to justify their absence other than that of a want of interest in this important question. If it be as I venture to submit it is, that the resolutions are introduced at a most inopportune time, and that the discussion of the resolutions is a most undesirable mode of dealing with the question, I can quite understand why honorable members should not feel much disposition to enter into the matter. The honorable member, Mr. Piddington, made some strong remarks as to the course adopted by the honorable member, Mr. C. Campbell, in moving the previous question; but if it be that this is an inopportune time for bringing forward these resolutions, and also that the resolutions are a most awkward way of discussing a very important subject, the honorable and learned member took a very proper course in giving us an opportunity of saying that we do not want to deal with the matter in the manner proposed. I quite

agree with the honorable and learned member that the best course for us is to say that we will not now discuss the question; but if the House should determine to deal with the resolutions I shall be prepared to say "No" to every one of them. The 1st resolution is:

That the annexation, appropriation, or conquest of New Guinea by any governments, imperial or colonial, would be very widely regarded as a barbarous and unjustifiable invasion of the rights and liberties of the inhabitants of that island.

Could we have a more complicated abstract proposition than this? What could be less practical? It is a very fine thing, no doubt, and if we think ourselves a great deal wiser than other people in matters of this kind we may venture to give other people a lecture, but we must take very great care that we are quite right when we talk about a particular line of conduct being regarded as a barbarous and unjustifiable invasion. My honorable and learned friend, Mr. C. Campbell, pointed out that this very proceeding which is here reprobated has somehow or other had the sanction of the custom and usages of civilised nations when dealing as they must deal with uncivilised nations with which they come into contact. It may be that the civilised world is very much mistaken, and that the honorable member who has moved the resolutions is quite right; but it is surely rather a hazardous thing for us in this part of the world when these colonies are just coming under the notice of civilised Europe, and taking the important position which they ought to occupy in the civilised and political world—to step forward and read such a lecture to the world at large! We might first of all have to apply it to our own Imperial Government. If we apply it to the outside world what is to prevent any one from saying who takes the resolution in its literal sense, "We draw your attention to the continent of Australia, which is very little smaller than that of Europe; we find that you—the English race—have appropriated it, have conquered it, and having done this and attained a position of some political importance, you stand forward and give the world a lecture on the impropriety of acts similar to the very act which you yourselves have done, and by doing which you have attained your present position?" Surely it is inopportune

to put forward such a resolution! I do not intend to notice the remarks made by the honorable member in regard to the missionary exertion in the islands. I put anything of that kind aside entirely. I cannot help feeling, however, that if it be fanaticism to attribute good to a certain kind of influences it is equally fanaticism on the other hand to see no good whatever in those influences. I would rather run the risk of erring somewhat with such men as Wilberforce, Clarkson, Macaulay, Sir Fowell Buxton, Havelock, Lawrence, and others than take my chance—it would be rather a poor chance—of being more correct in following the honorable member who has moved the resolutions. I pass from the 1st resolution, to which, if it is put, I shall be obliged to say, "No," to the 2nd, to which I shall have to say most decidedly "No," as it is equally dangerous and equally inopportune. That resolution says:

That any attempt to establish a federal government, having legislative jurisdiction over any two or more Australian colonies, is not at present necessary nor desirable.

We know that there is a feeling of a very different kind throughout the colonies. Why should we separate ourselves from the rest of the colonies? Can it be wise to put New South Wales in a position of isolation? Would it be advisable after acting with them to separate ourselves from them by declaring that federation is not desirable. This also seems to me very important with regard to our position in the eyes of the world. We know that owing to the facilities of communication which have been provided of late years we are brought into close and constant intercourse with Europe, and we must be brought into the circle of the political action of the civilised nations of the entire world, when in their eyes we must be just emerging from what is called the turbulent pugnacity of the heroic age, an age which, for the colonies, has not yet been worthily written, though I hope it may be. When emerging from the turbulence of those times we are bound to seek union and federation. Federation has always marked the progress of nations. Ancient Greece was referred to by the honorable and learned member, Mr. C. Campbell, and what was the course of things there must be the course of things here. Union and

Third night.

federation must follow our advance before the civilised world; but that union and federation, as we have been properly told, are not to be brought about by force, or by some cut-and-dried measure; it is rather to be brought about by the different colonies finding certain things in which it is obviously to their interest to act together, and by learning to act together in regard to a number of things they may learn that complete union is the best to enable them to occupy and to maintain their best position before the world. Looked at from this point of view, the action of the convention or conference was wise and statesmanlike in the extreme. We can see what they thought, and what they intended to do. They sought to bring together all the colonies on such terms that the smallest or the least populous colony should not be afraid of being overweighed by the more populous and more powerful colonies. The subjects on which it is proposed they shall act are necessarily limited; but they are subjects of common concern, and in respect to which united action could not be injurious to any. I will refer to the matters with which it is proposed that the federal council shall have power to deal. They are as follows:—

The relations of Australasia with the islands of the Pacific.

Prevention of the influx of criminals.

Fisheries in Australasian waters beyond territorial limits.

The service of civil process of the courts of any colony within her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued.

The enforcement of judgments of courts of law of any colony beyond the limits of the colony.

The enforcement of criminal process beyond the limits of the colony in which it is issued, and the extradition of offenders (including deserters of wives and children and deserters from the imperial or colonial naval or military forces).

The custody of offenders on board of ships belonging to her Majesty's colonial governments, beyond territorial limits.

I ask whether these are not subjects of common interest upon which common action is necessary? There can be no doubt about it. A fear has been expressed that the federal council might override the action of the legislatures of the different colonies. It was represented, I think, by the honorable member, Mr. Piddington, that the federal council, which would be composed of a very small number of per-

[*Mr. Gordon.*

sons, would override the legislatures of the several colonies; but that could only be with regard to the particular matters to which I have referred, matters in regard to which all the colonies have a common interest. Having that interest, it is a reasonable thing that a federal council representing all the colonies should, in dealing with those subjects, override the legislature of each individual colony. There are other matters which may be dealt with by the federal council, namely:

Such of the following matters as may be referred to the council by the legislatures of any two or more colonies, that is to say—General defences, quarantine, patents of invention and discovery, copyright, bills of exchange and promissory notes, uniformity of weights and measures, recognition in other colonies of any marriage or divorce duly solemnised or decreed in any colony * * * * *

If any one of these matters be referred to the federal council, where is the harm, where is the hardship—it would be perfectly useless were it otherwise—in saying that all the colonies shall be bound by the decision of the council? Until the colonies find it beneficial, the powers of the federal council will be limited to the general legislation which each colony may be willing to submit to, and to that extent only can the action of the federal council be binding on the several colonies. Can anyone conceive a more moderate, statesmanlike, or practical mode of dealing with a question of this kind than that limned out in the measure, bringing the colonies together to deal with matters specifically in which there is no doubt about the usefulness of general action, and leaving it open to extend the legislation to other matters not included in the general terms? They will at last fall into a general federation, which I venture to submit is a course which must be followed by these colonies sooner or later, if they are to occupy their due position in the history of the world. The third resolution is:

That, considering the many criminals who have recently reached Australian territory, it seems expedient that an act of the legislature should prohibit the influx of escaped or emancipated convicts into any part of this colony.

What could be weaker than this? As if we did not know whether it was or was not expedient. If you want to fix on a particular matter on which it is necessary for the colonies to unite it is the preventing the influx of criminals so far as

it is right for the colonies to interfere in that direction. We must not, because we are not disposed to make a great fuss about these things, allow ourselves to fall into a real danger. The English press is aware of that danger, and it ought to be met immediately, properly, and effectively, but it must be by a sort of union by federation of the colonies. I therefore venture to submit that to the resolutions a decisive negative ought to be given. They present elements for legitimate discussion; but they are put in the worst way possible. If the Council think it better to pass the thing lightly over, leaving it really for discussion at another and more suitable time, this we can do by voting that the question be not now put. I shall vote with the noes on the previous question, and if the resolutions are put I shall vote against them.

Mr. NORTON: I have always listened with interest and respect to any of the deliverances of the honorable mover of these resolutions. His sound common-sense, his contempt for all shams, carries us so much with him that it is impossible to be indifferent to what he says. But I think that in this particular case he has made a very great mistake. His motion, I take it, is triangular, and the triangulation arises from following the lines adopted by the convention, the particulars of whose deliberations we have had before us for six months. This brings me to the consideration of the inopportune of the motion. That convention was unanimous, and it decided on certain things it was desirable should be done. It then became the duty of the representatives of the different colonies to lay the various matters decided on before the legislatures of the several colonies represented. Hence the inopportune of the motion. It intercepts the action of the Government of the colony. They intend during the present session to lay these matters before Parliament, and if we discuss them now we shall be tying up the hands of the House in an extraordinary manner should we either affirm or disagree from the resolutions. If we affirm them, how can we come to any other conclusion when the subject is formally submitted to Parliament by the Government? The motion of the previous question is the only way in which the difficulty can be met. If it is carried in the

negative, it will leave the House free to discuss the motion in a proper manner, and with some practical advantage. I do not intend now to discuss the questions involved in the resolutions; it will be time to do so when we can discuss them without committing ourselves to a wrong course. It is my intention to vote in the negative on the previous question.

Mr. H. C. DANGAR: I shall vote in the same way as that indicated by the honorable member who last addressed the House. I was one of those who were taunted on venturing to suggest to the Attorney-General that it was necessary for us to take some action in consequence of the action taken in the neighbouring colony. The honorable mover of the resolutions taunted me with the inopportune of my remarks on a motion for the adjournment of the House. I freely admit that that was not a proper occasion for raising the general question—it was not my intention to do so; I simply desired to stir up the Government, inasmuch as the Premier of Victoria was taking very violent action in reference to the subject. But if my remarks were inopportune, the honorable member has been less discreet in his present action. It is asked what possible good can result from discussing these resolutions, and I re-echo the question. The Government will have to submit the matter for the consideration of Parliament, and then will be the time to discuss it. It would be well if, instead of waiting for the previous question, the honorable mover would withdraw his resolutions, as he must be convinced that no possible good can result from voting on them now. What led to this question being raised was the modest action of Mr. McIlwraith for the appropriation of New Guinea by Queensland, and he stirred up the premiers of other colonies to action in the matter. They availed themselves of the opportunity to bring other matters forward. We are indebted to the Attorney-General for removing a good deal of doubt and obscurity which surrounded the question before he spoke. There was a vague suspicion in the public mind and in mine that there was something beyond the question of federation which I could not exactly fathom. I had not known the Premier of Victoria to take any course

Third night.

which he did not think for the advantage of that colony alone. A clever writer, under the name of "Advocatus Diaboli," uses the wooden horse of Troy as a simile to the proposals made for federation, and I cannot imagine a more apt simile, thinking that the object of Mr. Service is to get in the thin end of the wedge perhaps with a view to changing the principles at the basis of our trade and with some other object with which we need not now trouble ourselves. So far as the bill is concerned I regard it as a most innocent production, involving very little danger if passed. The subjects alluded to in it might very well be settled by a conference of the representatives of the colonies. The real danger that pervades the question is that when you get in the thin end of the wedge you do not know where it will be driven when the federal council is instituted. The bill provides for the discussion of any question in this very limited council on the motion of any representatives of any two colonies. We know that Victoria chafes within the narrow limits of her borders and would fain seize a slice of Riverina, and it might be proposed to the conference that it should be handed over to her. We could not help ourselves then, having committed ourselves to the legislation of the council. This is one of the things to be considered before we adopt the proposed plan of a federal council. This is not the time nor these the circumstances for the discussion of the question. I shall have no hesitation in voting with the noes on the previous question if it is submitted. It is somewhat amusing that so strong a protest should be made against the annexation of New Guinea when we think of the annexation of Australia, which, I suppose, is regarded as a justifiable act and one which none of us regret. I do not think it expedient now to discuss the question of the influx of criminals. It is scarcely worthy of discussion; we are able to protect ourselves when the necessity arises. If the previous question is not carried in the negative, I shall vote against the resolutions.

Mr. J. SMITH: I think the object of the honorable mover of the resolutions has been answered by the ample discussion which has taken place, and I trust he will now see fit to withdraw them. He must

[*Mr. H. C. Dangar.*

now be satisfied that it was unwise to attempt to force the hands of the Government. They have been engaged in very heavy duties during the session, and when they have time at their disposal to deal with the important matters to which the resolutions refer they will, no doubt, be taken up.

Mr. STEWART, in reply: I must explain one or two points on which there has been some misunderstanding. One is as to the different things introduced by the resolutions into the discussion. Those things I found linked together by the convention as completely as they could be; therefore, if there is any impropriety in this mixture of subjects, I am not guilty of it. I do not say that annexation is not justified in any circumstances; my resolution on that point is confined to New Guinea. Sir John Robertson, in an able document, fifteen years ago recommended the Secretary of State to annex that island to the British Crown. Why was it not then done? It is very possible that the Secretary of State had doubts as to the propriety of doing it. By many people the act would be regarded as an outrageous and barbarous invasion of the rights of the islanders. Or he might have had other motives. It might be asked of Tasmania, what have you done with the aborigines of your island? But I must candidly confess that I am myself now against my own 1st resolution. It would be telling the Secretary of State that the annexation of the island would be regarded very widely as a barbarous and unjustifiable invasion of the rights of the natives, and this he must himself very well know. Everywhere, and especially in America, people would regard the act with disapproval. As to the 2nd resolution, I may say I expected that if any one could have justified federation it would have been the Attorney-General. But he gave us no reason whatever worth speaking of for federating. His last sentences express the substance of his speech:

It may be that the colony is not disposed to regard the proposals which have been made with favour, and feels that even so safe, so modest and restricted a scheme as that adopted is prematurely presented for acceptance. But if, as it is perfectly certain will be the case, other colonies perceive the fitness of the time, recognise the force of the circumstances and the necessity of the union, it is quite impossible that this country can escape the consequences of abstaining from a movement which will fix the

attention of the world upon those who have the courage, the sagacity, the statesmanship, and the patriotism to avail themselves of its advantages for their own benefit and security, and for the increased greatness of the empire.

But these are words, not facts. They sound very well indeed; but where is the sense in them? Is it true that if Victoria, Queensland, and Tasmania federate the existence of New South Wales will come to an end? Surely we can take care of ourselves after Great Britain has intrusted us with the care of the colony! So again with regard to the prevention of the influx of convicts; the colony need not apply to England for assistance—she can protect herself. It would be unwise to send a message to the Secretary of State to embarrass him with matters that only require our own attention. The colony can pass an act for that purpose without asking Victoria or even Great Britain. I understand that some members of the Government are not pleased with the action I have taken in this matter as anticipating theirs and embarrassing them. I had no intention of embarrassing them, and instead of being displeased with me they ought to feel obliged to me. If the House declares that any present attempt to federate the colonies is not desirable, then I suppose the thing goes no further; it would save all turmoil and senseless talk in the other Chamber. The conspiracy between Victoria and Queensland would come to an end, at all events, for this session. The Government would not be justified in appealing to the other Chamber on the question after this House decided in the negative. But honorable members are the best judges of what it will be advisable to do. Vote for the central resolution, and the thing falls dead as far as this colony is concerned:

That any attempt to establish a federal government, having legislative jurisdiction over any two or more Australian colonies, is not at present necessary nor desirable.

If the House votes for that, I question whether the binding schemes of Victoria and Queensland will go any further, and they ought not. That seems the best way out of the fix other colonies have combined to get us into. It ought not to be forgotten that if we once get this federal council saddled upon us we shall never be able to get rid of it without bloodshed. If the council manages to work the thing in such a way as to do a great deal of mis-

chief, we shall never be able to shake it off. The Victorians were once our fellow-colonists, and for a long time before they left us they were continually crying out for separation, which they got after a considerable time. Some of them behaved very badly. I recollect that at one time they elected two English statesmen to represent them in the Parliament of New South Wales. Since then they have been doing very strange things. They sent an ambassador to England with £5,000 in his pocket to demand something from the English Government, and the ambassador spent his money and returned home, but without obtaining what he went for. They have had in Victoria what they call a "Black Wednesday," when a number of members of the public service were dismissed, and the whole colony was thrown into a state of turmoil. They attempted to get Riverina annexed to Victoria, and now they want to have Victoria reunited to New South Wales. I was talking a few days ago to a gentleman from Victoria, who informed me that all the political business in Victoria was done by a few men in Melbourne; all the agitators are there, and they are divided into two camps, those who hope to obtain federation on a basis of protection and those who hope to obtain federation on a basis of free trade. He says that the protectionists expect to make something out of it if they can carry their point, and the free traders expect to benefit themselves if they are successful. It is a conspiracy of rogues. I do not like to take advice from any one; and I would rather see the matter put to a vote if I have leave to withdraw the first and last resolutions. It, perhaps, might be as well to let the third lapse. The honorable and learned member, Sir Alfred Stephen, thinks the bill prepared by the convention an excellent bill, and no one says anything to the contrary; but what do we want it for? What good will it do us when we have passed it? We are now under the protection of England, we are well defended, and I think we had better wait until we see whether England is going to decay. By the discussion which has taken place I have done all that I desired; I have called attention to what has been going on in the dark, and the sort of proceedings of which I have complained cannot be carried on any longer.

Third night.

Question—That the question be now put—put, whereupon the House divided with the following result:—

Ayes 4 }
 Noes 21 } Majority, 17.

AYES.

Tellers,

Smith, Professor Campbell, A.
 Stewart, J. Piddington, W. R.

NOES.

Abbott, R. P.	Macintosh, J.
Brodribb, W. A.	Mort, H.
Chisholm, J.	Norton, J.
Dalley, W. B.	Rundle, J. B.
Dangar, H. C.	Smith, J.
Docker, J.	Stephen, Sir Alfred
Flood, E.	Thornton, G.
Gordon, A.	Terry, S. H.
Grahe, W.	<i>Tellers,</i>
Jacob, A. H.	Cadell, T.
King, P. G.	Hill, R.

Question so resolved in the negative.

House adjourned at 7:15 p.m.

Legislative Assembly.

Wednesday, 23 July, 1884.

Federal Council Bill—Traffic on Railway between Armidale and Glen Innes—Newtown Road—Imported Stock Act Amendment Bill—Victorian Coal-Mining Company's Railway Bill (No. 2)—Crown Lands Bill.

Mr. SPEAKER took the chair.

FEDERAL COUNCIL BILL.

Mr. HEYDON asked the COLONIAL SECRETARY,—(1.) Has he received any acknowledgment of or reply to the resolution carried in this House on 25th March last, and required by this House to be communicated to his Excellency the Governor, with the request that he would transmit the same to the Right Honorable the Secretary of State for the Colonies, to the effect that it was desirable, in the opinion of this House, that before any bill for the federation of these colonies were passed into law by the British Parliament, such bill should be submitted to the Parliament of this colony? (2.) If any such reply has been received, would he communicate its purport to this House? (3.) If no such reply has been received, will he urge that a reply be given to the resolution of this House without further delay?

Mr. STUART answered,—I have not received any such communication.

TRAFFIC ON RAILWAY BETWEEN ARMIDALE AND GLEN INNES.

Mr. W. J. BERGUSSON asked the ACTING SECRETARY FOR PUBLIC WORKS (*without notice*).—Has he made inquiries into the complaint made last night respecting the use by the contractor of the railway between Armidale and Glen Innes for the carriage of goods and passengers?

Mr. DIBBS answered,—I am glad that the honorable member has asked the question, because it enables me to put at rest certain charges which have been made against the firm of Wright, Heaton, and Company, and to inform the House what has been done in the matter. This afternoon I received from the Commissioner for Railways the following report in reply to a minute which I wrote last night after the debate took place in the House:—

The matter first came under attention when it was found that the contractor for the construction of the line was carrying goods over the extension without authority. As he paid no attention to the directions of the department prohibiting the practice, a Supreme Court injunction was applied for to stop him. While this step was being taken, the inhabitants of Armidale and Glen Innes solicited the Government to allow the contractor to carry the goods as the roads were so bad, and teamsters difficult to obtain. Upon these representations being verified by inquiry, the injunction was stayed, and an agreement entered into with Mr. Proudfoot for the carriage of goods at the rate of £7 10s. per truck, one third of which was to come to the Government, and for the transit of passengers at the rate of 25s. each., 7s. of which was to be allowed to the department.

It was expressly determined that the carriage of goods should not be limited to any one firm, but should be open to all; and upon its being found that the contractor was refusing to take some goods, a communication was at once made to him that unless the goods were taken indiscriminately from everybody the concession granted would be withdrawn. Recently it was ascertained that the contractor had increased the prices from £7 10s. to £12 per truck for goods, and the price for the transit of passengers, and on the 15th and 16th of this month the commissioner wrote two letters to him, insisting upon his adherence to the terms of agreement, and intimating that any charges made in excess of those agreed upon the Government would expect to be paid one-third. No reply having been received to these two letters, a telegram has been sent to Mr. Proudfoot to-day, intimating that unless an acknowledgment be made by noon to-morrow that the terms of the agreement are strictly observed, the concession will be at once withdrawn, and no goods or passengers allowed to be carried.

L: Council.

Mr. Dalley's Re-
-solutions. Oct. 1804.

L: Ass'ly.

Same by Mr. Dibbs.
(On same day.)

law with regard to probate in respect of real estate the same as with regard to probate in respect of personal estate, and his Honor suggested that it could be done by passing a bill framed upon the lines of the English Probate Act, not by taking a mere fragment out of the English act. This bill, if passed, would be found to be a partial and very defective measure.

Question resolved in the affirmative.

No progress reported.

LEGAL PRACTITIONERS' AMALGAMATION BILL.

Order of the day for the second reading of this bill discharged ; bill withdrawn.

GOULBURN HOSPITAL SITE SALE BILL.
SECOND READING.

Mr. WEBB rose to move :

That this bill be now read the second time.

He said that this was a bill to authorise the sale of the site of the Goulburn Hospital, and to apply the proceeds to the fund for the erection of a new hospital. The existing hospital stood on a site near the railway which was unsuitable for the purpose, and the trustees had secured another site about half-a-mile from the railway. A sum of £3,200 had been collected towards the erection of a hospital on the new site, and the trustees now asked Parliament to give them authority to sell the site of the present hospital.

Question resolved in the affirmative.

Bill read the second time, and passed through all its remaining stages.

CIVIL SERVICE BILL (No. 2).

In Committee ; consideration of the Legislative Assembly's message in regard to the Council's amendments :

Motion (by Mr. DALLEY) agreed to :

That this Committee does not insist upon the Council's amendments disagreed to by the Legislative Assembly, and agrees to the Assembly's amendments upon the Council's amendments in this bill.

Resolution reported ; report adopted.

PUBLIC WORKS LOAN BILL.

In Committee (consideration resumed from 29th October) :

Clause 1 (Loan of £14,388,303). Upon which Mr. Piddington had moved an amendment :

That the words "South Grafton to Glen Innes, 103 miles, £2,000,000," be omitted.

Question—That the words proposed to be omitted stand part of the clause—put, whereupon the Committee divided with the following result :—

Ayes 14 }
Noes 14 } Votes equal.

AYES.

Abbott, R. P. Norton, J.
Brodribb, W. A. Ryan, J. N.
Byrnes, W. Stephen, Sir Alfred
Campbell, A. Webb, E.
Campbell, C.
Dalley, W. B. Tellers,
Gordon, A. Ogilvie, E. D. S.
Macintosh, J. Smith, Professor

NOES.

Flood, E. Moore, H.
Grahame, W. Rundle, J. B.
Hay, Sir John Stewart, J.
Hill, R. Terry, S. H.
Levy, L. W.
Lord, F. Tellers,
Macleay, W. Piddington, W. R.
Marks, J. Thornton, G.

The CHAIRMAN : I give my casting vote with the ayes, as another opportunity for considering the question will thereby be afforded.

Question so resolved in the affirmative.
Clause agreed to.

Bill reported without amendment ; report adopted.

Bill read the third time, and returned to the Assembly.

FEDERATION OF THE COLONIES.

Mr. DALLEY rose to move :

(1.) That this House having under consideration the following resolutions adopted at the Australasian Convention, held in Sydney in November and December, 1883, namely :

(1.) That having regard to the geographical position of the Island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this convention, while fully recognising that the responsibility of extending the boundaries of the empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands.

(2.) That the governments represented at this convention undertake to submit and recommend to their respective legislatures measures of permanent appropriation for de-

fraying in proportion to population such share of the cost incurred in giving effect to the foregoing resolutions as her Majesty's Government, having regard to the relative importance of imperial and Australasian interests, may deem fair and reasonable.

(3.) That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges upon her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands.

(4.) That the convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient.

records its approval of the said resolutions.

(2.) That an address be presented to his Excellency the Governor communicating the foregoing resolution.

(3.) That this House, recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, recommends the adoption of the provisions of the accompanying draft bill, with such alterations as this House may deem it expedient or desirable to make for the constitution of a federal council, as defining the matters upon which in its opinion such united action is both desirable and practicable at the present time, and as embodying the provisions best adapted to secure that object so far as it is now capable of attainment.

(4.) That a humble address be presented to her Majesty, praying that her Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a federal council of Australasia upon the basis of the draft bill adopted by the convention held in Sydney in the months of November and December, 1883.

He said: In moving the resolutions of which I have given notice it may be desirable that I should say something of the circumstances under which they are presented. Much of that which they are intended to effect is now in fair progress of accomplishment. The convention has undoubtedly had the effect of placing the whole of the matters involved in these resolutions in so full and bright a light before not only the Imperial Government, but the world, that the questions involved in these resolutions have been thoroughly discussed not merely in the various colonies immediately interested in them, but

by the press and leading public men of the mother country. There is no imperial statesman of eminence who has not given his sympathy—there are not a few who have openly expressed it—in favour of the views embodied in these resolutions, while the great organs of public opinion have almost unanimously joined in upholding them. Both in the immediate interests of the colonies, and in those of the empire at large, these conclusions have been approved as sagacious and patriotic. It will, perhaps, be unnecessary on my part to address myself at any very great length in support of the resolutions which I have now the honor of submitting to the House. On two previous occasions I have placed the House in possession of such information as I am enabled to offer it concerning the proceedings of the convention of November and December of last year; and it will be in the remembrance of the House that, immediately after the convention had taken place, I made a statement to the House; and again on the 9th of July, when my honorable friend, Mr. Stewart, moved certain resolutions, I felt it my duty to enter into the whole question. It will be quite unnecessary now to address myself to the first of these resolutions, because the recent action of the Imperial Government, in the establishment of the New Guinea protectorate, does not require further reference. What has been done falls indeed far short of what the whole of the Australian colonies have long sought at the hands of the Imperial Government; and it is, therefore, necessary that the resolution of the convention should, in the form in which it is accepted, be presented to Parliament, in order that it might be authoritatively forwarded to the Imperial Government. While it is not to be supposed that the Imperial Government will limit its occupation to the present restricted area, it is not expedient nor desirable that it should be at present urged in any stronger way than by pressing upon its consideration the resolution to which the convention was pledged. The House is aware from the published correspondence which has taken place between my honorable friend the Colonial Secretary and the Premier of Victoria, that a wide difference of opinion exists between them concerning the proper course which in the interests of these colonies the Imperial Government should pursue in con-

[*Mr. Dalley.*



nection with the occupation of the islands of the Western Pacific. It is well known that the Victorian policy favours the occupation by the Imperial Government of the whole of these islands, either by way of annexation or by protectorate; and that such a view is at variance with that taken by the Government of this colony. It is felt here that in the first place there is no disposition on the part of the Imperial Government to increase the number of its colonies, and to accept the enlarged responsibilities which such a course would involve. There is no reason whatever to believe that if the Government of this country conceived it to be absolutely essential for the protection of these Australian colonies to urge such a policy upon the Imperial Government their pressure would result in changing the imperial policy. And while this Government is sensible of the indisposition of the Imperial Government to multiply its dependencies in these seas, it is perfectly well aware that any such course would be viewed with suspicion by the governments of other countries, more especially when such occupation on the part of the Imperial Government is only to take place for the purpose of securing those islands against being taken by foreign governments. These are considerations which impressed themselves strongly upon the Government here, and influenced our whole course of policy in dealing with our neighbours on this important subject. It is impossible to imagine that England would be permitted to occupy enormous tracts of territory, not for purposes of colonisation, but simply with the avowed object of excluding, it may be, beneficent schemes of colonisation on the part of foreign governments. And as a matter of fact it is now known that the policy which Mr. Stuart adopted was one which was not only in entire accordance with the feeling and perhaps the necessities of English statesmen, but was alone consistent with the preservation of friendly relations between the mother country and those European powers which either themselves contemplated schemes of colonisation in the Pacific, or questioned the right of England to establish exclusive authority and jurisdiction there. It can hardly be imagined that the great powers of Europe would tolerate for a moment pretensions to the universal

occupation of the Pacific which were not based upon an intention to spread the blessings of civilisation through the islands, but simply to seize them as it was pointed out at the convention as fortresses occupied by the sentinels of imperial authority for the protection of the British colonial empire. It is thought by some that the Government of this country has failed in the discharge of its duty in declining to co-operate with the governments of other colonies—mainly with that of Victoria—in the endeavour to secure the exclusive British annexation or protectorate of these islands. Events have very clearly and conclusively shown that such a course could have had no result except the serious embarrassment of England in her foreign relations. Any such system as that suggested is entirely at variance with the traditional policy of the empire, and if at any time it could have been adopted by English statesmen, the altered circumstances of society in these days render it now absolutely impossible. All these considerations were fairly put before the convention by the representatives of this colony, and not the slightest change has taken place in the line of conduct which this Government has deliberately adopted and consistently pursued. It was in consequence of the adoption of this policy that when, on the 27th of September last, the Premier of Victoria addressed a circular telegram to the premiers of the various Australian colonies to press the establishment of a protectorate over all unappropriated islands in the Pacific upon the Colonial Minister in England, this Government was unable to take part in such a course for all the reasons which were so ably and conclusively set forth by Mr. Stuart in the correspondence to which I have already referred. Of course I do not—as I have no right to do—in the least complain of the course pursued by any of the other colonies. The Government of this country regret their inability to co-operate with their neighbours, feeling sure that no benefit and much embarrassment might result from such co-operation. Recent events have shown, however, the wisdom of Mr. Stuart's policy. If at any time any such representations as those in which we were desired to join could be made with any hope of success, this is, perhaps, of all

times the most inopportune. What Mr. Stuart desired is in all probability on the eve of accomplishment, and that is a European protectorate over these islands, by means of which intercourse with them would be open to the whole world, and the native races will be under the protection of the great powers, which are interested in upholding peace, order, and civilisation in these seas. But apart from the indisposition of England to multiply her colonial possessions in these seas, and the jealousy of other powers of a British aggrandisement of territory, as a mere matter of policy, imperial as well as colonial, there is not a little to be said against discouraging a foreign occupation of those islands. The growth of colonies planted by French or German enterprise, and fostered and maintained by their governments, would immediately add to the trade and commercial importance of Australia. All, or nearly all, their supplies would come from these colonies. And, as in the case of New Caledonia we should have an important addition to our commerce, and the maintenance without cost to us of improved means of communication with Europe. To French possessions we are indebted among other advantages to this port being made the headquarters in these seas of the magnificent line of ocean-going steamers in connection with the Messageries Maritimes Company. With the one exception of the use made of the islands by the French Government as a receptacle for large numbers of convicts—and the danger of their escape to these shores,—there is no single reason why the activity of that nation in colonisation projects should not be regarded with approval. And while the advantages of increased trade are manifest, the imperial advantages of large colonising projects on the part of the great powers of Europe are equally manifest. Every colony founded by a great nation is a new guarantee of peace with the world. To protect these colonies in their infancy a portion of the naval and military forces of the nations which found them would have to be employed—and so withdrawn from their centres. Why is England herself the power whose policy is pre-eminently one of peace? Simply because she has interests everywhere which require her to divide her care and her resources in pro-

tecting those interests. Her most distant colonies are under the protection of her fleets. Nations cannot pursue at the same time a great warlike and a great colonial policy. And for my part, I see nothing but advantage and a subject of gratification in the new schemes of colonial policy which are engaging the attention of European nations at this time. Passing away from matters on which we differ to those upon which we are in agreement, I naturally come to the question of the occupation of New Guinea. That is a question upon which no difference of opinion whatever exists. All considerations point to the desirableness of the establishment of a protectorate over a portion of that island, and of the immediately adjacent islands. The trade between Australia and the British possessions in the east passing through Torres Straits render it essential for its protection that this step should be taken. It is to be regretted that it has been so long delayed, and whatever view this colony may have taken of the annexation of or protectorate over the islands in the Pacific, it has uniformly urged upon the Imperial Government the necessity of the annexation or protectorate of that island and the adjacent islands. Honorable members are aware that steps are now being taken to carry out this policy. It will at once tranquilise the public mind on a subject of great importance, it will secure the lives and liberties and lands of the native population; it will prevent daring schemes of adventure and plunder and bloodshed, and will lay the foundations of order and justice. It will be unnecessary for me to detain the House at any length in support of those resolutions which have reference to the transportation of French criminals to the islands of the Pacific, whence such criminals might—as they have already done—make their way over in large numbers to these colonies. I admit at once that it is a delicate matter to interfere even by way of remonstrance against the domestic or foreign policy of any foreign government. And recognising the great national importance of this matter in the interest of all these Australian colonies, this Government has limited itself to such respectful protests to the Imperial Government as would tend to show how deeply the colonies are interested in the matter, while it has

[*Mr. Dalley.*

carefully abstained from any embarrassment of our own with any foreign governments. I think I may be permitted to say that the course taken by this Government has not been unproductive of good. They have not presumed to attempt any dictation which would be simply offensive and meaningless, if not ludicrous; but they have confined themselves to appeals to the Imperial Government for the exercise of such diplomatic intervention in the matter as may prevent any injury to these Australian colonies. By the adoption of this course of policy—the only one open to them—they have reason to believe that with the friendly intervention of their own Imperial Government very much of what they may reasonably expect to be done will be, in point of fact, accomplished. In this country they have very carefully abstained from any language or action which would be likely to give offence to a great and sensitive nation, acting, after all,—however inconvenient the course of action might be to us—within the limits of its undoubted powers. And I think that the calm, well considered, and respectful course which we in this colony have taken, has not been without its effect in inducing a reconsideration of the project originally contemplated. I will now address myself to a subject which I have already treated at some considerable length, namely, the question of federation, and the draft measure adopted by the convention for the constitution of a federal council. When I addressed this House on the 9th of July last, I pointed out at length that the state of public feeling in this country concerning federation was not that which prevailed in several of the other colonies, and notably in the adjoining colony of Victoria. There is, as I then affirmed, no unanimous feeling as to the benefits or advantages of federation in this colony. And even among those who favour the idea, there is no agreement as to the best means by which this object can be attained, while it cannot be concealed that there is a small party which is either hostile to the proposal, or has but faint sympathy with its realisation. This is one of the difficulties with which this Government has to deal. It is a difficulty with which they were perfectly familiar before the convention met, and it has not diminished since that event took place. But as the Govern-

ment could not, without inflicting injury upon the colony, decline to join the convention, so it will not now, by an equal injury, abstain from inviting this House to participate with the other Australian colonies in the objects which they seek to achieve. I will not now detain the House at any great length by an examination of the measure which is proposed to be submitted to the Imperial Parliament. I have discharged that duty on a former occasion, and I have little to add to the statements I then submitted to the House concerning the measure. I then pointed out that the bill was not an ambitious proposal to bring into immediate operation anything like a general federal government. As was stated by Sir Henry Parkes in 1881, when he submitted a federal council bill to the conference which sat in that year, that though the time was not ripe for the construction of a federal constitution with an Australian federal government, the time had arrived when subjects of common concern to all the Australian colonies might be more effectively dealt with by a federal authority than by the individual action of the colonies themselves. Comparisons have been made between the bill proposed and that which accomplished the federation of the Dominion of Canada. No comparison between the two matters is possible. Whenever the federation of these colonies takes place it will necessarily be in some way in accordance with the bill now submitted. It will necessarily commence by making provision for dealing with those matters and questions which, without involving the independence of any one colony, will be of the utmost concern to the whole of them. I will not, as I have before stated, refer to the various powers with which it is proposed to invest the council. There is not one of them which in any way affects the legislative independence of any of the colonies. Nor does the recommendation to the Imperial Government to pass this enabling measure in any way whatever affect the independent action of the legislature. If, as I have already pointed out, the bill becomes law, in the very words which the convention has used, it cannot as we know operate in any colony until the legislature of that colony has declared that it shall be enforced therein and has appointed the day upon which its operation is to

commence, nor until at least four colonies shall have passed the act. And while this affords the most perfect guarantee of legislative independence, honorable members are aware that no single subject which it proposes to treat can become the subject of legislative treatment, save by the authority of some kind of federal government. There are a number of vital questions immediately affecting the efficient administration of public justice. I refer among others to the service of civil processes of the courts of any colony out of the jurisdiction in which they may be issued, the enforcement of judgments of courts and of criminal processes beyond the limits of the colony in which they are issued, the extradition of deserters of wives and children, and other offenders—none of which can be dealt with satisfactorily except by a federal authority. These are the humble, unpretending, and yet valuable objects to the attainment of which the powers of this measure are limited. The House will perceive that one of the resolutions pledges the members of the convention to submit and recommend to their respective legislatures the necessary measures of appropriation for defraying the cost incurred in giving effect to the action of the Imperial Government as requested by the convention. For the purpose of defraying the cost of this action a measure will be submitted elsewhere by my honorable colleague, the Colonial Treasurer. I do not know that I can, by occupying your time at any greater length, more fully explain the resolutions which I now submit to the House. They are based on the proceedings of a body as fairly and fully representative of the interests of all the Australian colonies as have ever assembled in any one of them. They are limited to the treatment of questions in which all are equally interested, and in which without common action no good results can be achieved. They carefully abstain from any limitation or qualification of any kind of the legislative independence of each colony. They will, while benefiting the colonies immediately, prepare them ultimately for a complete system of federation which it will be now impossible to undertake. Their labours in this respect are watched with keen and friendly interest by the great statesmen of the mother country. There are some who regard proposals of this kind as weaken-

[*Mr. Dalley.*

ing our relations with the great empire of which we form a part. Such apprehensions, so far from being shared in by those who guide the destinies of that empire, are utterly disregarded, and they feel that this union of these great Australian colonies for purposes essential to each and common to all, is a strengthening of the bond of union with the empire itself. With this conviction the resolutions have been submitted. In all the other Australian colonies they have been already adopted. Whether this country consents or declines to take its place in this limited form of federation, the thing itself will take place. And nothing but injury can result from such isolation. There can be little doubt that, however desirous the Imperial Government may be to show every kind of consideration to this, the parent colony of the Australias (and such consideration has been already graciously shown, and, I venture to say, has not been altogether undeserved), it cannot refuse the other colonies what they desire to obtain and believe to be beneficial, because this colony hesitates to adopt a policy to which all the other Australian colonies assent. And when this is done and federation for these limited objects is accomplished—as it certainly will be—I think it will be a circumstance deeply to be regretted that this country should stand outside the inauguration of so great, so imposing, so essentially beneficial a union. By its age, its resources, its history, it is entitled to the leading place in any movement of a national character. The opportunity is now afforded of its occupying that place. The first liberal statesmen of England are as anxious as the most patriotic colonists that this union of the colonies should be immediate and complete. They wish for it in the best interests of the colonies and of the mother country. They see in it a great development of our own resources—the means of a higher and more effectual civilisation—and a strengthening of those ties which bind our fortunes with those of the great empire to which we owe our existence.

Question proposed.

Sir ALFRED STEPHEN: It is with satisfaction that I rise to support, substantially, the resolutions which have been moved by the Attorney-General. The remarks which I intend to make will be confined chiefly to the 3rd resolution, that

Sir A. S. -

which relates to the Federal Council Bill, because it is with that part of the subject that I am most familiar. With respect to the 1st resolution, that which relates to what is called the incorporation in the empire of the island of New Guinea, I need say but little, because, as honorable members are aware, measures have already been taken by the British Government for the purpose of substantially giving effect to it; whether the term used be protection or incorporation, the result will be practically the same. I concur with the resolution protesting against the declared intention of the Government of France to send relapsed criminals to New Caledonia; but I think it right to say, as I said on a former occasion, that I cannot altogether approve of the language which has been used. I think that we may very fairly remonstrate—and that is a sufficiently strong term—with the French Government on the subject, because if they send a number of relapsed criminals to New Caledonia some of them may find their way into this colony. No one can doubt that the measure which the French Government propose to adopt is calculated to inflict serious mischief upon New South Wales. The 2nd resolution says:

That the House recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are matters of general interest with respect to which united action would be advantageous, recommends the adoption in substance of the provisions of the accompanying draft bill * * * * *

Then it says:

with such alterations as this House may deem it expedient or desirable to make.

Does that mean that the House is to be invited to consider the provisions in detail or are we to accept the bill as a whole? Or does it mean that no more is to be done than the convention asked, namely, that a measure was to be proposed to Parliament framed on the basis of their draft bill? The governments represented pledged themselves to recommend the passing of a measure on the basis of the draft bill adopted by the convention; from which I understand that there is to be submitted to the Imperial Parliament, not the exact bill adopted by the convention, but a measure framed on the basis of that bill. I would strike out the words "with such alterations as this House may deem

it expedient or desirable to make" and make the resolution read as follows:—

(3.) That this House, recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, recommends the adoption in substance of the accompanying draft bill for the constitution of a federal council, as defining the matters upon which such united action is both desirable and practicable, and as embodying substantially the provisions best adapted to secure that object.

I do not know that I could add many remarks to those which have fallen from the Attorney-General, who, in his usual lucid and eloquent manner, has dealt with the whole subject. Objections to this bill have been raised out of doors, but I have not the slightest hesitation in saying that I have not heard a single objection to which a clear and decided answer cannot easily be given. On a former occasion I expressed my cordial approval of the bill, and although the measure is not exactly in all respects what I should wish it to be, yet in its leading provisions it is utterly unexceptionable. It expresses all that ought to be expressed, and leaves out nothing that it is necessary to include. The Attorney-General has said that the bill does not propose to establish a complete federal union; it is not altogether that which is established in the Dominion of Canada, but still it is a federal union. It is a union for the accomplishment of objects which could not be accomplished without the assent of two or more colonies, and which cannot be made effective without the aid of the British Parliament. John Stuart Mill, in a work of some reputation, referring to the subject of federation, says:

When several states, otherwise independent, bind themselves together by a treaty, so as to present to the external world the aspect of a single state, without wholly renouncing their individual powers of internal self-government, they are said to form a federation. The contracting parties are sovereign states, acting through their representatives and the extent to which the central over-rules the local legislatures if fixed by the terms of the contract.

That is exactly what will be done here, and it is provided for carefully and well. The Attorney-General has shown that the idea of the independent powers of the respective colonies being interfered with is a chimera. There is no foundation

whatever for it. The jurisdiction and the powers of the new authority are to be confined to certain matters which are clearly stated. One is the relations of Australia with the islands of the Pacific. That is a matter over which one colony could have no control. The second is the prevention of the influx of criminals; and another is the regulation of the fisheries in Australian waters beyond territorial limits. These three points to which the Attorney-General alluded—the service of civil process, the enforcement of judgment, the enforcement of criminal process, and also the extradition of offenders—are some of the matters which no other authority than that which it is proposed to establish could satisfactorily deal with. There is another provision to which exception has been taken. The bill says:

Such of the following matters as may be referred to the council by the legislatures of any two or more colonies that is to say—general defences quarantine patents of invention and discovery copyright bills of exchange and promissory-notes uniformity of weights and measures recognition in other colonies of any marriage or divorce duly solemnised or decreed in any colony naturalisation and aliens status of corporations and joint-stock companies in other colonies than that in which they have been constituted and any other matter of general Australasian interest with respect to which the legislatures of the several colonies can legislate within their own limits and as to which it is deemed desirable that there should be a law of general application Provided that in such cases the acts of the council shall extend only to the colonies by whose legislatures the matter shall have been so referred to it and such other colonies as may afterwards adopt the same.

These subjects are not included in the bill, but may be referred to the federal council if any two or more colonies think fit, and the federal council can only legislate so as to affect the colonies which invite the council to exercise its jurisdiction. If the act is passed by the British Parliament, it will not apply to any colony unless the legislature resolves that the country shall come under it. What objection to the bill then can there be? It is said by some who object to the federation proposals that the colony will be bound hand and foot ir retrievably if it assents to the bill, and that the resolutions are to be adopted without any modification whatever. That, in my opinion, is not a fact. The resolutions are merely the basis of the measure which it is hoped to pass. I submit that, to prevent the possibility of any mistake

[*Sir Alfred Stephen.*

when we have passed the resolutions asking the Imperial Parliament to adopt the accompanying draft bill, we should pass a resolution to the following effect:—

Any alteration which may be made by the Imperial Parliament in the bill for the purpose of better carrying out any clause or clauses therein or otherwise being substituted shall be deemed to be within the meaning and intent of the foregoing resolutions.

I am referring now to certain ambiguities and imperfections in some sections of the bill which I think the Imperial Parliament will probably discover. Section 10 says in effect that any vacancy in the representation of any of the colonies shall not affect the validity of any legislation by the federal council. Well, it appears to me, that that section is one which will require amending; for what is meant by the words "any vacancy"? Does it mean any vacancy in the number of members or in the entire representation? Does it mean that the council may proceed to business although two colonies are entirely unrepresented? The words are capable of that construction. I am merely pointing out that in that section there is an ambiguity which ought to be removed. Section 17 says:

Every bill passed by the council shall be presented for her Majesty's assent to the Governor of the colony in which the council shall be sitting who shall declare according to his discretion but subject to the provisions of this act and to her Majesty's instructions either that he assents thereto in her Majesty's name or that he withholds such assent or that he reserves the bill for the signification of her Majesty's pleasure or that he will be prepared to assent thereto subject to certain amendments to be specified by him.

What is to be done with respect to those amendments is not provided for. It may be that it is intended that they shall be submitted to the convention then sitting. I presume that it is intended that the courts of the various colonies should take judicial notice of the act passed by the federal council, but I am not quite sure that the courts would be able to do so. Would the court of Tasmania be bound to take judicial notice of an act passed in this colony? In section 29 there is a recommendation to which I think exception may be taken. That section says:

The council may make such representations or recommendations to her Majesty as it may think fit with respect to any matters of general Australasian interest or to the relations of her Majesty's possessions in Australasia with the possessions of foreign powers.

I doubt whether the recommendation is altogether desirable. It seems extraordinary that this federal council in these distant colonies should have the power of recommending the Imperial Parliament to adopt some course in regard to foreign powers. I do not think we ought to agree to that. Section 30 says :

This act shall not come into operation in respect of any colony until the legislature of such colony shall have passed an act or ordinance declaring that the same shall be in force therein and appointing a day on and from which such operation shall take effect nor until four colonies at the least shall have passed such act or ordinance.

That seems all right enough ; but if one of the six colonies concerned does not accept the act will it affect all the others? Any colony in which such an "act or ordinance" is not passed will not be bound by the federating act ; but will it come into force in all the other colonies? If four colonies adopt it, will it come into force in the other colonies? Ought not some more specific provision to be introduced into that clause for the purpose of giving effect to what is intended? There is another matter of importance which the bill does not touch upon. J. S. Mill says :

One of the chief difficulties which arise in organising a federal government, consists in discovering by what means disagreements between one or more of the local governments and the central government, as to the limits of their respective powers, are to be disposed of.

The arrangement by which this object was sought to be effected in America is thus explained by Mr. Mill :

Under the more perfect mode of federation, where every citizen of each particular state owes obedience to two governments—that of his own state and that of the federation—it is evidently necessary, not only that the constitutional limits of the authority of each should be precisely and clearly defined, but that the power to decide between them, in any case of dispute, should not reside in either of the governments, or in any functionary subject to it, but in an umpire independent of both.

Of course disagreements may arise. It may be that the laws of marriage and divorce in one colony are different from those in another ; a bill may be passed by the federal council entirely altering this state of things. Then the question arises as to whether that is within the jurisdiction of the federal council, and whether the colony whose law it thus interferes with will not have just ground for complaint. I wish to draw attention to the fact that no pro-

vision is made to meet a case of this kind, though it is tolerably certain that some such difficulty may arise in the future. I am afraid that I have wearied honorable members, but the remarks which I have made are such as would suggest themselves to one who looks at the bill with the eye of a lawyer. I give my cordial support to the resolutions in their substantial form, but I hope that the amendments which I have suggested will be made. The subject is of greatest importance ; it has already been delayed too long, and I trust the resolutions will now be finally dealt with.

Mr. C. CAMPBELL: If any one of England's great statesmen who lived before England became the patrimony of stump orators had been listening to the debate here to-night, he would be induced to exclaim in Shakspeare's words :

Is the throne empty? is the sword unsword'd?
Is the queen dead? the empire unpossessed?

I am quite sure that if any stranger had entered these walls and listened to the debate he would have been impressed with the idea that this colony formed no longer a portion of the British Empire—that we were about to set up as independent petty colonies, to be eventually brought together in a union in imitation of the North American Republic. When the Attorney-General was speaking it struck me that we were about to have a sort of Amphictyonic Council to govern in the Australian colonies, or it was contemplated that the whole of Australia—however the purposes were cloaked—should be formed into a great democratic republic. I submit that what these resolutions propose to give to us is no more than we already enjoy. They speak of United Australia, but are we not united under the shadow of the throne of England? Can we not look to her sovereign will to connect us in the bonds of constitutional law? Are we not also connected in the close bond of common origin, of a history with which we have more reason to be proud than any other nation of their own, and by ties of kindred? What more do we want? Do the statesmen of the colonies want Australia to figure before the world as an independent power, to send an ambassador to England, and to enter into treaties with foreign states? I shall be told perhaps that what has been proposed is nothing of the sort. But I fear it is only the thin edge of the wedge

Cl^s Campbell.

If that constitution, simple as it appears, once begins, we shall have a sort of Amphictyonic Council, to which all appeals will be made on all important measures, and we shall then soon cease to be dependencies of Great Britain, for we shall never rest satisfied without autocracy. I could wish that a younger man, possessed of greater eloquence than I can lay claim to, had risen to address the House on my side of the question. I do not think I should be induced to undertake the task were it not that at my age, if I did not speak now, I may soon be unable to speak at all, being in that state *omni membrorum damno major dementia* which Juvenal so gloomily painted. It appears to me that the clauses upon which the act of the Imperial Parliament is to be based are too vague. With reference to the colonies to be controlled by this federal council, neither the 22nd nor the 30th clause is clear. The 22nd runs thus :

If in any case the provisions of any act of the council shall be repugnant to or inconsistent with the law of any colony affected thereby the former shall prevail and the latter shall so far as such repugnancy or inconsistency extends have no operation.

That is a considerable step in advance. The 30th clause is to this effect :

This act shall not come into operation in respect of any colony until the legislature of such colony shall have passed an act or ordinance declaring that the same shall be in force therein and appointing a day on and from which such operation shall take effect nor until four colonies at the least shall have passed such act or ordinance.

Does this mean that not only shall the act not come into operation until the legislature of the colony has passed an act or ordinance declaring the same to be in force, and that then it shall not be in force until four colonies also have passed the act; or does it mean, as people in Melbourne seem to think, that, although the legislature of the colony shall not have passed the act, it shall nevertheless have force if four colonies at least shall have passed such an act? It is susceptible of two interpretations. If the members of the conference who chose to take the more dignified title of convention were intended to be representatives of the Crown of England, the governors of these colonies would have been selected; and the members were certainly not representatives of the colonies.

[*Mr. C. Campbell.*]

Sir ALFRED STEPHEN : Every one held a commission under the great seal of a colony !

Mr. DALLEY : One was a governor and another a chief secretary of a Crown colony !

Mr. C. CAMPBELL : The Governor of the Crown colony of Fiji was only permitted to appear. There was a resolution to the effect that those colonies which are self-governed—which is the familiar phrase just now—should each have two representatives, but the Crown colonies only one representative. To what purpose was the distinction made? Was it not clearly to stamp the whole thing with the character of incipient republicanism? Was it not intended to place those who were representatives of the colonies with constitutions in a higher position than those who represented Crown colonies? I may be behind the age in thinking that a Crown colony such as Western Australia is far happier than a representative colony, but I do say so, and that it is more solvent than the colonies which boast of representative institutions. The question before us is so important that it ought not to be brought forward at the fag-end of the session; it should have been laid before us at least a week ago. We ought to have had time to consider the subject thoroughly from every possible point of view. No doubt the Government acted prudently in not taking an exaggerated view of the importance of the colonies so far as to dictate to the outside world what should be done in this hemisphere; but to defer the subject so long was not judicious. The question now arises—were the resolutions the basis of the draft bill adopted by the so-called convention? Or were they hastily considered proposals, not very seriously weighed, nor involving the deliberate judgment of her Majesty's loyal colonists in this hemisphere? Were they only the views of private citizens without authority to transact important business, or to express an opinion that would be binding on others or on themselves? Did the colonial ministers represent the imperial Crown? I admit that to a certain extent they did so, as they received a favourable reply from the Secretary of State for the Colonies. Then comes the question—are we prepared to entertain these proposals to-night—prepared to hand over the government of

these colonies to a small council of fourteen members, and a possible quorum of four? It has been said that by adopting the plan now before us we should enter into more amicable relations with the sister colonies. I am obliged to doubt it. If being descendants of the same race, subjects of the same sovereign, the enjoyers of similar constitutional rights, will not bind Victoria to New South Wales I do not think that any attempt of the kind now sketched out will have that effect. Some who addressed the Parliament at Melbourne said that they could not act without perfect unanimity, and that no attempt should be made to obtain imperial legislation until that was accomplished. But now leading statesmen in that colony talk of leaving us in the shade, and say that if we do not come forward they will enter into an alliance without us. I am afraid of the jealousy and hostility between the two colonies. As far as property is concerned I am more interested in Victoria than in New South Wales, and I have always, when in that colony, received very kind treatment; but yet, having strong prejudice in their favour, I should not, from a political point of view, like to see New South Wales under the heel of Victoria. If we become closely united, the jealousy instead of decreasing would increase, and this federal council will probably take the part of the Imperial Crown of England. Many things are now settled by the Secretary of State, who *qua* Secretary of State is not possessed of power, but possesses great power as representing her Majesty the Queen of England. Many of the questions submitted to his decision will be submitted to this federal council. They will not long be satisfied with the state in which they are to assemble. They are to come together first in one of the colonies, Tasmania, and subsequent sessions are to be held in such colonies as the council shall from time to time determine. That alone will be a bone of contention. With every wish to see merits in the plan laid before us, I am unable to perceive in it the hand of any great statesman. It seems to me to be a series of hasty conclusions arrived at without due deliberation. It is proposed that the Imperial Parliament shall pass an enabling bill, and that this bill shall be inoperative until the colonial parliaments have decided upon its accept-

ance. The Imperial Parliament would never consent to degrade itself in such a manner. Is the Parliament of England so reduced as to pass acts the operation of which shall depend upon the consent of others? The whole of the provisions show that we are not ripe for federation. The federation which we at present enjoy as colonists, subject to the Crown of England, is not only our best but our great safety and shield against the whole world. I am sorry to hear the Attorney-General say that if England had consented to do what was asked by the more enthusiastic spirits in other colonies, namely, that the islands in the Pacific should be subject not to us as colonies, but to the protection of England, the great powers of Europe would not have permitted it. I wish I was a child again. At the age of five years I first came to the colony under the flag of England, and we had 110 ships round us. Did England then crouch to France? When Austria was bent and Russia broke, did she then yield? No, the statesman who then directed England's councils spurned a dishonorable peace. I say that our representatives did what was judicious when they urged Great Britain to assume the position which they recommended. I say, however, that I would regard with contempt the assertion that they did so, not from a sense of national right, not from a sense of Christian forbearance, but because the great powers of Europe would have forbidden them to do what was proposed. I could have wished that the representatives of New South Wales had spoken out in a bolder tone, that they had said "we will not accept the bill," and have given their reasons for not doing so. When I look around and see that when discussing matters of such very great importance so few honorable members are present, I take it as an indication that the subject has not yet been grasped by the colonial mind. I think, therefore, that the best course for us is to say that in our opinion the colonies are not yet ripe for federation. One of the resolutions before us says that the House recognises "that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained." Then why should we attempt to bring about an incomplete federation? What advantage can be derived from a maimed federation

such as is proposed? We enjoy a very happy position as colonists under the rule of Great Britain. We enjoy all the advantages of her civilisation, of her wonderful free Constitution, and of her admirable laws. If we are of opinion that if we were severed from Great Britain we might not enjoy all these advantages, then I say that we had better decline to agree to a maimed and incomplete federation. I do not think we are prepared for what would be the natural results of federation. We have neither an army nor a navy, because we are under the protection of England. But if we are going to set up for ourselves—if we are going to be a united Australia, in a very short time we shall be called upon to provide for both an expensive army and an expensive navy. I do not pay much attention to the argument that the statesmen of England are all in favour of this federation scheme. The statesmen of England apparently know very little of the colonies. One or two of them have visited the colonies, and we had here recently an English nobleman of considerable eminence, who seems to have caught the colonial phobia. He went home and very much exaggerated the importance of the colonies. He is actually reported to have impressed another nobleman with the idea that it would be less dangerous to incur the anger of the great powers of Europe than to incur the resentment of the Australian colonies. Well, we know that to be an exaggeration. We shall require to have a great many visits from English noblemen before the people of England know much about the colonies. I think we should be prepared as colonists to express our firm allegiance to the English throne. Speaking as an old Englishman, I think we should be prepared, even allowing that England is now aged and not so strong as she formerly was, to say to her in the language of Shakspeare:

Though perils did

Abound, as thick as thought could make them, and
Appear in forms more horrid; yet my duty,
As doth a rock against the chiding flood,
Should the approach of this wild river break
And stand unshaken yours.

In conclusion, I beg to move:

That the question be now put.

Mr. A. CAMPBELL: I have listened with very close attention to the various speeches which have been delivered on this question, especially to that delivered by

[*Mr. C. Campbell.*

the Attorney-General, and to that of the honorable and learned member, Sir Alfred Stephen, who has suggested some amendments. I should hesitate to vote for these resolutions if they were likely to be followed by such consequences as have been indicated by the honorable and learned member (Mr. Charles Campbell) who has just sat down. If I thought that by adopting these resolutions we should be alienating the people of this country from that allegiance which we owe to the throne, and that by doing so we should abate by one jot the love and reverence which we cherish for the mother country, I should not vote for them. But I do not believe that any such consequences would ensue; and it is for that reason that I intend to vote for the resolutions in their entirety, or with such amendments as the Attorney-General may be disposed to accept from the honorable and learned member, Sir Alfred Stephen. After what has been said by the Attorney-General it is unnecessary for me to go into the general question. I altogether dissent from those who say that because we cannot obtain a complete federation we ought to have no federation at all. Was there ever a constitution voted yet that was complete in the first instance? Have not all constitutions been made gradually, and as the light of circumstances has dawned upon the framers of them? This being so, how can we expect to make a perfect federal constitution for these colonies by one leap? But this is not necessary. All we want now is to initiate steps for the establishment of a federal council of an elastic and expansive type—it may be a council of only fourteen now, but in time it will be forty, and further on probably 400—to deal with those questions which we cannot deal with ourselves—questions of common concern, which it is desirable to deal with in the interests of the whole of these great colonies. The Attorney-General has referred to some of those questions; but I will mention one or two others. Twenty-one years ago I took considerable interest in an agitation for the establishment of a customs union, the subject being then mooted in all the colonies. I wrote a long letter on the subject to the *Sydney Morning Herald* about a week before the meeting of a conference of delegates from New South Wales, Victoria, and South Australia, which assembled in Melbourne

on 24th March, 1863, to consider the vexed question of the border duties. Had we been able to establish such a union at that time it would have been of very great benefit to trade ; but it could only be done by federal action, and at that conference the other colonies were not represented, and the matter fell through. The subject of intercolonial free trade has been of late years occasionally discussed. Most people think it very absurd that the products of this colony should have to pay a duty to Victoria just as if they were sent to a foreign state, and *vice versa*. Statistics show that the trade amongst the colonies is pretty evenly balanced, and that if each colony ceased to impose duties on the goods imported from any other colony we should remain in pretty much the same position from a fiscal point of view as we are in now. This question, however, is one which could only be dealt with by federal action. There are many other matters, the treatment of which must be left to some federal authority. We do not propose to do anything that would interfere with the independence of the legislature of the colony. We are not about to hand over all the powers of our legislature to a federal council, as has been erroneously stated, although we are willing to authorise such a council to exercise certain powers on our behalf, simply because we are unable to exercise these powers ourselves. The Attorney-General has referred to a matter in reference to which I have felt some pain. He pointed out that instead of taking the lead in this matter as the oldest and the most influential colony of the group, we were lagging behind. When I read the other day in a London telegram that the Agent-General of this colony was holding back instead of doing his utmost to urge on these matters, I felt that we were in a false position. I thought that the Agents-General of some of the colonies were perhaps going too far in pressing their suit with undue haste ; but even if they were, it is a pity that there should be any split between the representatives of the colonies. Union is strength ; and if the colonies are divided they will be weak. If we are to have our claims recognised, as they assuredly must be sooner or later, it can only be by combined action. I understand that the bill has been agreed to by the legislatures of all the other colonies,

and that being so, it is quite impossible for us to hesitate to adopt it. Are honorable members prepared to refuse their assent to these resolutions, and by so doing to isolate New South Wales amongst the Australasian group? I cannot believe it. Be the result what it may, we ought to do what we can to bring about that federal action which will enable us to obtain legislative treatment of those matters of common concern which none of the colonies is able to deal with separately. Federation must come sooner or later, and the sooner we take steps to obtain it the better it will be for the interests of all the colonies concerned.

Mr. MACINTOSH : I do not wish to allow the resolutions to go to a division without stating the reasons why I intend to vote against them. I do not see that anything is to be gained by any kind of union with Victoria. We may almost regard the Tasmanian people as Victorians, as they are very much in the hands of Victoria. They have a great deal of Victorian capital invested in Tasmania. I do not think that there is any similarity of interest between Queensland and New South Wales. New South Wales is a free trade colony ; but most of the others are not. Victoria is a protectionist colony, and South Australia is not much better. I do not think that we could ever establish a federal union which would be of much value unless we had a universal tariff. No doubt it would be a great advantage to do many of the things mentioned in the 15th clause ; but I think all that we want can be gained without any federation whatever. The chief object of this movement, so far as the Victorians are concerned, is to glorify Victoria. It seems to me that under the 16th clause any two or three colonies might combine and deal with any subject as they please in this nomadic council. We might have the council sitting in Western Australia, and settling matters affecting the interests of New South Wales. Before we ask for federation let us get a uniform tariff established throughout Australasia. I have as great a love for this country as any man in it, and I feel it my duty to oppose any attempt at federation under present circumstances. We may have it at some future period ; I see no earnestness among people, rich or poor, to get it now. They can see no

particular gain from it. I do not know, however, that gain should be the particular object in view; we ought to have regard rather to the general welfare of whole colonies, and I do not think it would tend to the general welfare of the colonies that federation should take place under the present political aspect of things in the Australian group. As to our loyalty to the mother country it is a question which ought not to arise; I know none disloyal in New South Wales, and certainly none could be more loyal than the parliaments of this colony have been. There is no reason to object to the protectorate over New Guinea; but I question whether it will do any good to the mass of colonists, though it may open a field of enterprise to speculators. In northern Queensland white labourers cannot exist, and New Guinea, more thoroughly tropical, cannot be better for them, whilst we have plenty of the finest land in the world in more favourable climates, with a virgin soil, capable of sustaining millions of people. Regarded as a national question, however, it may be better that the British Government should have a protectorate over New Guinea so that whatever advantages it affords may be for the benefit of the empire, for it would exclude any foreign power from the acquisition of an island so close to our colonies as might otherwise be a menace to our peace and prosperity. But so far as settling a British population in New Guinea I do not think much of it. It will never be a place where white men can make homes for themselves; and we have abundance of room in our more auspicious climate for the settlement of a large European population.

Mr. GORDON: The matter before us comes in a very practical shape, and I do not think that the honorable member who has just resumed his seat has taken a sufficiently comprehensive view of the resolutions. The House is asked to agree that certain resolutions passed by what is called the Australian convention with reference to a protectorate over New Guinea, a settlement of criminal population near our shores, and the settlement of the islands of the western Pacific. The home Government expects from us some expression of opinion. They wish, when dealing with them, to be supported by the views of the

colonies after a discussion of these matters. Then, are we ready, or are we not prepared to assist the British Government in the business? They are matters of general colonial concern, and are we, because we are tired with the labours of a long session, to pass them by without giving a deliberate reply to the home Government? It would be unworthy of this Council to do that, and it would tend to our humiliation. It cannot be owing to the Government not having brought the questions before us earlier, they have been occupied with other matters of great importance; and these resolutions have been under our notice for a long time, so that we ought now to be prepared to give a decision on them. The 2nd resolution has reference to the federation of the colonies, and we surely can make up our minds on that point. The resolution simply affirms that though at present we are not prepared for what is called complete federation, there are many matters in which united action is desirable, and it recognises the adoption of the principles of this draft bill for constituting a federal council to deal with those matters of joint interest in which joint action is desirable, and which bill embodies the principles upon which that joint action is to be based. One would think that this question surpassed, as far as importance is concerned, even the Land Bill, or Civil Service Bill, and our railway policy. These may become utterly insignificant in comparison with the great interests involved in the united action of the whole of Australia. Each of the several colonies has an almost independent government acting without any common bond, and it is a wise proposal and a bounden duty of our statesmen to bring them into union. That New South Wales, the oldest of the group, should be the one to stand aloof on this matter is inconsistent with her position; she ought to take a leading part. The leader of the Opposition in Queensland expresses his regret that New South Wales, as in some respects the most important of the Australian colonies, has not taken more decided action, and that Victoria has taken such extravagant views on certain points. The moderate and statesman-like mode in which our Government have dealt with these various questions in the course of the last few months has justly earned for them an immense amount of

[*Mr. Macintosh*].

confidence in England. If our people have not been so earnest in the movement as other colonists have been, I regard it as a reproach to us that we have not seen our interests in taking up the matter to some extent as it has been taken up in other places. It will not do to delay our action; when information of every event in Europe is transmitted to this part of the world so quickly we are subjecting ourselves to the greatest possible risk in being dilatory on such questions as these resolutions include. We cannot form a federation under the circumstances in which the Canadian federation was formed, after a rebellion being put down. We have enjoyed semi-independence for years, the colonies are prosperous, they have common interests, and on these grounds we may gradually bring about a complete confederation. Those who seek to forecast the future of these colonies must be conscious that federation must come about. The present proposal is only a step towards that event. As to the Pacific islands, it will be of immense benefit to have the colonies acting together. Again, if we want to prevent the influx of criminal population it can be done most effectively by union. There are, in the resolutions, several subjects with regard to which it cannot be said any individual colony is more or less interested than the other colonies. Then why not unite them together? There is another class of cases in which each can deal separately, and the freedom to do so is provided for; the federal council is only to deal with such matters if they are referred to them by three or four colonies, and then each of the referring colonies is bound to abide by the decision of the council. This will be a great advantage, that will be seen as soon as the federal council begins its work. There is nothing in the draft bill that can be fairly objected to; nothing to justify us in standing aloof. The enabling act is not to take effect until four colonies have passed an act or ordinance to make it operative. There must be a substantial union or federation before the enabling act begins to take effect. Why, then, should we stand aloof? I feel that the credit of the colony is at stake. Federation must come sooner or later, and when all except her are willing to federate, should New South Wales refuse to join it will be most regrettable,

and let not this council have to share in the regret by refusing assent to the propositions now submitted to us.

Professor SMITH: It is with great reluctance, indeed, that I have come to the conclusion that I must vote against the resolution respecting the enabling bill. After the powerful advocacy of the Attorney-General, and his eloquent appeal to our patriotism, I should be glad to vote with him; but if I gave way to my feelings my action would be opposed to the best judgment I can bring to bear on the matter. The vital points of the question have not been touched. No time could be so inopportune as this for dealing with so important a matter. Its importance has not been exaggerated; but for that reason does it not require a most careful and prolonged deliberation? In my opinion it is more important than the Land Bill, the Civil Service Bill, or any other measure with which we have had to deal, and for this, among other reasons: if, after a years' experience, it is found that there are defects in the Land Bill they can be remedied in the next session, and so with other bills. Not so with this bill providing for federation. Once let the Imperial Parliament pass this draft bill, and we are helplessly tied hand and foot, not even a majority of the colonies can amend that bill. Only the Imperial Parliament can do so, and unless the colonies unanimously require its amendment, the Imperial Parliament would not take it up again. Is it then at all probable that all the colonies would view in the same light defects in the act? We should never have unanimity in seeking a modification of the act. Supposing the bill is passed to-night, we should hand over ourselves in a condition perfectly helpless with regard to amendment. It seems to me that there has been a great deal of purposeless talk about possible amendments. The honorable and learned member, Sir Alfred Stephen, has pointed out some most serious defects in the bill, and it was his speech that finally determined me to vote against it. How are those defects to be remedied? We have no power to remedy them. I find in the bill the following passage which seems to me to have no meaning whatever:—

That this House * * * recommends the adoption in substance of the accompanying draft bill for the constitution of a federal council.

Has any one considered how such alterations as I refer to are to be made? That is a most essential point. There are material defects in the bill; how are they to be remedied? We have been told that we cannot deal with the bill in Committee as we should deal with any other bill. We can only pass the resolutions without having power to alter a single word of the bill. If we were permitted to make any alterations, the bill would no longer be the bill of the convention. All the other colonies have blindly adopted the bill without making any alterations in it.

Mr. DALLEY: As a matter of fact two of them have made alterations in the bill.

Professor SMITH: I am glad to hear it. I should like the Attorney-General to tell us what the fate of our amendments would be if we amended the bill before it was sent home. Some of them would be adopted by the Imperial Parliament, and some of the colonies would be disappointed. Those colonies might then decline to pass a measure bringing them under the operation of the Imperial Act. The position would be a very awkward one if we went so far as to recommend the passing of an act, and then refused to come under it. It would be an undignified position, and I do not think we can escape from it after having passed these resolutions. Here is one of the things that I am most dissatisfied with in this bill, and it has not been sufficiently discussed. Every one acknowledges that the interests to be submitted to the federal council are of the highest importance; they affect the whole of the colonies, and yet they are to be dealt with by a council consisting of fourteen members, of whom eight are to form a quorum. How are the members of the council to be chosen? We have not had a scintilla of light thrown upon that question; yet it is a matter of very great importance. It is of great importance that the members of the federal council should be men of a representative character. If they are not, how can we intrust the interests of the whole of the colonies to them? If we could select eight of the wisest men in the colonies, perhaps we might commit our interests to them; but we have no idea of the machinery by which the eight wisest, or eight even wise men, are to be chosen. This is not a question of comparative indifference which can be settled at any

[*Professor Smith.*

time. It is a vital matter. We ought to know how the members of the federal council are to be appointed, and what representative character they can claim. It seems to me that the proposal is premature. I have no doubt that federation will come; it is a good end to be aimed at; but there is no need to press it on at the present time. There is no feeling out of doors in favour of it. We do not see any symptoms of enthusiasm manifested. We are not subjected to any outside pressure. If the public exhibited any very strong feeling on the subject, I would much rather vote with the Government than against them; but as we are left solely to our own judgment, no petitions having been presented to Parliament on the subject, why should we take this leap in the dark? It is ridiculous to suppose that the colonies would very long agree to commit their interests to a body of whom eight will form a quorum. The Attorney-General impressed upon us very strongly that in passing this bill none of the colonies would lose the smallest degree of its legislative independence. What, then, does he make of clause 22, which says:

If in any case the provisions of any act of the council shall be repugnant to or inconsistent with the law of any colony affected thereby the former shall prevail and the latter shall so far as such repugnancy or inconsistency extends have no operation.

Is that not giving up some of the legislative privileges which we enjoy?

Sir ALFRED STEPHEN: Not at all!

Professor SMITH: Well, I may be wrong, but if I am I should like to know what interpretation is to be put upon the clause. There can be no doubt that if we agree to this bill we shall give up some of our legislative privileges. We hand over to the federal council certain matters which would otherwise be kept in our own hands. As regards the evil of the influx of criminals, we can at present deal with that ourselves, and we can pass measures as stringent as any that the federal council could pass; but if we once adopt the bill we shall no longer have power to deal with that subject. There are many defects manifest in the bill, and some of them were very clearly pointed out by the honorable and learned member, Sir Alfred Stephen. I do not see how we could give effect to the phrase which occurs in one of the resolutions with regard to making

alterations in the bill, and if we had the power to do it we should not have time to attempt it. I think that on these grounds we should be fully justified in deferring any decision upon the subject to a more suitable opportunity. How can any one profess to be an exponent of public opinion on this matter? And a representative body always falls back upon that idea. I have other reasons for opposing the motion, but I think I have said sufficient to justify the vote which I intend to give.

Mr. H. C. DANGAR: I feel very much indebted to the honorable and learned member, Professor Smith, for the speech he has just made on this subject. He has given us the most forcible illustration of the difficulties which beset us in attempting to deal with the question at such a very inopportune time. The honorable and learned member, Mr. Gordon, has also delivered some very forcible observations as to the necessity for dealing with the question now, and has held up to our notice some of the terrible results likely to flow from our refusing to deal with the question. I intended to vote on the negative side on the previous question if the matter is pressed to a division. I, for one, feel that there has been most indecent haste in pressing on these resolutions, when at length they were brought before the House. There was no great haste in submitting the matter to Parliament; the subject has been delayed until the last night of the session, and the debate has been carried on with scarcely a quorum in the House. We are in the anomalous position of having this matter considered in both houses simultaneously. It is impossible for us to understand what may be the result of the discussion which is now going on elsewhere. I do not care what the result may be; though it is quite possible that we may arrive at one conclusion here while a different conclusion is arrived at in the other House. I should like to know what position the Government would be in then.

Mr. HILL: I suppose each House will do its duty!

Mr. H. C. DANGAR: Each will according to its views. Of all the questions that could possibly have been submitted to us, this in particular is one upon which we ought to have had the opinion

of the representatives of the people before we attempted to deal with it in this Chamber.

Mr. HILL: Why?

Mr. H. C. DANGAR: Because we are simply nominees here; but the other Chamber directly represents the people, and their opinions ought to have been elicited before the matter was submitted to us. Had it not been that we had drifted into the very last night of the session no doubt that course would have been pursued. Some time ago I entertained an opinion different from that I now entertain, but after a very careful scrutiny of the bill I admit that the consequences I thought at one time as likely to ensue from the adoption of the bill do not now seem to me likely to be realised. I am to a certain extent in accord with the Attorney-General as to the advisability after proper consideration of placing ourselves in unison with the other colonies with regard to this proposal to ask the Imperial Parliament to pass the bill in question. It has been pointed out that there are in the bill certain defects, and they ought to receive careful consideration. I do not see that any great danger is to be expected from the adoption of the bill; but I maintain that although the question has been dangled before us for so long a time it has never received the serious consideration of either House. I am surprised—I may almost say indignant—that a question like this, affecting our national importance in a greater degree than any measure that is likely to be submitted to us again, should have been delayed until the very end of the session. What course would have been pursued if the resolutions had been introduced in the middle of the session? Instead of our being asked to settle the question in one night, we should have had a clear exposition of the whole subject from the Attorney-General, after which the debate would have been adjourned for a week or so to give us time to digest the honorable and learned member's arguments. It is absurd to ask us to deal with the subject on the last night of the session, and I wonder what the other colonies will think of the way in which the matter has been dealt with by us. Some time ago some very pertinent articles and letters on the subject appeared in the public press, and I think it is much to be regretted

that the subject was not dealt with while those letters and articles were fresh in the minds of the public. A very just illustration was set forth by one of the writers, who made use of the well-worn simile of the wooden horse. The extraordinary interest bestowed on the question by the Premier of Victoria contained in itself a strong element of suspicion. That he should show any great interest in the welfare of other colonies is in itself a sufficiently ominous circumstance. I do not want to judge Mr. Service unfairly, but when we hear of the great interest he has taken in the question, I cannot help exclaiming in the language of Laocoon, "*Timeo Danaos et dona ferentes!*" The honorable and learned member, Professor Smith, has wisely pointed out the danger which we incur in inconsiderately adopting proposals for legislation of this kind. The impropriety of such a course is rendered still more apparent from the fact that we are almost immediately to have a short session during which the subject might easily be dealt with. There is one feature in the bill which has not been sufficiently dilated on; I refer to the subject of the representation of the colonies. It appears that the least important of the colonies is to have the same representation as the largest and most influential. That may appear to some to be an equitable arrangement, but I shall certainly vote against the proposal. I think that the representation of the various colonies ought to be in proportion to the population. If the decision of the House is against my views, I shall submit with the best possible grace, feeling, however, that we have been called on in a most unfair way to determine on a subject which we should have been allowed much more time to consider.

Mr. FLOOD: I have often been taunted by friends with being prepared on almost all occasions to vote with my honorable and learned friend, the Attorney-General, and I admit that there is a great deal of truth in the statement; but I am afraid that the vote which I shall give to-night will not be in accord with that view. The honorable and learned member, in proposing the resolutions, did not inform us whether he would be willing to have them put from the chair seriatim. As regards the establishing of a protectorate over New Guinea, I am sure that this Chamber

[*Mr. H. C. Dangar.*

will be unanimous in agreeing to any proposal to contribute towards the expense of such an undertaking. I listened attentively to the speech of the honorable and learned member, Sir Alfred Stephen, and that gentleman convinced me that the whole scheme for the federation of the colonies is a perfect conglomerate. No one seems to understand much about the resolutions. The Government have been too much engrossed with the heavy duties of this long session to be able to give sufficient attention to this important subject. The Government must have thought it a very insignificant matter, or they would never have delayed its consideration by Parliament until the last hours of the session. I do not think we have suffered many troubles in the last few years, or that we have felt a terrible loss by non-federation during that time. There is, then, nothing to justify the calling on us in such haste to deal with the question; it is not creditable to the country to deal hurriedly with a matter of such great importance. I am not aware of a single thing that has taken place between this and other colonies to create the alarm which seems in the minds of many to make federation immediately requisite. The federation I desire to see is with that glorious country, the United Kingdom. We want no other federation. If anything adverse happens to her, we could then unite together to assist as our interests would be hers. I have never heard so much special pleading as that in the address of the honorable and learned member, Sir Alfred Stephen, who still showed so little to justify the conclusion he appears to have arrived at. In advocating federation we ought to have some clear conclusive case to justify the taking of immediate steps. The honorable and learned member has not shown any. In a union by federation of the colonies there would be as much harmony as there would be in a federation between different theological sects. It has been said here to-night that the people of Victoria profess to be protectionists, and in this colony we profess to follow the principles and rules of free trade. What federation could take place with these conflicting questions prevailing among us? It may be said that it is not intended to interfere with commercial affairs; but will not our differences on these points tend to discord in other

matters. I hope the Attorney-General will withdraw the resolutions, because if there is a division on them I am afraid the House will be counted out; and if he was certain of a majority it would not be dignified to take a vote under present circumstances. As Parliament will soon be called together again the resolutions can be brought forward at an early period next session.

Mr. STEWART: The honorable and learned member, Professor Smith, expressed exactly what I think on this matter, and in better language than I could use. It is assumed by the advocates of these resolutions that this and our sister colonies stand convicted of bad government or bad legislation; so that there is an urgent necessity for legislation of a superior kind which can be obtained only by supplementing or superseding it by a supreme body of legislators. Twenty-eight years ago the Imperial Parliament gave us an act empowering persons in this colony to conduct legislation in a certain fashion. Now it is proposed to revolutionise our legislation and supersede it by another authority. If these new legislators failed in their duty, or acted in any way unsatisfactorily, I suppose we must put up with them until we get another act of the Imperial Parliament to supersede them. But before that comes about all these colonies must be unanimous—a thing as impossible as the theological federation referred to. What necessity has arisen for a federal council? Considering all things, except a few blunders, the legislatures here have done very well, as compared with the legislatures in Europe, and before superseding them we ought to have a good reason for it. If we do not federate the Attorney-General tells us that we isolate ourselves. What then? Will the world then come to an end? Cannot we govern ourselves? If we pray her Majesty to send us an imperial act, it is certain that we are bound to accept it. If the resolutions are negatived, we shall be safe, and the other colonies may get their bill and federate. The Imperial Government may say in the bill that other colonies not included in it may join the federation at some future time. This is a resolution of such high importance that no government valuing its integrity would ask Parliament to pass it before it has been submitted to the electors from the hustings. It is said that no

parliament will be bound by the acts of the federal council; but it has been pointed out that under the 26th clause of the draft bill they will be supreme over other legislatures in certain cases, and that is clear from a reading of the clause. No doubt the Imperial Parliament will make the bill what they consider best for us, yet we know already pretty well what will suit us and surrounding colonies. It is a very hazardous experiment, and one from the consequences of which, having once entered on it, we cannot escape. It is said that the draft bill is a skeleton measure which will be altered; but who can tell how? There will be no chance of revising it before it comes into operation. The great thing, according to the Attorney-General, is that if we do not join we shall be sneered at and slighted. If the purpose of the movement is to bring about such a state of things that we can boast of being a great nation, and become an object of esteem and admiration before the world, as is said by the Premier of Victoria, is it not also to make certain people stand as high in the opinion of others as they do in their own estimation? Men and colonies are respected or despised according to their conduct, not on account of conventional adornments. I intend to vote with the noes on the previous question. To vote directly against the resolutions would not be good policy. I cannot sit down without complaining that our ministers should expect that important matters of this kind, affecting millions of people, to be decided after so short a debate without help from the Government to enable them to come to a conclusion wisely or unwisely; we have had to get all the information we have for ourselves. At any rate, if a federal bill passes the Imperial Parliament, we may be sure there will be in it a provision allowing any colonies who chose to stand out and join hereafter if they think proper to do so.

Mr. DALLEY, in reply, said: I have but little to say in answer to the speeches which have been delivered on this subject. I have been somewhat amused at this time of day to find the representative character of the convention questioned. Seeing that with the exception of the Governor of Fiji and the Colonial Secretary of the Crown colony of Western Australia the remainder of the representatives were the

premiers and ministers of all the Australian colonies, I cannot conceive of a more directly representative assembly. Does the honorable and learned member who took exception to this convention imagine that the members of it should have been directly elected by the whole country? Did the great ministers of the Crown who took their places in great European councils, ask for a special popular authority to justify their action? Or did they take such places because, by their position in the Government, they were presumably the depositaries of public confidence, and authorised to discharge such functions as these? I am equally amused at the alarm that has been manifested at the evidences of a democratic and disloyal spirit which are contained in the proposals. These proposals have nevertheless been continually entertained by her Majesty's ministers who not only saw nothing disloyal in them, but actually saw in them fresh proofs of loyalty and attachment. I have really heard nothing deserving of an answer, and I will not detain the House at any length. I anticipated that there was some doubt that the proposals would be accepted. I feel assured that if the previous question be carried it will be regretted by the country; and I feel certain it would be a bitter disappointment to the Imperial Government. I will say one word in conclusion. Allusions have been freely made to the conduct of the public men of Victoria, and their attempted injustice to this colony. I know of no such attitude. Personally I have not the least cause of complaint of these gentlemen. They have acted with enthusiasm; but with justice. They felt strongly on this subject. They acted as men under the influence of a solemn conviction. With much of their enthusiasm I have little sympathy; but I should feel ashamed of myself if I failed to recognise their determination and their fairness. We have nothing to charge those gentlemen with, and I feel proud to bear witness to their fairness. They assisted in paying this country the compliment of making it the meeting place of the convention—they placed its Prime Minister in the chair—they patiently waited the convenience of this colony by the necessarily late submission of what to them was a burning question. I cannot resume my seat without expressing my

[*Mr. Dalley.*

obligations to the statesmanlike expression of my honorable friend, Mr. Alexander Campbell, who has raised himself above the level of party and prejudice, and has done good service to the best interests of the country. It is my intention to adopt the amendments suggested by the honorable and learned member, Sir Alfred Stephen.

Question—That the question be now put—put, whereupon the House divided with the following result:—

Ayes	13	} Majority, 4.
Noes	9	

AYES.

Abbott, R. P.	Ryan, J. N.
Brodribb, W. A.	Rundle, J. B.
Campbell, A.	Stephen, Sir Alfred
Dalley, W. B.	Webb, E.
Gordon, A.	<i>Tellers,</i>
Jacob, A. H.	Hill, R.
Norton, J.	Thornton, G.

NOES.

Campbell, C.	Smith, Professor
Dangar, H. C.	Stewart, J.
Flood, E.	<i>Tellers,</i>
Levy, L. W.	Macintosh, J.
Ogilvie, E. D. S.	Macleay, W.

Question so resolved in the affirmative.

Original question resolved in the affirmative.

Resolved: (1.) That this House having under consideration the following resolutions adopted at the Australasian Convention, held in Sydney in November and December, 1883, namely,

- (1.) That having regard to the geographical position of the island of New Guinea, the rapid extension of British trade and enterprise in Torres Straits, the certainty that the island will shortly be the resort of many adventurous subjects of Great Britain and other nations, and the absence or inadequacy of any existing laws for regulating their relations with the native tribes, this convention, while fully recognising that the responsibility of extending the boundaries of the empire belongs to the Imperial Government, is emphatically of opinion that such steps should be immediately taken as will most conveniently and effectively secure the incorporation with the British Empire of so much of New Guinea and the small islands adjacent thereto as is not claimed by the Government of the Netherlands.
- (2.) That the governments represented at this convention undertake to submit and recommend to their respective legislatures measures of permanent appropriation for defraying in proportion to population such share of the cost incurred in giving effect to the foregoing resolutions as her Majesty's Government, having regard to the relative importance of imperial and Australasian interests, may deem fair and reasonable.

(3.) That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges upon her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands.

(4.) That the convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient.

records its approval of such resolutions.

(2.) That this House, recognising that the time has not yet arrived at which a complete federal union of all the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, recommends the adoption in substance of the accompanying draft bill for the constitution of a federal council, as defining the matters upon which such united action is both desirable and practicable, and as embodying substantially the provisions best adapted to secure that object.

(3.) That a humble address be presented to her Majesty, praying that her Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a federal council of Australasia upon the basis of the draft bill adopted by the convention held in Sydney in the months of November and December, 1883.

(4.) That an address be presented to his Excellency the Governor communicating the foregoing resolutions, accompanied by a copy of the draft bill therein referred to.

PERSONAL EXPLANATION.

Mr. H. C. DANGAR desired to explain why he was too late to take part in the division on that portion of the Loan Bill dealing with the proposed Grafton-Glen Innes railway. He arrived in the Chamber not a minute after the division had taken place. He had a business engagement some distance out of town, and hurried back with all possible speed; but he regretted to say that he was a minute too late to save the country from the disaster of what he considered would be a most unwise expenditure of money.

SPECIAL ADJOURNMENT.

Motion (by Mr. DALLEY) agreed to:

That this House, at its rising to-day, do adjourn until to-morrow at 11:30 a.m.

House adjourned at 10:33 p.m.

Legislative Assembly.

Thursday, 30 October, 1884.

Appointments under the Land Act—Blasting Operations in Liverpool-street—Order of Business—Charge against a School Teacher—Case of W. L. Small—Railway from Culcairn to Germanton—Resumptions of Land—Resumptions of Land for Railway Purposes—Federation of the Colonies.

Mr. SPEAKER took the chair.

APPOINTMENTS UNDER THE LAND ACT.

Mr. LYNCH: I wish to ask the Minister for Lands a question without notice. I want to know whether it is a fact that twelve or fourteen members of the House who supported the Land Bill have applied for appointments as chairmen of local land boards or as assessors under the act. As rumours are prevalent on the subject which affect the character of the House, I think it is the duty of the Minister to give a most emphatic answer. It is said that twelve or fourteen members have applied for these appointments, and that is tantamount to a charge of bribery. I think that any man who has made any such application ought to be expelled.

Sir HENRY PARKES: I do not think the question ought to be answered, as it would be an invidious interference with private business.

Mr. FARNELL: In reply to the honorable member, I can truly say that no member of Parliament has made any such application to me.

BLASTING OPERATIONS IN LIVERPOOL-STREET.

Mr. BURDEKIN asked the ACTING SECRETARY FOR PUBLIC WORKS (*without notice*),—Will he take into further consideration the question of the blasting operations now being carried on in Liverpool-street, and which are causing very great annoyance and uneasiness in the neighbourhood?

Mr. DIBBS answered,—I have no objection to take into consideration representations of this kind; but it must be borne in mind that the sewage works have to be completed by a given date. No danger to the inhabitants of the locality is caused by the blasting operations.

ORDER OF BUSINESS.

Resolved (on motion by Mr. DIBBS) :

That Government business take precedence of general business to-morrow.

CHARGE AGAINST A SCHOOL TEACHER.

Ordered (on motion by Mr. ABIGAIL) :

That there be laid upon the table of this House copies of all letters, minutes, depositions, reports, or other documents relating to the complaints made by the parents of the children attending the public school at Round Swamp, charging the teacher with certain irregularities towards the scholars.

CASE OF W. L. SMALL.

Ordered (on motion by Mr. ABIGAIL) :

That there be laid upon the table of this House copies of all papers, minutes, reports, or other documents relating to the case of Mr. William Lloyd Small, arrested at Balranald upon the certificate of one medical man for being insane, and who afterwards died through alleged improper treatment in the Hay hospital.

RAILWAY FROM CULCAIRN TO GERMANTON.

Ordered (on motion by Mr. LYNE) :

That there be laid upon the table of this House copies of all plans, surveys, and other documents in connection with a trial survey of railway from Culcairn to Germanton.

RESUMPTIONS OF LAND.

Ordered (on motion by Mr. BRUNKER) :

That there be laid upon the table of this House a return giving the names and amounts demanded by claimants for lands resumed or purchased by the Government, when taken and where situate (for other than railway purposes), since the 6th June, 1856, with the amount of costs in cases where legal proceedings have been resorted to, and the amount of costs in cases settled by arbitration ; likewise the names of the arbitrators appointed by the Government, and the sums paid for such services.

RESUMPTIONS OF LAND FOR RAILWAY PURPOSES.

Ordered (on motion by Mr. BRUNKER) :

That there be laid upon the table of this House a return showing the extent of land taken for railway purposes, and on which line, since the last returns ordered, on the motion of Captain Onslow, R.N., M.P., and printed on 12th March, 1879 ; together with the names and amounts demanded by claimants, the sums paid to them, the costs in cases where legal proceedings have been resorted to, and the costs in cases settled by arbitration, the names of the arbitrators appointed by the Commissioner for Railways, and the sums paid for such services, noting cases where any lands have been taken under the Resumption for Railway Purposes Act 37 Vic. No. 18.

FEDERATION OF THE COLONIES.

Mr. DIBBS : I am sure I need not ask at the hands of honorable members a patient hearing for a short time whilst I endeavour to submit to the House the resolutions now standing on the business-paper, and to explain the nature of them. The motion which I shall propose after a few observations is :

That Mr. Speaker do now leave the chair and the House resolve itself into Committee of the Whole to consider the resolutions adopted at the Australasian Convention, held in Sydney in November and December, 1883.

Of course, in the consideration of an important question of this sort, it is to be regretted that there has been a delay in submitting this resolution to the House, but the attention of our Parliament has been occupied for the last twelve months with the consideration of a question of more than ordinary importance, a question of supreme importance as regards the future welfare of this colony. No other colony in the Australasian group has been placed in circumstances so peculiar as has been the colony of New South Wales. The parliaments of all the other colonies have passed the resolutions almost as they were adopted by the convention. When the convention was sitting the members representing this colony, and notably the chairman, the Honorable Alexander Stuart, let it be clearly understood that there would be no attempt on the part of the Government to submit the resolutions to Parliament until after the important measure, which was then occupying attention, had been fully disposed of. Their promise would have been carried out by the Government to the letter but for the illness which unfortunately overtook my honorable colleague on the very threshold of that period when the resolutions might have been submitted. I will read a few notes which have been prepared by my honorable colleague as almost the last act of his official life. They were written the night before his illness commenced, and in the preparation of a speech which he intended to deliver on the floor of this House. It is a rather singular and a melancholy circumstance that the last official act which the honorable gentleman performed was to devote several hours of the night after a hard day's work—hours which ought to have been given to rest—

in the preparation of material and arguments to justify this resolution being accepted by the House. As I said before, the Government gave the convention to understand that they would not break through the important business which was then occupying the attention of Parliament by bringing forward any matter of this sort at that time. At the same time the Government thought, and do think now, that these resolutions are of vital importance to the colony in which we are living. It may be a cause of regret both to the Government and to members of the House that we have reached almost the close of the session without having had at our disposal a more convenient or fitting time for the discussion of these proposals than we have to-day. Now, I am perfectly satisfied that honorable members have either forgot in the pressure of business, and the consideration they have given to other important matters, or they have lost the thread of the convention business even if they have taken the trouble to read carefully through the papers which were placed on the table of the House, and which were printed with a view of supplying information. I am certain that if people out of doors thoroughly realised the nature and the effect of the resolutions, and the nature and effect of what will follow, assuming that they are adopted, we should not have the press of this colony writing articles of the character of that with which we have been favoured by a leading journal within the last forty-eight hours. They evidently do not understand the subject. It would be a hard thing to say that they do not take the trouble to read the papers; but I am satisfied that if they did read them they would arrive at a different conclusion. One newspaper that bears the reputation of being a leading journal—the *Sydney Morning Herald*, but which, by the way, never leads till it sees the path pretty well opened up by the expressed views of the public mind—that newspaper comes out with an article condemnatory of the resolutions, and condemns Parliament and the Government for having wasted in junketing and in picnics, time which might have been devoted to the consideration of these resolutions. Well, the writer, it appears to me, had very little idea of the labours

of members of Parliament, and still less idea of the labours of ministers. Within the last twelve months we have had continual work from morning till night. This Parliament has sat a longer number of hours per day than any previous parliament has sat, yet this state of things is described by these newspaper writers as junketings and picnicking, and the neglect of public duties. Of course it is the duty of any government to see that its supplies are covered by votes of the House, and it should be borne in mind that, however ready other colonies might have been for the discussion and consideration of this question, there can be no doubt that our expenditure must be covered by supply, and that even now, although we have passed the Appropriation Bill, we are without supply for the coming month. I will pass over, for the present, the expressions of opinion on the part of the Sydney press; I may notice them at greater length later on to illustrate the arguments I shall adduce. These resolutions have been adopted in the other colonies, except New Zealand, where public affairs have been so unsettled that the Government have not had time to deal with them. There, statesmen have been in a position similar to ours, preoccupied with important measures; besides which they have enjoyed the luxury of several changes of government, which prevented the consideration of the question arising out of the convention. The present Government of New Zealand has taken a step which to a large extent implicates that colony in the course proposed in the resolutions, because the Premier has telegraphed to the Agent-General in London to follow suit in the course the Government in Victoria have adopted. In Queensland, also, I believe the resolutions have been disposed of satisfactorily. We have been accused by other colonies of want of enthusiasm on the subject, and of total indifference to the wishes of Australasia—with indifference as to the agreement we entered into at the convention. Notably, in Victoria accusations are made against us of indifference to the interests of Australasia. Fortunately, public affairs in this colony have for some time been in the hands of a cautious Scotchman, different in characteristics from the leader of the Government in Victoria; the Scotch premier in Victoria burns to accomplish this

object; the Premier here has acted with a calm prudence calculated, I believe, to increase the respect paid to him in this colony, and at home, seeing that every act of his has been so discreet as in no way to embarrass the position of the Imperial Government in its relation to the other powers. Of course, in Victoria they have not had so much concern with legislation on local affairs, they have had no exciting discussions on the land question, no large loans to float, no civil service bill to carry, nor a very large railway policy to develop.

Sir JOHN ROBERTSON: They have there been looking out for our land!

Mr. DIBBS: We shall hear the honorable member on that point by-and-by. I can easily imagine that he suspects our neighbours in Victoria, having in his mind the old saying, "*Timeo Danaos et dona ferentes*,"—that he fears their designs when they offer the gift of federation. It is notorious that in Victoria there have been no home matters or politics of great moment to engage attention, that the Government now consists of a coalition between rival leaders, so that having to keep politics alive for a time under this drifting coalition government, for want of exciting matters at home they go abroad for them.

Sir JOHN ROBERTSON: You are being dragged at their chariot wheels!

Mr. DIBBS: I do not believe that; if New South Wales does not lead, she will not submit to be dragged. But that is not the question. No doubt the Parliament of Victoria has had less of interest in internal measures than we have had, and has had more time to consider matters of imperial policy.

Mr. CAMERON: They are afraid to look at their internal affairs!

Mr. DIBBS: But they will have to do so in consequence of the action implied in these proposals. They may find that they have been sowing the wind, and will have to reap the whirlwind. It may change the whole fiscal policy of Victoria.

Sir JOHN ROBERTSON: Or that of New South Wales!

Mr. DIBBS: That is safe beyond all question, and there is nothing in these convention resolutions looked at from the most unfavourable points of view touching the authority and the right of this colony to deal with its own fiscal arrangements.

Mr. CAMERON: Look at the 22nd clause!

[*Mr. Dibbs.*]

Mr. DIBBS: I shall come to that later on. Looking at the resolutions from the most antagonistic point of view you can conceive it must be seen that they will not jeopardise the fiscal policy or detract from the powers of Parliament in this colony in any shape. But the effect of the discussion of the idea of federation will, no doubt, tend to an accomplishment of that condition of affairs, and it is only a question of time as to when and how federation will take place. For my own part I hope the principle will be carried to a much greater length than is done in the propositions I submit; but it is impossible to make a sudden spasmodic change in the state of the colonies. Seeing the peculiar circumstances under which the members of the convention from this and other colonies met, I believe the outcome will be to bring about complete federation, and that on a basis upon which the present fiscal policy of New South Wales will be the fiscal policy of all the colonies included in the federation. I am not going to weary honorable members by relating the circumstances which led to the action of the convention—how Queensland, assuming powers which belong to the Imperial Government alone, attempted to take possession of New Guinea on behalf of the Imperial Government, which act, however it may be justified as an act of preservation, was one which could not be justified on a consideration of the position of Queensland in relation to the mother country. It was an act which the Imperial Government could not ratify, and the other colonies could not justify the action. The result of it, however, has been the convention which sat in November and December of last year, brought together at the suggestion of Queensland, the Premier of Victoria acting as the convener. Here, again, one can understand Victoria acting in this particular capacity, because she wanted something with which to occupy her attention, whereas our own hands were full. We shall probably be told by honorable gentlemen opposite that members of the Government had no right to sit in this convention. It may be said that we took upon ourselves powers and functions which did not belong to us as a government. I hardly think it worth while to discuss that question at great length, because this Government merely exercised its undoubted

rights in meeting representatives from the neighbouring colonies for the purpose of discussion, and for the purpose of attempting to arrange matters common to all of us. We have had postal conferences, telegraph conferences, cable conferences, border trade conferences; and, so far as this conference is concerned, we have to a certain extent merely followed in the footsteps of past governments. There has been no encroachment upon the rights and privileges of Parliament in the Government of New South Wales accepting the invitation of the Government of Victoria to meet, and to discuss the important questions which were submitted to the convention. I need only refer to the action which has been taken by the imperial authorities in reference to New Guinea to show that a certain amount of good will result, and did result, from the convention. The first resolution refers to the question of New Guinea, but that which the convention agreed should be asked of the Imperial Government has already been acceded. I feel bound, however, to submit the resolution, although the labours of the convention have to a certain extent borne fruit in that which was asked for has been already granted. I mention the matter more with a view to show that the united action of the Australian colonies, the voice of Australasia, as expressed through the convention, has to a large extent been the means of inducing the Imperial Government to take the desired action in regard to New Guinea.

MR. COPELAND: Why ask them to do what they have already done?

MR. DIBBS: These resolutions might have been submitted before the Imperial Government took action, and it is necessary to submit this particular resolution in order that we may be in accord with the other colonies which have already passed it.

MR. COPELAND: Would it not be better to submit a resolution approving of the action of the imperial authorities?

MR. DIBBS: The honorable member if he thinks fit can move an amendment to the first resolution, expressing our thanks to the Imperial Government for carrying out the wishes of the convention. So far, however, the acts of the convention have not received the approval of Parliament. We ask the approval of Parliament in respect to the acts done by the Government

at the convention. Although, therefore, it appears to be needless to submit the first resolution, it is submitted in order that we may keep in accord with the other colonies. But, as I have said, I am perfectly willing to receive an amendment to this effect: That the circumstance having transpired that the Imperial Government have acceded to the wish of the colonies, we desire to express our gratitude for that action. Then, as to the next resolution:

That the governments represented at this convention undertake to submit and recommend to their respective legislatures measures of permanent appropriation for defraying in proportion to population such share of the cost incurred in giving effect to the foregoing resolutions as her Majesty's Government, having regard to the relative importance of imperial and Australasian interests, may deem fair and reasonable.

The House will cheerfully concede that the maintenance of a protectorate in New Guinea being for the protection of the colonies—as it undoubtedly is—this colony should, in common with the other colonies, bear its fair share of the cost incurred. Victoria, strongly enthusiastic in this regard, was quite willing to pay the whole amount; but we should hardly like to receive a compliment of that kind at the hands of Victoria, seeing that we enjoy in common with the rest of the colonies any benefits which may result from the protectorate in New Guinea. The third resolution deals with a more important question, which in regard to New Guinea is not yet an accomplished fact. It deals with the intention of France to transport a number of her criminals to the Pacific. But those who have noticed the events which are occurring and which have occurred—the negotiations which have taken place between the Government of France and the Imperial Government—will have ascertained that the representations of Australasia as embodied in this resolution—the resolution having been forwarded to the Imperial Government—have enlisted the attention, the solicitation, and interest of that Government in securing the delay which has taken place in the dealing with this question by the French Government. This delay I take it is mainly due to the representations made by the Imperial Government at the instigation of the colonies assembled at the convention. Now, the question may be asked whether this colony ought not to have

stood aloof. For my part, and I speak on behalf of the Government, I do not see how this colony could have stood aloof from any conference, or negotiations tending to the common good of Australia. I do not wish to anticipate any of the speeches which may be made on this question; but I will take it for granted that the House will assume that the Government, having due regard to their position and dignity, could not hold aloof from negotiations of the character of those which occupied the attention of the convention. We had heard some criticism with reference to the use of the word "convention." I frankly admit that I was one of those who endeavoured to drop the high-sounding term of "convention," and to adopt the more common term of "conference."

Sir HENRY PARKES: What is the difference?

Mr. DIBBS: It is the difference between tweedledum and tweedledee.

Sir HENRY PARKES: Which is tweedledum and which is tweedledee?

Mr. COPELAND: You pay your money and you take your choice!

Mr. DIBBS: That is about the size of it. The word conference has been used in connection with all previous negotiations between the different colonies. The word "convention" has a touch of Americanism about it.

Mr. HEYDON: An English word?

Mr. DIBBS: But it is used more frequently in America than in any other place.

Sir HENRY PARKES: I am sure no one would suspect the honorable gentleman of using a slang expression!

Mr. DIBBS: I do not know whether the honorable member means to be satirical. If so, he had better reserve his fire, for I will give him plenty of temptation to be satirical before I have done with him. I shall have to address myself presently to the honorable gentleman's action in regard to federation, and I shall endeavour to show that the honorable gentleman has made more attempts to deal with that question than any other man in the colony. It has also been said that the members of the Government sat in the convention—I use the word for the sake of uniformity—without the sanction of Parliament; that we exceeded our functions, and that we

[*Mr. Dibbs.*

are open to reproof and censure for having done so. It is a notorious fact that this convention sat when this Parliament was sitting, and day by day honorable members and the public were informed of the proceedings of the convention.

HONORABLE MEMBERS: No, no!

Mr. DIBBS: I say "Yes, yes!" Day by day the newspapers conveyed to the people of this country an outline of what took place at the convention.

Mr. ABIGAIL: A very imperfect outline!

Mr. DIBBS: I admit it was an imperfect outline, but I am only dealing with the fact that if this Parliament, which alone had a right to interfere in matters of this kind, had chosen to question the action of the Government in attending the convention it had an opportunity of doing so. Nothing was done in the dark. The fact of members of the Government sitting in the convention was notorious, and their conduct met with no objection on the part of the Parliament. But I go a step further. A report of the proceedings of the convention from first to last was laid on the table of the House and printed and distributed amongst honorable members, and still without any objection from the Parliament to the action of the Government. I think I have now disposed of the question of censure upon the Government for having taken part in the convention. An opportunity was presented to honorable gentlemen opposite on several occasions for protesting against the action of the Government; but the House passed it silently by, and tacitly consented to the Government taking part in the convention.

Mr. BUCHANAN: I condemned their action in the House for an hour and a half!

Mr. DIBBS: The honorable gentleman cries "Wolf, wolf!" so often that the effect of his voice was lost. If it had been any other honorable gentleman but the honorable member for Mudgee some notice might have been taken of the matter; but when you cry "Wolf, wolf!" so often people do not believe you.

Mr. BUCHANAN: There were thirteen wolves!

Mr. DIBBS: And even with all the terror of thirteen wolves the howl of the honorable member had no power to attract attention inside the walls of this House.

Mr. BUCHANAN: You will know to-night!

Mr. DIBBS: I thought one wolf would be enough; but thirteen wolves did not alarm the members of this Parliament. It allowed the convention to sit day after day, and received reports of its proceedings, and when the honorable gentleman cried "Wolf" —

Mr. BUCHANAN: I did more than that; I slaughtered the wolf!

Mr. DIBBS: The honorable gentleman's power in this House is very much smaller than he supposes. I do not imagine for a moment that when we go into Committee the resolutions numbered from 1 to 4 will meet with any opposition. I believe there is nothing in those resolutions that will not meet with the approval of every honorable member of this Chamber. We have protested, as we are bound to protest, in modest and moderate language, against this colony being made a receptacle for the criminals of France; and I believe that our protest, in the terms in which it was made, has had such an effect on the minds of the chivalrous French nation that, true to their traditions, they will be disposed to entertain with very fair grounds of success the representations which we have made, and in which, while not questioning their right to occupy any islands of the Pacific unoccupied by any other country for any purpose they chose—as a penal settlement or otherwise,—we point out that, situated as we are, within three or four days' sail of the port of New Caledonia, the danger of criminals from that island landing on the shores of Australia is a matter of too great importance to be passed over. I believe, as I have said that the first four resolutions will meet with the unanimous approval of the House. I will repeat that what has been done with regard to New Guinea, and the delay of the French Government in dealing with the Recidivistes Bill, have been mainly due to the action of the convention, assisted by the interference and representations of the Imperial Government on our behalf. The last resolution is as follows:

That this House, recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, recom-

mends the adoption in substance of the accompanying draft bill for the constitution of a federal council, as defining the matters upon which such united action is both desirable and practicable, and as embodying substantially the provisions best adapted to secure that object.

Passing over the preceding resolutions, I shall confine the few further remarks I have to make to what is really the main subject for discussion to-night—the establishment of a federal council. Upon this question there has been both inside the House and outside in the press a considerable amount of doubt. The impression has got abroad that the draft bill is to be discussed by the House clause by clause, approved by the House, and then transmitted to the Imperial Government with a request that they will pass an enabling measure on the exact lines of this bill. I stated last night that the whole object of this draft bill was for the purpose of embodying the desires of the convention in legal language instead of in the form of a series of resolutions; in other words, that the draft bill which I hold in my hand shall be treated practically as a resolution. The impression outside has been that this bill was absolutely final, and would bind New South Wales to federate with the other colonies—that once the House affirmed these resolutions as they stand on the paper and agreed to apply for an enabling bill, we should be bound hand and foot by the provisions of the enabling bill. Now, the position of the matter is simply this: supposing these resolutions are carried by an overwhelming majority, that the result is communicated by address to the Queen, and that to-morrow morning the Imperial Parliament passes an enabling measure on the lines of this draft bill, this colony is as free as she is at the present moment. Discussion will have to take place both in the House and by the people outside, and the whole question then will be: shall New South Wales, on the lines of this enabling bill, pass a measure for the purpose of federating with the other colonies? The question of federation, therefore, is not one for the present but for the future, and whatever government may be in power, I hope that whenever we arrive at that stage in our history when the Imperial Parliament shall have passed an enabling bill, this Parliament will not take upon itself to deal with the question of federa-

tion without in the first instance passing resolutions approving of such a course, and then submitting the whole question to the decision of the people.

Mr. BUCHANAN : What do you want an enabling bill for? We can settle the question ourselves!

Mr. DIBBS : Although the honorable gentleman is a lawyer, he does not seem to know that we have no power ourselves to alter the Constitution in such a way as to admit of federation which has been given to us by the Imperial Parliament. I repeat again that before any attempt is made by any government to settle the important question of whether we shall federate with the other colonies, the matter should be submitted to the country. This question, almost more than any other, is one which should be remitted to the people. That answers the inquiries made yesterday by some honorable members opposite as to whether the bill will be treated as an ordinary bill, and be dealt with clause by clause in Committee and amended. The bill is but a series of resolutions in the form of a bill, and it is an unhappy circumstance that the framers of it unfortunately took a leaf out of the book left them by the honorable member for Tenterfield, when a similar enabling bill was submitted to a former convention. The idea is nothing new, although we might imagine from the fearfully powerful language of the honorable member for Tenterfield last night that we were attempting to destroy the Constitution of the country. The convention sought about for some means to express their ideas, and what better could they do than study and imitate the example set them by so distinguished a statesman as the honorable member for Tenterfield. [Pkes.]

Sir HENRY PARKES : But for me, they would all have been dead long ago!

Mr. DIBBS : That is one of those small mercies for which we must ever be thankful. And when honorable members talk about destroying the Constitution by this enabling bill, they should remember that it is nothing but a series of resolutions simply expressing the opinion that it is desirable for the colonies to federate on certain lines, but in no way binding this colony to federate. It is prepared, moreover, on the exact lines of the federal bill proposed by the honorable member for Tenter-

[Mr. Dibbs.

field, and I challenge the honorable member to point out any particular in which it differs. I believe it would have been better not to have followed so blindly in the footsteps of the honorable member for Tenterfield, but to have passed a series of resolutions, leaving his enabling bill out of consideration altogether. The adoption of it, however, was a compliment paid to a gentleman who had given the question of federation more study than any one else in the House. Well, what do we find? In 1881 there was a conference held in Sydney at which were present, Sir Henry Parkes, Mr. James Watson, Mr. Berry, Mr. Vale, Mr. Morgan, Mr. Mann, Mr. Palmer, Mr. Morehead, Mr. Giblin, Mr. Moore, and Mr. Wrenfordsley, representing the colonies of New South Wales, Victoria, South Australia, Queensland, Tasmania, and Western Australia. At that conference among other matters dealt with the honorable member for Tenterfield introduced a draft bill intended to be submitted to the Parliament of each colony dealing with the subject of the establishment of a federal council in Australia. If the honorable member will look at his own bill and at this Federal Council Bill, he will find an amazing likeness between the two. But a similar course has been taken before. If I remember rightly, at the time the Navigation Act was passed in this colony, an enabling act was passed by the Imperial Government in something like the form of the bill proposed in this instance. I have no doubt that the honorable member for Tenterfield got his idea in 1881 from that enabling bill. Nor is federation any new idea. In 1867, I think it was, the honorable member for Tenterfield introduced a bill straightway to destroy the Constitution of the colony by federating with Victoria, and I think with the other colonies also, in establishing a federative postal service. We are now proposing to establish a federal council, not to dispose of the liberties of the people, lock, stock, and barrel; not to take the power of legislation out of the hands of this Parliament, but for what purpose? If honorable members will turn to clause 15 of the bill, they will see what powers are proposed to be given to the federal council. Clause 15 says:

Saving her Majesty's prerogative, and subject to the provisions herein contained with respect

to the operation of this act, the council shall have legislative authority over all her Majesty's possessions in Australasia, and over all British ships sailing between them, in respect of the several matters following:—

(a) The relations of Australasia with the islands of the Pacific.

Can there be any objection to that?

(b) Prevention of the influx of criminals.

That is a matter which concerns the whole of the colonies, and we propose to federate so as to deal with it as a whole.

(c) Fisheries in Australian waters beyond territorial limits.

That also is a matter in which all the colonies are concerned, and if submitted separately from any question of federation the House would agree to it to-morrow.

(d) The service of civil process of the courts of any colony within her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued.

There are lawyers in the House who can point out the absolute necessity for a measure of that character.

(e) The enforcement of judgments of courts of law of any colony beyond the limits of the colony.

(f) The enforcement of criminal process beyond the limits of the colony in which it is issued, and the extradition of offenders (including deserters of wives and children, and deserters from the imperial or colonial naval or military forces).

(g) The custody of offenders on board of ships belonging to her Majesty's colonial governments beyond territorial limits.

How is the Constitution of the country affected by any of those provisions? I defy the honorable member for Mudgee, when he comes to speak upon the question—if he will only confine himself to the bill itself—to point out one power beyond those I have mentioned which the bill proposes shall be given to the federal council. The questions I have enumerated are those with which the council will have power to deal, and there is not one of them in which the Parliament of New South Wales gives up one iota of its powers and privileges by constituting a federal council to deal with these immaterial matters which cannot be dealt with otherwise, so as to bind all the colonies. These other matters may be submitted to the council:

General defences, quarantine, patents of invention and discovery, copyright, bills of exchange and promissory-notes, uniformity of weights and measures, recognition in other colonies of any marriage or divorce duly solemnised or decreed in any colony, naturalisation and

aliens, status of corporations and joint-stock companies in other colonies than that in which they have been constituted, and any other matter of general Australian interest, with respect to which the legislatures of the several colonies can legislate within their own limits, and as to which it is deemed desirable that there should be a law of general application.

Then there is a proviso:

Provided that in such cases the acts of the council shall extend only to the colonies by whose legislatures the matter shall have been so referred to it and such other colonies as may afterwards adopt the same.

Where is there a loss of one iota or fraction of our powers? Assuming that the federal council was in existence it would cover all the points indicated in the paragraphs from A to F, and deal with a variety of matters in sub-section H, which the legislature of New South Wales desired the council to deal with. The colony would not be bound by anything which we had not ourselves referred to the federal council—which we have ourselves affirmed. The 15th clause contains the whole spirit of this federal council bill, which is described by people outside, and by the press, as one which will interfere with the Constitution of this colony. It is so important a question in the consideration of the subject as to whether or not we are giving up one iota of the powers of this House that I will take the liberty of quoting from the speech which the Attorney-General delivered on the subject in the other Chamber in December last. I do so because this goes to the pith of these resolutions, and I do it also for the purpose of anticipating any arguments to the effect that we are attempting to act as traitors to our country, by giving up our rights, or merging them into those of other colonies, and thus taking away the powers of the people.

Sir HENRY PARKES: Mr. Speaker, I will take your ruling as to whether this House is to be influenced by the reading of a speech delivered by a member of the other House during the present session upon the question under consideration. I recollect no case in which a speech delivered in the House of Commons has been admitted as argument in the House of Lords, or in which a speech delivered in the House of Lords has been admitted as argument in the House of Commons, upon a question remitted to that House for its independent deliberation.

Mr. SPEAKER: It is clearly a law of Parliament, intended chiefly for the purpose of maintaining proper relations between the two houses, that the debates in one house should not be quoted by honorable members when taking part in debates in the other. As objection has been taken to that course, the honorable member will be clearly out of order in reading any speech delivered in the other House.

Mr. DIBBS: I will not read it, though I may quote some points without doing so. I think the objection an unfair one, although I bow to Mr. Speaker's ruling.

Sir HENRY PARKES: It is the strict parliamentary rule!

Mr. DIBBS: The honorable member is very fond of parliamentary rule. Last night he gave us a sample of it. It is an unfair advantage to take, especially with me, when I have only had time to pick up the subject during the last forty-eight hours, the matter having been in the hands of a colleague of mine who has been stricken down with sickness. It is unfair and ungenerous in the extreme. I trust that I shall be in order if I quote from a speech delivered by the honorable member who raised that objection. There is in the *Debates* of 9th July last an extract taken from a speech of the honorable member. I suppose that the honorable member will feel complimented if I read a statement of his views, as I intend to do, so as to anticipate a speech from the honorable member; because I am satisfied that if he has an opportunity he will turn round upon himself in consequence of this Government daring to deal with a question like federation, which is one of the matters which the honorable member thinks that he alone, as a heaven-born statesman, is capable of dealing with.

Sir HENRY PARKES: My complaint is that the Government have not dealt with it.

Mr. DIBBS: My answer to that is that the Government have dealt with it to a greater extent than it has ever been attempted to be dealt with before. It is like a good many other measures which have been passed this session. The honorable member has intended to do a great many things, but never did them. He has flouted them before the public, and lived upon the reputation they brought him; but when it came to the crucial test of what was in him he had nothing to

[*Mr. Dibbs.*

submit to Parliament. When the draft bill was laid on the table of the conference a memorandum by the honorable member was submitted. It is dated January, 1881, and is in these words:

Memorandum.—In respect to the Federal Council Bill now submitted, the following positions are assumed as hardly open to debate:—

That the time is not come for the construction of a federal constitution with an Australian federal parliament.

If the honorable member will look at the clause to which I have referred he will see that it says:

That this House, recognising that the time has not arrived at which a complete federal union of all the Australasian colonies can be attained * * * * *

That was his view in 1881; but, of course, he will turn round upon himself as he did in reference to the railway policy, and with regard to the land question, merely for party purposes. This memorandum says:

That the time is come when a number of matters of much concern to all the colonies might be dealt with more effectively by some federal authority than by the colonies separately.

That is what we say in the draft bill. We propose to deal with matters of concern to all the colonies. The memorandum goes on to say:

That an organisation which would lead men to think in the direction of federation, and accustom the public mind to federal ideas, would be the best preparation for the foundation of federal government.

We say the same thing to-day. I have already stated that these resolutions are not binding upon the colony in any way. They are not binding until Parliament passes a bill to provide that they shall be binding; and the consideration of the question now is for the purpose of organising an institution which will accustom men's minds to federal ideas. The writer of this memorandum goes on to say:

The bill has been prepared to carry out the idea of a mixed body, partly legislative and partly administrative, as the forerunner of a more matured system of federal government. Care has been taken throughout to give effective power to the proposed federal council within prescribed limits, without impairing the authority of the colonies represented in that body.

That is precisely what this bill proposes.

No attempt has been made to constitute the proposed council on any historical model, but the object has been to meet the circumstances of the present Australian situation, and to pave the way to a complete federal organisation hereafter.

In proposing the bill which I am now submitting we have had an historical model, and that is the difference between the two cases. The historical model is the draft bill which the honorable member submitted to a conference. Therein lies the whole difference between the proposals of the present Government and those which emanated from a conference in 1881, of which the honorable member for Tenterfield was president. Speaking on the point as to what should make a perfect federation of the colonies, I have no hesitation in saying that there will never be a perfect federation until we have a federal tariff. I can only use the language I have quoted, that we should lead men's minds to consider federation as a whole; but until the colonies can agree on a federal tariff there can be no complete federation between the colonies generally, or between any two of them. Our necessities may press so strongly on us that for purposes of self-protection we may be rushed into federation; but no federation of that kind, nor of any other, unless entered into coolly, calmly, and collectively can produce that change which will bring a number of independent states into a permanent federal bond. We know that Victoria with protective views will hardly be ready to yield a full federation to New South Wales; and New South Wales equally ardent in attachment to its free trade principles is not likely to give them up for federation with Victoria. In the early part of my remarks I alluded to the fact that one of the latest official acts of my honorable colleague, the Colonial Secretary, was to make preparation for this particular debate. I obtained from that gentleman yesterday a written statement of the views he intended to express in the whole question, and which was intended to form part of the speech if he had been able to deliver it. He wrote:

In moving the resolutions standing in my name, and which have sprung out of the conference held here nearly a year ago of members of the various governments throughout the Australian group, I desire to say a few words, first, with regard to that meeting itself, and second, on the subjects embraced by its various resolutions.

It has been objected to the meeting:

1. That it was not representative, inasmuch as the members were not chosen by the people, but were self-appointed, *i.e.*, appointed by the governments of which they formed a part.

2. That they assumed to themselves a name, "convention," when the more ordinary term of "conference" would have been more befitting the occasion.
3. That their utterances carry no weight beyond that of any other same number of men met to discuss similar questions.

It has always appeared to me, in reply to the first of these objections, that no other course could well have been taken. When Mr. Service first mooted the matter, he wished each colony to appoint representatives chosen by the respective legislatures, as was done in Canada. I ventured at that time to express my dissent from his suggestions, and pointed out that in Canada the position was a very different one. The subject of federation had been the subject of discussion for years in several of the legislatures, and a general expression of opinion had been again and again recorded that the time had arrived for laying the basis of such federation; and it was therefore right and fitting that the various legislatures should be invited to send representatives to the convention at Charlotteville, with a determination that a constitution was to be formed for a complete system of federal action—and because that was definite, &c.

With us the position was far different. There had been no reiterated assertion that a close federation was desirable. There had been no common enemy threatening the individual provinces, and causing us under the feeling of common safety to draw closer the bonds of a common brotherhood for mutual self-protection.

Slight difficulties had been recognised in following the claims of law from one colony to another. People were beginning to feel that it would be well to make headway against the common foe—disease; that if infection or contagion were to be kept at a distance, some common action was necessary. Men began to realise that it was a monstrous abuse of benevolence or charity that ailing wives and helpless children should be maintained in each colony at the cost of the state, merely because strong, able-bodied, but morally dead men chose to depart to a neighbouring colony only to get quit of their natural responsibilities. These had long been felt as grievous and to be deplored, but yet no one thought of federation being requisite solely to right such wrongs against the body-politic. At length, however, an uneasy sense of a common danger arose by reason of discussions in France of the proposition to get rid of an element of danger in her own midst by sending her double-dyed criminals to her colony, in dangerous proximity to our coast; and the dread of such a plague-spot in our vicinity caused a common howl of execration and a common cry for relief to come forth as with a marvellous degree of unanimity from all the colonies.

Just at this moment the youngest of the group, whether from a lust for more territory or from an ardent ambition to add another jewel to the British Crown, or from a dreaded though undefined fear that some other nation was itching to plant a settlement within sight of her own shores has hardly been made clear, stretched forth her hand and startled the rest of Australia, and indeed the world, by declaring that she had

planted the British flag on the shores of New Guinea, in token of a desire that it be annexed to the British Crown.

Europe was startled—England herself seemed to shrink from the responsibility thus thrust upon her, and naturally turned to the other colonies of the Australian group with the searching inquiry, "What does all this mean?"

Victoria, not to be outdone, suggested the annexation of the New Hebrides and other groups of islands in the Western Pacific. Lord Derby, seeing the complications which the eager zeal for annexation was likely to entail upon England, held his hand until he could in some way ascertain the voice of a united Australia on these grave matters.

All this led to a unanimous agreement amongst the various colonial governments to meet together to consult as to whether any and what degree of common action on the one hand or advice to be tendered to Lord Derby on the other should be taken, and thus was brought about the meeting of November and December last year.

The three members of the Government of this colony would have preferred its being known only as a conference, because although there is very little difference in the meaning of the two words, yet it seemed to them desirable to adhere to the term by which similar meetings had been known. However, it was found that the others had all been accredited to a "convention," and seeing that there was practically no difference, we yielded to the wish of the majority.

I may notice in passing that the meeting at Charlotteville, when it was determined to carry out the formation of the Canadian "dominion," the terms "convention" and "conference" are used interchangeably.

I do not claim for the utterances of the men assembled there any special force or authority; equal force or authoritative utterances might have sprung from many other equally able men who might have been sent by the respective colonies; but it was necessary that some views should be formulated, in order that they might be presented to the various parliaments, from which, and from which alone, those utterances could receive that vitality, that force, that power, which can go forth to the world as the voice of a united Australia.

If those resolutions are not in the main acceptable to all the colonies, then it is clear that they are not the voice of unity, and they will have no more value than the expression of an opinion by such as favour them; but if they are in the main accepted by all the colonies, then they acquire a significance and force which cannot fail to be recognised and respected.

This brings me to the consideration of the results at which the conference arrived.

These may be conveniently divided into two parts:

1. That which affects the bearing of combined, if not federated, Australia towards the islands around her.
2. That which affects the bearing of inter-colonial interests, or how the colonies are to work together in matters of common interest as a prelude to some greater degree of federated action hereafter.

[*Mr. Dibbs.*

Outside bearings.

These are contained in the first eight resolutions of the convention sent to Lord Derby on 5th December.

To these I am sure that a unanimous assent will be given, and they include in No. 5. [*Quote.*] A pledge that the members present would submit and recommend to their legislatures the bearing, in proportion to population, of such portion or expense as may be deemed by the Imperial Government fit that Australians should bear. That has been fixed at £15,000 a year, our proportion of which would be somewhere about £3,750, for which I will ask leave to introduce a bill, in the perfect confidence that it will be passed without a dissentient voice.

In the full conviction of such assent, the Government felt emboldened to take upon itself to assure the Secretary of State that he might reckon upon this colony paying her share. Had we hesitated, Victoria would have offered to guarantee all; and although we may be quite prepared to work in friendly co-operation with Victoria, we feel that so long as we were intrusted with the maintenance of the honor of this colony, you would justify our determination not to be dragged at the heel of any other colony for incurring the liability without previous parliamentary sanction of £3,750. There are times when a responsibility must be taken by ministers, and this is one of them—a responsibility incurred, and an appeal to Parliament for indemnity, an appeal which on this occasion I am certain will not be made in vain.

I feel that I leave the results of the convention, as regards the outward bearing of the colonies, safe in the hands of this House, and turn to the bearings of the colonies upon each other, commonly, although somewhat prematurely, called "federation." This branch is much more difficult and complicated to deal with than the other. It is easy to work together against all outside influences—it is difficult to work together in matters affecting our internal organisation. In the one we are actuated by a common interest; in the other we are too apt to be torn asunder by mutual jealousies and distrust; even in the discussions I expect unanimity in the one, discord in the other.

I think, however, that the discord may be lessened by a consideration of what it really is that the convention did arrive at. It has been popularly called federation, but this is just exactly what the convention did *not* arrive at. Hear what it said in its own language. [*Read Resolution I.*] It made two expressions:

1. That time had not come for federal union.
2. That time had arrived for mutually carrying out certain objects of common interest.

I do not believe in true federation without either:

1. A common enemy from without.
2. A greater feeling of mutual confidence within.

I can understand that if an enemy's fleet were thundering at our door we would find ourselves being welded together in one compact body—all petty jealousies and difference being driven to the four winds before the determination to act as one man in our defensive measures against

the common foe. Federation from without under pressure of a common enemy is a thing easily to be understood.

There is, however, another possible and easy-to-be-understood federation, arising from within,—common sympathies, common tariffs, a desire to obtain free intercourse from one end of the island to another, a desire for uniformity of law and procedure of legislations and administrations. These combined might result in making the basis of a great federal nation, but without these I cannot understand it; a complete federation, with free trade at one end, protection at the other, would be a misnomer in terms; it could not exist if it were attempted—it could not cohere, but would fall to pieces by the incongruity of its own elements. Imagine free trade in Sydney with protection in Goulburn. Free trade in the eastern and western divisions with a belt of protection in the central districts; such would be a not inapt illustration of a complete federation between New South Wales and Victoria at the present time,—a dream, but an empty dream, vanishing on contact with day.

The convention at once recognised that without a common tariff complete federation could not be carried out, and therefore it said, "That the time had not yet arrived"; but it had no difficulty in agreeing to the proposition laid down by a conference held three years previously, under the presidency of Sir Henry Parkes, that while this was to be deplored, yet there were many subjects of common interest which could be carried out by a body to be called a federal council; and it is really surprising how the clauses of the bill prepared by both conferences run almost in the same words and ideas. Various circumstances which occurred between the two conferences, and to which I have already alluded, seem to add greater weight and strength to the conclusions arrived at, and had we had such a body as this federal council we would have been able to make known to Lord Derby our views upon the danger of the French criminals being sent to New Caledonia in a more authoritative and constitutional way than that into which we have drifted of working through the agents-general, which seems to me to be fraught with a constitutional danger of relegating to irresponsible gentlemen in London duties and negotiations which properly belong to constitutional and responsible bodies in the colonies. Is any one bold enough to assert that the voice of a federal council such as is proposed would speak with less authority than eight or ten gentlemen, who, however ably they may represent the views of colonies which respectively accredit them, are yet in utter ignorance of the wants, the feelings, or the sympathies of the other colonies. The question for us to consider is, what course is the best and the most dignified for us to take at the present moment? The leaders on both sides of the House have at the two conferences deliberately given their opinions that such a council should be formed for the protection and furtherance of subjects of mutual interest. Their united deliberations have resulted in the present bill, which I venture to say is as objectionable as probably could be framed for the purpose. It distinctly abstains from interfering in the domestic legislation of any colony; but

wherever two or more colonies express a desire to have a common legislation upon any particular subject extended to such colonies, then this council steps in to carry out this desire, which the colonies cannot do themselves, for no colony can have any jurisdiction beyond its own boundaries; and it seems to me that by such a council we are paving the way for federation when the right time comes. We are being accustomed to look upon matters with a wider range of thought, and to think of the interests of others as well as of our own. It is of course a matter for discussion as to whether the constitution of the council is the best or not. If this Assembly is of opinion that a better one can be made, there is no difficulty as to its adding as a rider to these resolutions, that whereas it approves in the main, it would consider the constitution improved by so and so. For instance, I myself think it would be very reasonable, and perhaps advantageous, to say that there should be an elastic clause giving to the various colonial parliaments, by unanimous majorities, power to alter the constitution of the federal council; but let us join with our brethren in the neighbouring colonies in carrying out the initiation of this matter. Let us not stand aloof, wrapt up either in our own pride or conscious superiority, saying, whatever you can do, we feel strong enough to walk alone, and therefore we will not join you; but rather hold out the fraternal hand and say, although we may be each strong enough to walk alone, yet we are quite willing to test the point, and await the issue of this friendly measure, which may possibly enable us all to meet some future—although at present unseen—danger in a fuller manner for common interest or welfare.

I am afraid I have wearied the House by reading the views of my honorable colleague; but he has carefully considered the whole question, and his views are of great value, for I am sure that on whichever side of the House honorable members may sit there is among them a common feeling of sympathy with my honorable colleague in his misfortune, and of great regret that he is unable to be present during the discussion of a question of this magnitude.

HONORABLE MEMBERS: Hear, hear!

Mr. DIBBS: I feel that I am labouring under a great disadvantage in attempting to place a question of this kind before the House without having devoted to it the months of study which I know that my honorable colleague has given to the subject. His views are embodied in the document which I have read, and it is, perhaps, the more valuable from the fact that its preparation was the last public act which my honorable colleague was able to perform before he was stricken down. The House will, I am sure, attach due weight

to the opinions of a man who has given at least as much thought to the subject as has any other man in the community. In conclusion, our position is this: the whole of the colonies with the exception of New Zealand, as I before explained, have agreed to resolutions in which they ask the Imperial Government to introduce an enabling bill, under which, if the respective peoples and parliaments think fit, they may come. Until that bill becomes law in this colony we are in no way bound. The whole position is open for discussion, and no injury to the interests of the Parliament or of the people can come from any discussion which may take place.

Sir JOHN ROBERTSON: Why humbug about it now?

Mr. DIBBS: The question is of too grave a character to be passed over. We are not met here to-day for mere child's play. We are here because the other British dependencies of Australasia stand before the Imperial Government as a compact body, and because New South Wales at this moment stands alone and aloof. It is for this Assembly to decide to-day whether this colony shall continue to stand aloof in the eyes of the whole world, or whether it shall be federated —

Mr. HEYDON: It may be equally difficult to stand aloof in three years' time!

Mr. DIBBS: Let the difficulty which the honorable member foreshadows be dealt with when it arrives; but at the present moment we are standing alone, while the Imperial Parliament is anxiously waiting to assist Australasia to federate to the extent defined by the enabling bill, and no more. New South Wales will be in no envious position if her Parliament to-day refuses to give its assent to these resolutions as they stand, or in a modified form to the principles which they embody. The whole of the colonies have agreed to them, and they have concluded that in their so doing there can be no danger to the liberties of the people, or to the rights and powers of each respective legislature. New South Wales at present stands out in the cold—isolated from the rest of Australasia. Is it to our interest that we should remain in this unenviable position, when honorable members can be satisfied beyond all doubt, from a study of the enabling bill, that the only power which is asked under this bill is the power to deal with

questions with which, at the present moment, the colony is unable to deal, and which concerns not any one colony in particular, but the colonies as a whole? Let me refer honorable members to the 15th clause of the bill. I feel satisfied that the result of the discussion of the question will be to satisfy honorable members that they may with perfect safety vote for the resolutions; that in so doing they will act patriotically to the country which sent them here, and will not imperil in the smallest degree the liberties of the people; and that the course which they take to-day will be but the foreshadowing of a greater federation when the minds of people become better educated, when the desire for union becomes unanimous from one end of the colony to the other, when we shall emerge from the position of petty states and small countries and become one great federated nation. I admit with some reluctance that before we federate as a nation there is a great deal to be done between the colonies. But we must educate the mind of the people. In discussing this subject to-day we are assisting to educate it. But whenever we come to be a federated Australia there must be one federal tariff. I look upon that as being necessary above all other things. Everything hinges upon that one point. When we are united with regard to the tariff, other difficulties will cease. We have already power obtained under an enabling act of the Imperial Parliament by which the colonies of Victoria and New-South Wales passed an intercolonial free trade law; but free trade between these two colonies must of necessity be a myth, because the fiscal regulations of the respective countries at the present moment form a barrier against anything like permanent federation. I apologise to honorable members for the length at which I have addressed them, and for the imperfect manner in which I have placed this important subject before them. I hope that they will give due deliberation to the question, and that we shall be able some time to-night to arrive at a vote, seeing how important it is that we should advise the Imperial Government one way or the other—that is to say, whether this colony does or does not agree with the rest of the colonies in the request that the enabling bill may be passed. But under any circumstances,

[*Mr. Dibbs.*]

even if the House should negative these resolutions, that bill will be proceeded with at the instance of our neighbours, while we shall stand in the unenviable and unpatriotic position of being alone among the colonies of Australasia.

Question proposed.

Sir JOHN ROBERTSON: I think honorable members on this side of the House regret quite as much as does the Colonial Treasurer the absence of my honorable friend, the Premier. I am sure that they regret equally the unfortunate cause of his absence. The honorable gentleman's absence is especially unfortunate, having regard to the moderate and careful manner in which he discusses questions of this character. His generosity and love of fair play would have been of great value to us just now; it may be that they would be of such value to the proposals of ministers as to do no little harm to the views which I hold upon this question. Nevertheless, I deeply regret his absence. We are called upon, however, to think of the interests of the people—of the constituencies who sent us here. We may not stand aside and abandon our duty because of our deep sympathy for Mr. Stuart. We must continue to do the best we can in the interests of the whole community. The Colonial Treasurer told us last night—he was wiser to-day—what was the opinion of the Victorian Parliament, and he read a speech of the Victorian Attorney-General. He quoted that honorable gentleman in defence of the submission in this holus-bolus manner of a proposal to repeal our Constitution. No doubt the Victorian Parliament passed these holus-bolus resolutions, and I have no doubt that they would pass a great deal more with their eyes upon our land revenue. We know very well to what lengths the Victorians would go. The honorable gentleman, however, was cautious enough to-night to say nothing about the Victorian Attorney-General. I suppose some wiser man than himself told him that it was by no means desirable to refer to that authority. I should like to know what is the necessity for this federation. The honorable gentleman says it is imperative that we should interfere in the matter. Why is it imperative? There is no instance in the world's history in which a country situated as this country is situated

has federated with discordant elements. Before the honorable gentleman who has just sat down took charge of the Treasury we were on his own showing the most prosperous country in the world. The honorable gentleman not only said so, but he telegraphed the fact to England, and spent £1,300 of public money to elaborate it. If we are so prosperous and so well off, why do we require this change? What has happened to make it necessary? Are we to follow at the chariot wheels of Victoria? I can see no other reason for the proposal. The United States of America did not federate until they went to war with the mother country. I suppose honorable members who advocate this federation have no desire to see the people of Australia spilling the blood of the people of the parent land. There is no need for federation such as existed in the case of the United States. In Canada they had a powerful nation at their side. They were obliged to arm themselves for the purposes of defence. Canada—I do not know whether it is so now, but it was so a short time ago—had 500,000 men under arms. We do not go in for anything of that kind; there is no necessity for it. We have no neighbour hostile to the great empire to which we belong; no fear of invasion; no necessity for a standing army; no necessity, therefore, for this kind of federation so long as we are connected with the greatest confederation the world has ever seen—that of the British Empire. True, we should pay our fair share of the cost; and that we are willing to do. Why should we not continue to prosper as we have done in the past, every one of the colonies vieing with the other in the advancement of the interests of its people? Why not continue in this path? Why take from the people the rights, liberties, and privileges gained, after many long years of struggle, by those who sat here thirty years ago—among them the great man (Mr. Wentworth) whose likeness hangs upon the wall above Mr. Speaker? What necessity has arisen for the creation of an overbearing aristocratic body, which, as I will show before I sit down, can snuff out our parliaments, and which can also snuff out the rights, liberties, and privileges gained by the men who sat within these walls previous to the passing of the Constitution Act? Let us guard that which we

have; let us not sacrifice that which we hold so dear to the mere caprice of ministers of the present day, and to the scheming of ministers of Victoria. What necessity is there for this federation? If there were an enemy at the gate, I could understand the necessity for combining for the purpose of defence; and New South Wales would not be behind hand. We are asked by the Colonial Treasurer to combine with the Government of Victoria; but nothing could be worse than the manner in which the honorable gentleman has spoken of Victorian ministers. Why should we combine with them? Even in the notes of my honorable friend, the Premier, which the honorable gentleman read, no reason is given why we should federate. Why should we federate? We are the freest country in all the world, and taking the assertion of the Government themselves we are the most prosperous country in the world? What more do we want? Do we want to disturb and upset this happy state of things? The proposal of the Government is that we shall give our sanction to the federal bill holus-bolus, without having an opportunity to deal with it clause by clause. We are to give our sanction to this bill which is to override our liberties, which is to change our Constitution by a resolution which merely expresses a general approval of a draft bill. And the honorable gentleman who asks us to do this tells us that he himself does not approve of the bill.

Mr. CAMERON: And that we are not to have an opportunity to consider it!

Sir JOHN ROBERTSON: Exactly so. There is no proposal to go into Committee to consider the bill in detail. When the Constitution Act was passed I well remember—although at the time I was a mere youngster—that Mr. Wentworth brought it forward in a magnificent speech, I regret that we had no *Hansard* then; but the speech was well reported in the newspaper press. Mr. Wentworth was not prone to yield too much to the people, but he moved the adjournment of the debate for three months in order to allow the people to see what was being done, and to give them an opportunity to consider the matter. The bill was eventually adopted clause by clause; it was considered line by line, and it was examined with

greater care than any other measure ever passed by the legislature. But we are asked to pass this bill without knowing what is in it. None of us, the representatives of the people, have had anything to do with putting one line into it. I remember that Mr. Wentworth was blamed for high-handed courses; but of all the high-handed courses ever proposed to a parliament the course which is now proposed by the Government to-day is the most objectionable. We are asked to agree to a resolution in these words:

That a humble address be presented to her Majesty, praying that her Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a federal council of Australasia upon the basis of the draft bill adopted by the convention held in Sydney in the months of November and December, 1853.

We are to ask the Queen's Government and the British Parliament to pass this bill, and nothing but this bill. It is all very well for honorable gentlemen to tell us that this is only a set of resolutions. It is nothing of the kind. We are asked to change our Constitution, to sweep away half-a-century's labours for freedom of liberal and patriotic men. All this we are asked to sweep away, and in a great hurry, because some honorable members want to go to the Melbourne races. This is the position the honorable gentleman wishes to place this House in: we are to pass a resolution asking her Majesty to submit to the Imperial Parliament a measure on the lines of this draft bill, without having had an opportunity of going through the bill, examining it, dealing with it in a manner becoming our position, and altering it if need be. On a question involving the rights and liberties of the people we are invited to pass the whole thing holus-bolus, because, says the honorable gentleman, "they did it in Victoria; why should we not do as they did in Victoria?" I shall show by-and-bye why they did it in Victoria; but, meanwhile, I say that we are a well-governed and prosperous country under our present Constitution; that that Constitution, obtained thirty years ago, has been built up since by the labours of able and patriotic men, and we are asked to sweep that Constitution away by a resolution inviting the Imperial Parliament to take away our rights, privileges, and liberties in favour

[*Sir John Robertson.*]

of this miserable council of fourteen. How do we know what will be put into this bill in London? How do we know what manner of bill will pass through the Imperial Parliament if we ask for change? Let us keep as we are. Let well alone; we are very well now. We should not invite the Parliament of England to alter our Constitution in conformity with the desires of the scheming Victorian Ministry, who pull the strings of this question with a vigour quite in contrast to the manner in which my honorable friend delivered his speech. I am sure he would give his life to be on this side of the house to-night. Never before did so miserable a deliverance fall from the mouth of an able man in charge of a great question as fell from the honorable gentleman. It is not because he wants ability; it is not because he is not capable of dealing vigorously with a question of this kind; it is because his heart is not in it. He knows well that he is doing injury to the country; but he was led into a trap by the scheming Victorians, who doubled our ministers up, made a show of them —

Mr. CAMERON: And boasted of it!

Sir JOHN ROBERTSON: Yes, and boasted afterwards of the manner in which they dealt with our representatives; and openly sneered at their sleepiness.

Mr. CAMERON: And they insulted our Speaker!

Sir JOHN ROBERTSON: And now the honorable gentleman sits in the humiliating position of being obliged to take the course he is adopting. I respect him for taking the unpalatable dose, and in so far as he is vindicating the honor of his Government, who promised to support federation. But I should be sorry to sit in the humiliating position in which the honorable gentleman now sits, knowing as he does that he is only pretending to argue—that his speech contains all manner of evasions, with no reasons whatever for federation. The honorable gentleman said that Parliament did not object to the Government attending the convention. No one ever said that Parliament did object. Why did the honorable gentleman answer that which was never alleged? Of course, the Government had a right to attend the convention. The question is: had the Government a right to barter away the rights and liberties of this people behind the back of Parliament?

That is a question of a different colour. I say they had no right to agree on behalf of this country to a bill of this kind. I shall read some of its provisions to justify what I say. It says that the word "colonies" shall mean "the colonies of Fiji." King Thakambau was here a little while ago, and Fiji is a very proper colony to lead us in this matter. King Thakambau —

Sir HENRY PARKES: He is dead!

Sir JOHN ROBERTSON: Well, I will say that the nation which used to be governed by King Thakambau leads in this matter. The bill says:

The colonies of Fiji New Zealand New South Wales Queensland Tasmania Victoria and Western Australia and the province of South Australia.

Sir HENRY PARKES: And the colony of New Guinea!

Sir JOHN ROBERTSON: Of course, that will be another. The scheming Victorians pursuing the same policy that they did when they "nobbled" the colonies at the postal venture—I was not in the Government at the time, but I know that Victoria pulled the strings as she will do again and with the help of these ragged-tail colonies—will deal with our rights and privileges, and with our property. The Treasurer read the 15th clause; but he failed to show how, under that clause, why we should not have the right to deal with these questions ourselves instead of handing them over to the fourteen gentlemen who are to be the members of the new firm of Fiji and Company. I shall say no more about the 15th clause, because the honorable member has read it, except that some of the subjects enumerated in it might very well be dealt with by an outside power, as they would not affect our right of self-government; but there are others of a quite different character. The bill says:

All acts of the council on being assented to in manner hereinbefore provided shall have the force of law in all her Majesty's possessions in Australasia or in the several colonies to which they shall extend as the case may be.

There is no humbug about that. All acts of the federal council on being assented to shall have the force of law in all her Majesty's possessions in Australasia or in the several colonies to which they shall extend. Now, let us look at the 22nd clause:

If in any case the provisions of any act of the council shall be repugnant to or inconsistent with the law of any colony affected thereby the former shall prevail and the latter shall so far as such repugnancy or inconsistency extends have no operation.

Well, that would be a nice state of affairs. Those who went before us gained for the people of this colony thorough freedom in the government of their own affairs, and those who are now in the administration of public affairs are trying to bind us to abandon the work of government to this Fiji and Company council. That is what we are asked to do. We are not asked to go into Committee and deal with this bill, and frame a federal bill suitable to the colonies—if we want a federal bill. I think we want no federal bill; but if we are to have one, why should we send to England to have it prepared? The honorable gentleman says the measure is to be drawn on the lines of the draft bill. By whom is it to be drawn? By Mr. Murray Smith I suppose. If we want a federal bill, let us draw one ourselves, and not take the bill of this convention without a grain of salt, at which the so-called representatives of New South Wales were overawed and over-persuaded. I know, or I think I know, that when they went into the conference their views were different from those that emanated from the conference, and I say that they allowed themselves to be humbugged by the Victorian representatives. Then we come to the money part of the bill. Clause 26 says :

The necessary expenditure incurred by the council shall be defrayed in the first instance by the colony wherein the expenditure is incurred and shall be ultimately contributed and paid by the several colonies in proportion to their population.

We shall have to pay our share of the expense whatever this council may do.

Mr. CAMERON: Read the rest of the clause.

Sir JOHN ROBERTSON: It goes on to say :

The amounts payable by the several colonies shall be assessed and apportioned in case of difference by the Governor of the colony of Tasmania.

I do not think there is much in that, because it will be only in the first instance.

Mr. CAMERON: But after Tasmania will come Melbourne!

[*Sir John Robertson.*]

Sir JOHN ROBERTSON: No doubt Victoria will control the whole thing. The next clause is as follows:—

It shall be the duty of the Governor of each colony to direct the payment by the Colonial Treasurer or other proper officer of the colony of the amount of the contribution payable by such colony under the provisions of the preceding section.

The Parliament of the colony is to have no control in the matter. What colonial treasurer, under free constitutional government, will allow any governor to put his hand into the treasury of a country governed under responsible government? Is it right for any governor to put his hand into the public treasury of a country without the assent of the Parliament of that country? This is the most audacious of all the proposals. The 28th clause of the bill is to this effect :

Whenever it shall be necessary to prove the proceedings of the council in any court of justice or otherwise a certified copy of such proceedings under the hand of the clerk or other officer appointed in that behalf by the council shall be conclusive evidence of the proceedings appearing by such copy to have been had or taken.

I am not quite sure that our Chief Justice will like this kind of dealing with the proceedings of our courts of law. And the 29th clause says :

The council may make such representations or recommendations to her Majesty as it may think fit with respect to any matters of general Australasian interest or to the relations of her Majesty's possessions in Australasia with the possessions of foreign powers.

What does that mean? This council, not chosen by us, not representing us, may recommend the Imperial Government to make a redistribution of the lands of Australasia, so that they may deal with them in the same manner that the Federal Government of America deals with the lands of that country. Mr. Berry, the chief man in Victoria—for after all Mr. Service, with all his insults to the members of our Government, which they have pocketed in a wonderfully good-natured way, is not the leading public man of Victoria—Mr. Berry, as I say, is Victoria; his protective policy rules the Cabinet there, and not the free trade policy of Mr. Service. Mr. Berry brought forward a proposal for a federal council, and what was it? That the control of all the lands of Australasia should be placed in the hands of a federal council. Why, the very first thing they would do

would be to obtain a resolution that the lands of Australasia should be taken out of the control of the representatives of the people and placed in the hands of this overbearing body, which would attack and destroy our rights and liberties. Mr. Berry moved at one of our conferences :

That inasmuch as a federal council should be endowed with some certain source of revenue, this conference affirms the desirability of transferring all revenues from the sale and occupation of public lands situate in each and all the colonies to such federal council.

Mr. POOLE : That is what they want !

Sir JOHN ROBERTSON : Yes ; they want to give this power to the federal council to advise her Majesty, on behalf of this colony, as well as the others, to join in this reckless federation, and to give them the power to make laws dealing with the lands of New South Wales. Can any one doubt that when Mr. Berry and Mr. Service obtain this federal council they will pull the wires and work the oracle so as to get a recommendation of that kind sent to the Imperial Government ? And how shall we resist when we shall have authorised them to advise the Imperial Government on our behalf ? Can we repudiate action on such advice if we sanction this bill ? I have said that our Government had a right to attend the conference. I deny that they had a right to consent on behalf of this country, and behind the back of Parliament, to send the federal bill to the old country. The Treasurer stated that the House took no action in regard to the matter. The honorable gentleman's memory is bad. On the motion of the honorable member for Yass Plains the House unanimously passed this resolution :

(1.) That, as the proceedings of the delegates at the late intercolonial conference, including the Federal Council Bill prepared and sent by them to the Secretary of State for the Colonies for enactment in the British Parliament, have not yet been submitted to this House for its consideration, and it is stated in the London telegrams that the British Cabinet is about dealing with the said bill,—This House resolves that, in its opinion, it is desirable, before the said federal council bill, or any bill based upon it, be passed into law by the British Parliament, that such bill should be submitted to the Parliament of this colony.

(2.) That the above resolution be communicated by address to his Excellency the Governor, with the request that he will transmit the same to the Right Honorable the Secretary of State for the Colonies.

The honorable gentleman seems to have forgotten that though that was passed on the 21st March, we have received no answer to it yet. The honorable gentleman and his Government seem to have forgotten to remind the Imperial Government. The time was, and not very long ago, when our Parliament would not have submitted to such an indignity at the hands of any ministry. A greater indignity could not be imagined than that we should unanimously pass a resolution of this kind, transmit it through the Governor to the Secretary of State, and receive no answer and no explanation from ministers. They pretend now that they had no opportunity to deal with the question. They have had opportunities for adjourning the House for a week, a fortnight, and three weeks for amusement during the present session, and even now they have a special train ready to carry their friends to the Melbourne races the very moment that a vote is taken on this matter. They tell us they are a government of work ; they seem to me to be a government of play. Thanks to the labours of the sensible men who drew the Constitution Act before we have a representative chamber, the people of this country have liberty now, and are entitled to deal with their own affairs ; thanks to the efforts of the earlier parliaments those rights have been extended until we have manhood suffrage ; and has it come to this that now, when we have a parliament elected under manhood suffrage, vote by ballot, and equal electoral districts, we are going willingly to throw away our rights ? Those who framed the Constitution before we had representation were more liberal than the present Government. Neither Mr. Wentworth nor any of the councils which he so ably led would have consented to such a proposal as the Government are now asking us to adopt. Better far that we should revert to government by the Secretary of State for the Colonies, which was at least well-intentioned than throw ourselves upon the tender mercies of Victoria. The old country treated us fairly well, certainly with no attempt at over-reaching ; but what fair play can we extract from Victoria ? Having got the freest Parliament and the freest Constitution in the world, it should be our object to guard the rights and liberties of the people, and in no sense

to allow them to be invaded. My honorable friend the Treasurer tells us that the other colonies of Australia will do something. Let them do it by all manner of means; but let us not be a party to our own degradation. If they wish to degrade themselves, let them do so. If the other colonies choose to follow Victoria, we may be sorry for them; but there is no mistake about Victoria. She will have her hand on all these other colonies, and if it were not for New South Wales my honorable friend and our free trade would very soon be "up a tree." Now let us see what kind of people they are into whose hands we are asked to put ourselves. I remember some years ago when the colonies were endeavouring to come to an agreement with the Peninsular and Oriental Company to convey their mails between Australia and England, no sooner did a gentleman who was the agent of the company arrive in Melbourne than the Government of Victoria behind the backs of the conferring colonies, entered into a contract with him on behalf of that colony alone.

Sir HENRY PARKES: They arranged that contract while the conference was sitting!

Sir JOHN ROBERTSON: So I have said. While the colonies were endeavouring to come to some arrangement the Victorian Government entered into a contract with the company behind the backs of the other colonies, and one stipulation in the contract was that the mail steamers should not come on from Melbourne to Sydney, as the company wished them to do, on account of coal being obtainable here, notwithstanding that the company offered to accept a less subsidy in consideration of that privilege. That is the kind of people we are asked to federate with.

Mr. DIBBS: Federation will stop that!

Sir JOHN ROBERTSON: They are very adroit gentlemen who try to outwit their compeers, by making bargains behind the backs of those they are working with, and who tried to take advantage of our Government in a most unfair and I may say nefarious manner, by trying to get the enabling bill smuggled through the Imperial Parliament after the agreement they made with the Premier and other ministers of this colony that the Land Bill should be dealt with in this Parliament before the

convention resolutions were taken in hand. No one knows that better than honorable gentlemen who form the present Government, and I think we ought to have heard a little about that matter. We ought to have been warned as to what manner of men they are who are to be the leading partners in the firm of Fiji and Company, which we are invited to join. I suppose Fiji was put first to take the smell off the real managing partner—Victoria. Last night we heard of the manœuvring which is going on with regard to the railway trucking of cattle on our border. Have not the Victorian Government made fools of our Government in that matter? It is unquestionably an outrage that our people should be compelled to take their cattle over to Victoria to truck them. And why has it been done? To please a few shop-keepers in Wodonga, and to satisfy the greed of Mr. Berry. That is why; and our Government have been willing tools in the hands of the Victorians. Then what about the stock-tax; was not that put on by the gentleman who now rules Victoria—I mean Mr. Berry—for the purpose of making it appear that they had something to give us in exchange for some concession of our free trade in favour of Victoria and against old England? And these are the kind of people with whom we are to enter into partnership;—blind babies on our side, and the cutest people in the world on the other. It was not the wish of the representatives of New South Wales at the conference that the enabling bill should be agreed to. We have that on the authority of Mr. Service, who with gentlemanly and kind consideration of our ministers, returned to Victoria jeering and laughing at them, saying that he found them asleep. He might have added that he left them asleep, or they would never have consented to some of the resolutions of the convention. Why was the Treasurer, usually an able and a strong man, so mealy-mouthed, and so incapable in dealing with this matter to-night? Was it not because he felt that he would like to be on this side trouncing the Victorian representatives for the manner in which they have treated him and his colleagues? I know very well how our gentle, kind, good-natured, and unsuspecting Premier would be apt to listen to a subtle, scheming man like Mr. Service. A man must

[*Sir John Robertson.*]

speak out now or he is not fit to be on the floor of this House. Mr. Service and Mr. Berry have done things of which no honorable man would be guilty, with regard to this convention business. Mr. Stuart, I know, is as honorable and straightforward as the sun, and he had no idea of what those gentlemen were about. I would like to hear the genuine sentiments of my honorable friend, Mr. Dibbs, with regard to those gentlemen whom he asks us to go into partnership with forsooth! What will this federation be if it is carried out as my honorable friend proposes? We shall have to agree, by the vote of a majority, upon a tariff. Very well, the strongest and the most scheming men will most likely win. Mr. Berry will probably get his tariff adopted. But what will be the use of that even to the small body of protectionists in New South Wales? Are they not as well off with free trade with the mother country as they would be with free trade with Victoria, which would be the case with what is called international free trade? Are we to hand over our people to the tender mercies of the Victorian manufacturers? Are we to hand over our rich trade to Victoria, and close our ports against the great and glorious country from which we have sprung, and for which we have such an affection—the country which has always treated us with motherly care, which keeps a fleet here for our protection, which has even changed her policy to please Australasia by annexing New Guinea? What has Victoria done for us that we should favour her as against the mother country? I noticed in a Victorian newspaper a little while ago that one of the most distinguished and powerful men in that colony—Mr. John Woods—publicly stated that his reason for desiring federation was that Victoria might “collar” the trade of Riverina, as they call the southwestern districts of this colony. Mr. Berry wants federation in order to lay hands on our land, and Mr. Woods wants it in order to “collar” our trade. Those are very good reasons, are they not, why we should consent to federation with Victoria? I have no hesitation in saying, after a long experience of dealing with the public men of Victoria, that I have never found them to be otherwise than unscrupulous, and grasping for more than

they appeared to demand when making an agreement. That they will overshadow the proposed council I am perfectly sure; and our country being the richest in the group will, no doubt, be the object of plunder. The others, perhaps, will be considered not worth plundering. And are they the men we should like to have communicating with the outside world on behalf of federated Australasia, we being responsible for their actions? Why, we should be dragged into a war by these self-assertive people owing to their want of judgment, to their ignorance of the use of language. They would write insulting communications, perhaps, without meaning to be offensive. In what position were we placed by them the other day with France? To show the irritation created by the vulgarity and coarseness of Victorian statesmen—may I say statesmen?—I will read a letter written to me in March last by the French consul, M. J. Decourt:

My dear Sir John,—Our relations together have always been so friendly that you will not be surprised if I thank you heartily for your kind and considerate remarks in regard to my country in the discussion of Tuesday last on Mr. Heydon's motion.

I have, as it was my duty, transmitted to my Government the views prevalent in this country about the Recidiviste Bill. I have reason to believe that the Governor of New Caledonia has written to Paris somewhat in the same sense.

Those views are shared by almost all those of my countrymen whom I have been able to see lately, and I have no doubt that if the bill is passed it will be modified in its application in such a way as not to hurt the feelings of the Australians, as otherwise nobody would suffer more from any estrangement than the French settlers in Australia, and also that direct trade between the two countries which my Government is so anxious to promote.

You will, I am sure, bear me testimony that no one has displayed more zeal for the faithful execution of the Extradition Treaty than I have done, and that not only because it is my duty, but also in the best interest of my countrymen settled here or doing business with this country; and if more stringent measures were needed they would be carried out in the same spirit.

Consequently, after all the abuse heaped upon us some time ago, especially by politicians of the other side of the border, flushed with the idea of their own importance, you may conceive my pleasure when reading the account of Tuesday's debate.

I will not read his complimentary remarks concerning myself. Here is the answer I sent, and I venture to think that this kind of correspondence had a great deal more to do with the settlement of the difficulty

with France than had the bullying of Mr. Service. Our Government, I am glad to say, abstained from anything like bullying, and, excepting their agreement to support this wretched bill, I think their conduct has been unexceptionable. This is the letter I wrote to the French consul :

Clovelly, Watson's Bay.

My dear Monsieur J. Decourt,—I have great pleasure in acknowledging your kind and gracious letter of the 27th ultimo, which crossed me twice between here and Sydney, and hence the delay until now of this rejoinder.

You appear to think too highly of the few words which I expressed in the Legislative Assembly to convey the thorough confidence with which I am impressed—and have ever been impressed—of the high honor, generosity, and chivalry of your great nation. Be sure that they but very faintly described what I feel on the matter.

You properly remind me of the zeal and energy with which you have ever aided our colony in carrying out the Extradition Treaty with thorough faithfulness, and otherwise helped us, and for which it has often been my pleasing duty to offer you our best thanks.

We are glad to know that amongst our thriving and prosperous and most cultured people there are well established here many of your countrymen and countrywomen, who have become ours, and I am sure that they and you will admit that in all things they have as full and free right to participate in our laws and to come and go without restriction as have our own people, or the people of our dear old fatherland. This, doubtless, is but a small thing, but it is all a young and struggling community like ours has to give, excepting most cordial friendship and a warm desire to make the colony as pleasing to your people as is in our power.

From the very first of this terrible *récidiviste* business—for it would be indeed terrible to us and to our little ones if it were carried out—I have felt sure that its disastrous consequences to us would never commend it to the honored and distinguished statesmen or to the people of your country, when they became aware of its true import; and that France would not be uninformed of the true position whilst she has so observant and conscientious a representative here as you, her present consul, I felt convinced.

With the highest regard, &c.

I think that language of that kind is more calculated to conciliate a proud nation like the French, going as it does to their President from the consul here, than bullying on the part of what will be looked upon by them as an upstart colony like Victoria. The colonies have been very unfortunate in having in this matter such a coachman as Mr. Service; and I fear that if we have federation we shall continue to have Mr. Service, or some man of his kidney, as coachman, and we shall be driven

[*Sir John Robertson.*

into more trouble than we have any conception of if we enter into a confederation with them. I may here mention that I knew from the distinguished gentleman who at present fills the high office of consul of France in this colony, that he is so firmly of opinion that the moderate course of Sir Saul Samuel and of Lord Derby would have been absolutely successful if it had not been for the offensive and intemperate language used in regard to France by Victorian politicians; and that, notwithstanding their irritating conduct, he has scarcely a doubt that very few *récidivistes*, if any at all, will be sent to New Caledonia, and that in any case such persons will be confined to skilled artisans, which, he says, that colony is very much in want of. I, at any rate, shall do what I can to maintain the rights and liberties we at present possess under our Constitution. It is my intention to move the previous question, because I regard that as the least objectionable course to take. There can be no mistaking its meaning. It will mean that we want no federation. The Government have kept us in ignorance of their intentions up to the last moment, changing their principal proposal even this day, so that we have not been in a position to adopt a more definite course. Carrying the previous question will not, I admit, deal satisfactorily with the matter. The Treasurer spoke about child's play when I asked what was the use of humbugging with these resolutions if we did not want to pass them; but what is it but child's play to submit these proposals when thirty honorable members, as asserted by him, are going to abandon the rights and liberties of their constituents in order to attend a horse-race at Melbourne? These are the kind of men who carried the Land Bill. They have, I should suppose, if that be so, no interest in this country; and the only object they have is to protect their own interests. I beg to move the previous question.

Previous question proposed.

Sir HENRY PARKES: I make no apology for rising immediately after my honorable friend who leads the Opposition, because if it is possible to conceive of any question which is entirely removed from the province of party politics this is one. I could not understand the warmth of temper which the Minister who intro-

duced these resolutions displayed in speaking of me. I do not stand here as in any sense opposed to the Government or to any one else upon this question. I think I have given as good an earnest as the honorable gentleman himself has given of the warm interest which I have taken in the question now under consideration. I cannot understand why he should find fault with my taking objection to his committing a grave breach of order in bringing a member from another place to speak in our debates. I maintain that if there is any rule governing parliamentary deliberation which ought to be enforced on all occasions it is that we in this Chamber are not to be influenced by anything which may be said in the other Chamber. This has been uniformly held to be one of the fundamental parliamentary doctrines in the mother country, and if Mr. Gladstone, with all his magnificent array of power at the present time, were to attempt to influence the deliberations of the House of Commons by a speech from his Lord Chancellor delivered in the House of Lords he would not only be instantly arrested in so daring an attempt but he would lose influence with his own supporters.

MR. CAMERON: He would never attempt to do it!

SIR HENRY PARKES: Of course he would not. I did not rise with any desire to interfere with the honorable member. I rose to maintain a rule which is absolutely necessary for the independent deliberation of both houses of Parliament. No one knows that better than honorable members sitting opposite. What would the Legislative Council say if an honorable member of that body proposed to read a speech of mine to influence their deliberations? What would any legislative body say under such circumstances? I must complain of what appears to me to be disingenuous conduct on the part of the Treasurer in dealing with my proposal some three or four years ago, which is said to be the foundation of this projected federal council. This matter was some time during my absence from the colony represented in the light in which it has been represented here to-night. At some point in my journey I fell in with Sydney papers, and I observed that the press—I think every paper in Sydney—fairly pointed out—and I take this opportunity

to thank them for this fair conduct in my absence—the great difference between what I did and what was done by the late convention. The two cases are as different as it is possible to conceive. For example, at the conference which sat in Sydney at the beginning of 1881, of which I was chairman, I submitted the famous propositions which have been read to-night, and which have previously been brought before the public as an evidence that I must of necessity support this Federal Council Bill. I shall not occupy the time of the House by reading the memorandum, because it has been read so often; but what was the position of that memorandum? It was simply an embodiment of my individual opinion thrown out and placed on record, but in no way adopted by the conference. It had no existence except as a memorandum of my individual opinion in explanation of the bill I then submitted to the conference. What was the position of that bill? It was never adopted by the conference. Victoria voted dead against its adoption, and afterwards Mr. Graham Berry made the modest proposal that if a federal council were constituted it should have the management of the whole of the lands of all the colonies. The bill and memorandum, therefore, amounted simply to an expression of my opinion placed on record by the conference; but never adopted by it. The bill itself was a tentative measure, simply empowering any two or more colonies to create a federal council of their own motion—a council not to be brought into existence under an enabling bill of the Imperial Parliament—a proposal which was not to be sent home—and that, I take it, is still more objectionable—with a memorial that the Imperial Government would adopt it, and introduce it into the Imperial Parliament. It was a bill which simply enabled any two or more of the colonies who chose to do so to create a council chiefly for administering certain matters outside their particular colonies, and which were common to the colonies who were the assenting parties—matters, for example, such as lighting the coast. If we had any body acting in common for all the colonies in the regulation of the lights on the coast, who would say that it would not be beneficial. But my bill was in no way of the cast and principle of the bill referred to in the resolutions now sub-

mitted, nor were the powers conferred of anything like the same extensive character. In the notes of the honorable gentleman at the head of the Government, which were read by the Colonial Treasurer, it is also said that this Federal Council Bill is copied from my bill of four years ago. Even if that be so the circumstance simply reminds me of the Chinese tailor who was commissioned to make a coat. He had handed to him as a pattern a coat with rents in the tails and with grog stains on the front. He made a coat and copied the rents and stains; but in this case they have added to the coat another article of wearing apparel which I will not mention. They have simply disfigured the bill, and presented it as a copy of mine. It is not a copy of my bill—except in so far as the main idea is concerned. It is a very imperfect measure, and if it were adopted that would be found to be so. If honorable members examine the records for themselves, they will see that I have not been fairly treated—that what I did at the time to which I have referred was as different as possible from what was done by the late convention. In the former case it was no act of the convention, it was my own act. Before I go further I desire to express my deep regret that the honorable gentleman at the head of the Government has been by a visitation of providence rendered unable to introduce these resolutions. We certainly have cause to regret his absence, because he has so many affable qualities, so much clear discernment, and so great a disposition to treat his opponents courteously, that we sadly miss him to-night.

Mr. DIBBS: Yet you abuse him whenever you get a chance out of doors!

Sir HENRY PARKES: I do not know what the honorable gentleman means. Does he think that if I speak in opposition to a public man, or to some set of public men, I necessarily abuse them? That is not my notion of free, fair, and upright discussion. I shall express my opinion of public men so long as I live and have the power to express it; but that is no reason why I should not recognise good qualities of personal character when I have an opportunity. We must try to understand what was the state of public feeling at the time I introduced the bill which has been made so much of as the bill from which this measure has been copied. At

[*Sir Henry Parkes.*

that time this question of the federation of the Australian colonies was not nearly so advanced as it is now. It was then little thought of—little discussed. There had been one or two committees appointed by the sister legislatures to consider the question. There was one appointed by the Legislative Council of this colony, presided over by no less a person than Mr. Wentworth, when President of the Council. There was also a committee of the Legislative Assembly of Victoria, presided over by a very distinguished man—Sir Charles Gavan Duffy. These committees reported in favour of some form of federation; there had been some discussion in the public prints, but upon the whole the question was to a large extent in abeyance, and the avowed object of my framing a bill, and of submitting my memorandum in 1881, was to awaken public attention, to induce a full discussion of the important question of federation. Matters are in quite a different position now. The question has now risen to one of great magnitude, occupying the minds of English statesmen, and of writers of the very first class. For example, very recently one of the most forcible writers of the day—a man of large intelligence—Professor Seeley has written a book about the very question, showing that there must be some fundamental alterations in the relations of the empire, if the empire is to hold together. This book has obtained a great hold upon the public of Europe, and has been very widely read. Scarcely a month passes in which there is not some able paper dealing with this question, published in one of the leading reviews. In the House of Lords we have not only Lord Carnarvon, but Lord Dunraven, and Lord Rosebery enthusiastic upon the question of federation. In the House of Commons we have men in the very front rank of statesmen—Mr. W. E. Forster and others who are enthusiastic upon this question. So that, as far as the bearing of public opinion upon the subject is concerned, it stands now in a position very different from that which it occupied at the time when I threw out those very imperfect and crude suggestions in order to set people thinking upon the matter. Moreover, I gave it clearly to be understood, very soon after my bill was framed, that I considered it an impracticable measure. I never attempted to put it in force,

because I came to the conclusion, as I stated publicly, that it was a measure which could not be put in force—that it was impracticable. Then what becomes of the raking up of these proposals of mine which never had any authority stamped upon them as a justification for the measure now before us? I shall not be in danger of saying anything displeasing to the Minister in charge of these resolutions, because I do not intend to follow his speech; but I shall try to state, in as few words as I can, but with sufficient fullness to be understood, why I think this country will be better served, and the cause of real federation better advanced by our having nothing to do with this measure at the present time. I will try to describe what, as far as I can learn, is the position of things at the present time. From what I have said it will be seen that there is a much fuller growth of public opinion upon this question; that there has been a great progress of national sentiment in favour of federation; but that at the same time there is still a great conflict of opinion; that the question is surrounded by perplexities which have in no sense yet been mastered. Take our own population. My honorable friend, Sir John Robertson, who has had so much to do with the government of this country, and who has sat through all our parliaments, is evidently opposed to federation altogether.

Sir JOHN ROBERTSON: Hear, hear!

Sir HENRY PARKES: And perhaps throughout the population of this colony there is no man of more powerful intellect, of more capacity to grasp large questions, than the present Chief Justice, and Sir James Martin has made no secret of the fact that he is altogether opposed to federation. He believes that federation would be a great injury instead of a good to these colonies. I know that that is his opinion; I have heard it expressed times out of number. Here, then, are two instances of men who have occupied very conspicuous positions in the country—who, by their large influence, are calculated to lead public opinion, and who are entirely opposed to federation. No doubt they represent the views of I will not say many more, but probably of many thousands more. In considering any question so large as this, with such broad and far-reaching issues, we are bound to con-

sider the weight of the mass of opinion opposed to us. If upon any question we are to consider fairly and honestly, and without flinching, the opinion opposed to us, we ought to consider it in connection with a question like this. As far as I can analyse the opinions of persons who are in favour of federation, they may at the present time be thrown into four distinct classes. Firstly, those who are in favour of the federation of the Australian colonies, without reference to other communities. Those, again, may be divided into two classes—those who advocate a federal action of the incomplete character now before us, and those who advocate federation by means of a complete federal parliament. Secondly there are many advocates all over the empire of the federation of the colonial empire in connection with England, without reducing the supremacy of England—England still being the supreme member of the federation. Then in the third place there are those who dream of a federation of the empire on grounds of perfect equality. In the fourth place there are numerous persons wherever the English language is spoken who are putting forth arguments in favour of an alliance of all English-speaking peoples, including among their number many citizens of the United States themselves. There is one living American, perhaps one of the most illustrious of living Americans—Mr. Dudley Field—who stands prominent as a great jurist, and who has the confidence of his fellow-citizens as a very old and gifted public man. He is enthusiastic on the fourth ground of federation—that of a friendly alliance under all circumstances of all peoples who speak the English language. In other words, this great American is enthusiastic for a federation which would unite the empire, including that great offshoot the present United States, and embracing the whole English-speaking civilised world. Here are four distinct fields in which federal thought is being still further matured by some of the greatest minds not simply in the empire but in the world. I have instanced the case of Mr. Dudley Field, who some honorable gentlemen may possibly remember is not ignorant of these colonies, for he passed through them some seven or eight years ago. His daughter is now the wife of an Australian governor—Lady Musgrave. I have had conversa-

tions with Mr. Field upon the subject, both in these colonies and in America. He has written repeatedly on the subject, advocating the alliance of all English-speaking people. Among the persons of rising influence in England who get very warm upon this topic of federation is a nobleman who was in these colonies the other day—I mean the Earl of Rosebery. Lord Rosebery was recently at Aberdeen, and he was asked to address the united trades unions who met in that city. He took occasion in his address to point out that the federation of these trades unions for one common object was a very fair type of what might be done in federating the different parts of the empire. His speech is very fully reported in the *Times* of September 12. I am not going to read Lord Rosebery's speech; but I must beg the attention of the Committee while I read a few extracts from a profoundly able article in the *Times* of the same day, in which the impediments—the eternal irremovable impediments—to a federation of the empire are pointed out. I ask the Committee to listen to the following significant and powerful passages. Alluding to Lord Rosebery's speech, it says:

It may be said perhaps that the existence of a common aspiration, and the recognition of a common desire, are in themselves important steps towards the attainment of the end in view.

Unquestionably the common aspiration and common desire of any nation is a great inducement to union of any kind. The *Times* goes on to say:

The argument is sound as far as it goes, but it does not, perhaps, go very far. A common sentiment, even if it is one so potent and so prevailing as that of nationality and imperial union, is not of itself sufficient to bind peoples together; there is needed a common interest as well. Does such a common interest exist, or, if it exists, does it exist in a form acceptable to the several members of the proposed union? Unless, and until this vital question can be answered with confidence in the affirmative, there is manifestly a serious obstacle in the way of imperial federation.

Further on the writer says:

But, between the generous and cordial cultivation of such bonds as these, and the establishment of a formal federal union the interval is really immense.

That is between the aspiration, the desire, the sentiment which would favour it and the actual power of doing it the interval is immense.

[*Sir Henry Parkes.*

A premature attempt at federation would be fatal. At present it is only an idea, grandiose, sublime, and attractive, but shadowy, vague, impalpable, and deficient in practical consistency. We have said that federation must be based not merely on a common sentiment, but on an active sense of common interest. The strength of the common sentiment we do not question. We acknowledge it and heartily rejoice at it. But are the common imperial interests of the Canadian and Australasian colonies sufficiently strong to be made the basis of a federal union on such terms as would be acceptable to England? We do not say they are not, but it rests with the colonies themselves to show that they are. Again, we would ask whether the basis of the federation is to be that of equality among the associated members or that of the recognised hegemony of England? We have no sort of doubt as to the answer which Englishmen themselves would give to this question. To them imperial federation means the imperial supremacy of England strengthened by the loyal and willing support of the colonies associated in federal union with her. Such a conception is manifestly full of attraction to Englishmen. Whether it would be equally attractive to the colonies is another question. The other alternative, that of the co-ordinate equality of the several members of the confederation in dealing with questions of common concern, is for practical purposes almost inconceivable. It would mean in practice that England should consent to abdicate her imperial position in order to take a place of merely co-ordinate authority with communities younger and in many respects more progressive than herself. This, as it seems to us, is the rock on which schemes of imperial federation are only too likely to split. The hegemony of England would in the long run hardly be acceptable to the colonies; the equality of England would be wholly unacceptable to this country.

I do not think that there is any possibility of getting over that objection as far as imperial federation is concerned. I should not have mentioned this if it did not affect federation in every form, as I shall presently show. I hope that the House will bear with me. I want to go right into the soul of the question if I can, because whatever attempt we make now—whether on a broad or a narrow ground—in the way of federation must be governed by the principles centred in the great federal movements which have been made by our race at other times; and the great teacher of all on this question, and the only great teacher to which we can appeal, is the United States of America. Remember that at the time of the Declaration of Independence the population of the American colonies was little more than that of these colonies. Our population is considerably more than 3,000,000; theirs was under

4,000,000. Now let us see how difficult the task of creating federal government was with them. Very few persons are aware that it took twelve years' labour on the part of the ablest men in that very able gathering of men who framed the American Constitution before that Constitution was placed on a rock. As we all know, the Declaration of Independence was made on the 4th July, 1776. In the previous June a committee was appointed to draw up articles of confederation; but these articles were not matured—were not adopted for fully two years. Although a committee was appointed in June before the Declaration of Independence, in order that the new commonwealth might be brought under settled government as soon as possible, these articles of confederation were not adopted until the 9th July, 1778.

Mr. POOLE: And the people were at war at the time!

Sir HENRY PARKES: Yes. Probably there never was a group of men more gifted with capacity for government than the men whom providence brought together at that time in America. There were Washington, Franklin, Madison, Alexander Hamilton, and others of scarcely less capacity and of everlasting fame. Although the community was not much larger than ours, still by providence these great men were brought together when the new state had to be founded. These articles of confederation which were not drawn up in any legislature but were drawn up by that great group of great intellects after two years' labour on them, when they came into force were found to be utterly unsuitable for the government of the republic. I should like to point out what careful provision was made in these articles of confederation with a view to insure their success. The 13th article reads:

Every state shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them, and the articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them unless such alteration be agreed to in a congress of the United States, and be afterwards confirmed by the legislatures of every state.

Notwithstanding this stringent provision—which is as stringent as language could make it—to compel the obedience of the

states, that obedience could not be obtained. I am dealing with this matter now because I shall show presently how perfectly hopeless it would be to expect that there would be obedience to the federal council proposed here. The ineffective working of the articles of confederation was so marked that constant complaints were made. Among these complaints, a report bearing the name of Madison was brought up from a committee in 1781, in which I find this language:

The articles of confederation, which declare that every state shall abide by the determinations of Congress, imply a general power vested in Congress to enforce them, and carry them into effect. The United States in Congress assembled, being desirous as far as possible to cement and invigorate the federal union, recommend to the legislature of every state to give authority to employ the force of the United States, as well by sea as by land, to compel the states to fulfil their federal engagements.

Thus, under these articles of confederation, such slight obedience could be obtained to the general government that in one case they cried out for the military and naval forces to be employed to compel individual states to complete their engagements.

Mr. POOLE: They did it with Rhode Island!

Sir HENRY PARKES: Among those who were constantly complaining of the ineffective working of the confederation, and the liability of it to break down altogether, was Washington. Times out of number, year after year, he complained in the bitterest way that they were in danger of subjugation again, and of total wreck by reason of the inefficiency of the government under the federation. On the 19th November, 1786, Washington wrote to David Stuart in these terms:

However delicate the revision of the federal system may appear, it is a work of indispensable necessity. The present Constitution is inadequate; the superstructure is tottering to its foundations, and without help will bury us in its ruins.

That was the opinion of Washington on the first form of government, and it was reiterated I may say scores of times in language equally strong. In the twelfth year of the young republic the Constitution was passed; but the various states took a long time to ratify the Constitution. It was ratified at last, and with amendments has continued to the present day. I have dwelt upon this point at greater

length than otherwise I should feel justified in doing, for the purpose of showing that in every federal body which is to act for independent legislatures, there must be sufficient largeness and sufficient power to preserve its authority. Now, we will turn to the Dominion of Canada. Much has been said of the example of the federation of Canada, and I have said on former occasions that it was not such a great success as people at a distance supposed that it was. I hold in my hand a copy of the *North American Review* for July last. The ability of that review is pretty well known, and the fairness of its articles is generally admitted. There is an article in this number of the review which shows us how very far from successful is the confederation of Canada. The article is written in favour of the ultimate annexation of Canada to the United States, and it is written in a fair spirit. But, anyhow, the facts stated cannot be affected by the bias of the writer. Let me quote the unquestionable facts, not the deductions from them.

The discontent existing in several of the provinces, despite the great expenditure in them to develop their resources and render their inhabitants contented loyal citizens, is daily assuming more serious proportions. Only a year or two ago British Columbia was deafening her sister provinces with the cry of annexation, that demand ceasing only with the rapid construction of the Canadian Pacific Railway from the Pacific coast eastward, at an enormous expense to the dominion.

We know it to be a fact that British Columbia deafened her sister provinces until they got a bribe, so to speak, in the construction of this costly railway.

The disallowance of the anti-Chinese Bill the other day is another source of dissatisfaction to her. In Manitoba for some time past men in private and in public have manifested great indignation, threatening secession and annexation in consequence of the Ottawa Government having refused to remove the high duties upon agricultural implements; also, on account of the locking up of Manitoba lands in some cases, and in others the prodigal disposal of them to speculators with the maintenance of the railway monopoly against the wishes and interests of the settlers.

The province of Quebec has been restless, dissatisfied, and anxious under the heavy debt accumulated of late years. Starting in 1867 free of debt, with a respectable balance to her credit, her rulers, conservatives during the whole of the period except for a few years, from say 1875 till 1878, have managed to roll up a debt aggregating, some authorities say, \$11,000,000, and others \$15,000,000.

[*Sir Henry Parkes.*

We should think nothing of £15,000,000 sterling.

A very serious matter is the dissatisfaction and alarm excited in the province of Ontario, the backbone of the dominion, by the centralising policy of Sir John A. Macdonald's administration. Immediately after condemning federal interference with the license law and other subjects claimed to belong exclusively to provincial jurisdiction, the Ontario Government induced the legislature to pass strong resolutions censuring and protesting against the assumption of their railways by the central authority.

These are among the sources of danger to the continuance of confederation, not to mention Nova Scotia and New Brunswick, which, in spite of the late increase of federal subsidies, are not content.

I quote these facts to show that in the case of a confederation which we had been led to believe was most successful, there are breakers ahead; that there are sources of weakness internally, and to show more clearly how cautious we ought to be in anything we do on this question of federation. I think that I have shown how difficult was the work of federation, even where the necessity for it was great—in a country which was at war, which had to enter upon a life or death struggle to preserve its recently-won liberties. In the young republic of America there was every inducement for federation, and the most powerful intellects of the country set to work and constructed a form of government which failed. In Canada, where the conflict of interests is very remarkable, where, among other things, there was the danger of absorption into the great republic on the other side of the Saint Lawrence, the inducement for a general confederation was very strong; but after a few years have rolled by, we find that weaknesses show themselves in that confederation which, according to some writers, cannot last. I think that I have shown how great and how difficult is the work of federation; I think that I have shown that the feeling in favour of federation in these colonies is, comparatively speaking, new-born and unmaturing, that it is to a large extent copied, one voice from another, that it is not the result of deep and continuous thought; that it is not the result of the labours, as in America, of the best men of the colonies. The fact is that it has become fashionable to talk about federation, and I think that I have shown that there is a great difference of opinion among the best men as to the possibility

of federation. These things being admitted, and I think that I have shown that they exist, we find that the convention met to consider this most difficult and greatest of subjects at a time when opinion was not matured, when it was still perplexed by conflicting interests. What did the convention meet to do? To propose a federal body which should have absolute legislative power over the whole of the Australian colonies. Now I raise the objection that the members of the convention were not properly authorised to do the work. I grant at once that the authority of the Executive Council is quite sufficient to constitute an intercolonial conference for ordinary purposes; but it is no ordinary purpose for a conference to create, or to ask Parliament to create, a legislative body to interfere with the powers of the independent legislatures already existing in this part of the world. In this case there ought to have been a convention, the members of which ought to have been delegated by the respective parliaments. There can be no question of that, and it is not to be got over for a single instant by saying that former conferences were assembled on the authority of the Executive Council. They were not assembled to create constitutions. They were not assembled to take away the legislative powers of these independent legislatures. I say, without the slightest qualification, that a convention of that kind ought to have been composed of men appointed by the votes of the respective parliaments of all the colonies. But these gentlemen did adopt a federal council bill, and I shall proceed to show, very briefly, considering the greatness of the subject, what kind of a bill it is. Remember that this federal council is to consist, when every member is in his place, of only fifteen members. I have made no calculation; but I suppose that the parliaments of these colonies must comprise from five to six hundred members. But the body which is to spring up to overshadow these free parliaments is to consist of fifteen members. Who are these members to be? There are six colonies under parliamentary government; each of these is to send two members to the council. Now that New Guinea is a colony, there are three Crown colonies. Fiji has a population of about 2,000 white people, Western Australia

about 30,000, and I suppose that the white population of New Guinea will consist of officials—perhaps 100. These three Crown colonies will send one member each to the council. I lay down the principle at once that in any such body as this these Crown colonies ought to have no place; they are not their own masters; they can give their assent to nothing; the governors of those colonies can do as they choose, irrespective of any minister; the colonies have no standing in any group of free countries; they are merely appendages to the Crown of England, and I contend that in any federal body of this kind Crown colonies ought to be brushed away altogether. How can the gentlemen who represent responsible governments co-operate with gentlemen who have no potential voice—no political soul; who can say nothing without the consent of their masters in Downing-street? The thing is not to be thought of for a single moment. But this federal council is to be composed in this way. Now what are the powers of the federal council to be? By the 3rd clause of the bill they will have power to make laws which, when they receive the assent of the Crown in the way in which our laws receive the assent of the Crown, will be binding to all intents and purposes as much as laws made by this Parliament, and not only on small subjects, but also on some most debatable subjects, which carry with them great causes of conflict. Let us look at one or two of these subjects. We have heard a great deal of the relations which are sought to be established between Australasia and the islands of the Pacific. That gives great significance to this line in clause 15:

The relations of Australasia with the islands of the Pacific.

I should like to know whether we ought to intrust to a body of fifteen men constituted in the way I have explained the power to legislate on a subject of this kind. I am quite sure that if ever we did forget ourselves so far as to entrust this great power to such a body, their first year of action would bring about a host of conflicts. There would be dissatisfaction at every point, and complaint at every point, and it would be utterly impossible for any such body to work the moment it came in contact with a strong parliamentary power, like the parliament of any one of these

great colonies. I do not wish to go through the subjects with which the federal council may deal, but I simply wish to point out one or two of them. They are to decide on the status of joint-stock-companies. Just imagine a joint-stock-company peculiar to New Zealand, having its status decided by this body of fifteen gentlemen sitting in Tasmania. Would it be tolerated for an instant? Could it possibly be submitted to? These two items which I have mentioned are not the most extreme, but they are specimens of the great powers to be intrusted to this federal council. Then the council need not sit more than once in two years. Under the Constitution of England, Parliament must meet once every year, and under the Constitution of New South Wales it may sit thirteen months in the year. This federal council need not meet more than once in two years, and it could exercise these great powers in spite of the independent legislatures of six of the colonies. I will now try to show how this council would be likely to work. By the 13th clause the quorum is provided for. I am not quite sure that I clearly understand the clause, but I put the most liberal construction on it, and suppose that it means a majority of all the members representing all the colonies. Of course eight members would be a majority, and eight members can proceed to business. There might be nine members present, the two members for Queensland, the two for Tasmania, and the two for South Australia, the one for Fiji representing 2,000 people, the one for Western Australia representing 30,000 people, and the one for New Guinea probably representing 100 officials. These members constituting a majority of the whole council would represent less than half-a-million of the population, leaving at least 2,600,000 in the other great colonies outside altogether. This quorum could make and enact laws on vital subjects for the whole of Australasia. I will not say anything more about this council, but I shall refer to the argument that because the other colonies have agreed to represent to the Imperial Government, that they are in favour of a body of this kind, we, too, ought to assent. If I have shown that in all reasonable probability there are incurable causes of immediate failure in the body, cannot we see that it

[*Sir Henry Parkes.*

must result in a ridiculous exhibition on the part of the colonies who consent, and in impeding the way for a sure and solid federation of the colonies? And when we have our eyes opened are we not acting the part of wise men in the interests of ourselves, in support of our own liberties, and of our own character, in refusing to give our assent to such a rickety institution as is presented for our approval? What are we? I see even now around me many men who were, if not in their cradles, mere youths when our constitutional battle was won. They have known nothing but a free political life. Some of us who are older remember a time when this country was bound hand and foot; when we had not the power to appoint a policeman, or to punish a policeman; when we had not the power to dispose of an acre of the public estate; when we had not power to call any officer of the Government to account for great abuses. I remember that time. I sat in this place for two long years, when the array on the the other side was composed of permanent officials of the Government and Government nominees; and a little band of eight or ten of us, whenever we raised our voice against any public abuse were always out-voted by men appointed in Downing-street—and by persons appointed by the Crown to sit in the Chamber opposite to us. I sat here two years under these circumstances. I sat through, and had a full knowledge of the struggle by which our Constitution was won. But a large number of the gentlemen who sit in this Chamber now have never known anything but the free political life that we now enjoy; they have breathed it from the time they took in their mother's milk. When they were in their cradles the Constitution was in its cradle, and they know nothing of what went before. Are they likely to be content to see a rickety body such as is portrayed in this bill take away their more important functions, and exercise a power over the most important field of legislation? It never can be so. We are free. The class of men to whom I allude have never known anything but freedom, and if this bill became law, it is very unlikely that they would tolerate it for a single year; when they saw it working they would not tolerate it. Am I now standing here as an opponent of federation? I have the

firmest belief that as time rolls on there must be some new relations with the empire, or we must split and set up for ourselves. We cannot go on, I am sure, in our present state for a very long time, but we can go on for some years. There is nothing to disturb, and no probability of anything arising to disturb our harmonious connection with the mother country for a few years; and is it not better to let the idea of federation mature, to grow in men's minds, until the time comes, if we are to federate, that we can have a solid, enduring structure of federation? Surely that is better. But whether honorable gentlemen agree with me, and think that it would be a wise thing for us to preserve the imperial connection, to become a part of the empire—as I believe it would be under some different relations—or whether they think we are destined to a career of a different class in friendly alliance with the mother country,—whatever they think, no good object whatever can be served by creating a body such as is proposed in the resolutions of this convention. It will add to our strife, it will add to our dissatisfaction with the working of our institutions, it will lead to endless complications, and it must result, at a very early stage, in an entire breakdown. It has not any inherent power; the legislatures of these free countries will never give it inherent power, and it never can exist for any useful purpose. It is not quite clear what the Government ask us to do by these resolutions. We know what the Government of England has decided to do, if they do anything. They have decided not to take us by the hand and legislate for us, but simply to pass an enabling act allowing us to do what we like for ourselves. We know what they mean, and there is too much reason to suppose that they have come to this decision from an unwillingness to be troubled with the federation question. That is what they propose; but that is not what this resolution asks us to do. The Government of England has told you what they will do. They will not have anything to do with your federal council bill, but they will pass an act to enable you to make an exhibition of yourselves if you think proper. But this resolution asks us to do what? It is in these words:

That this House, recognising that the time has not yet arrived at which a complete federal union of the Australasian colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, recommends the adoption in substance of the accompanying draft bill for the constitution of a federal council, as defining the matters upon which such united action is both desirable and practicable, and as embodying substantially the provisions best adapted to secure that object.

That a humble address be presented to her Majesty, praying that her Majesty may be graciously pleased to cause a measure to be submitted to the Imperial Parliament for the purpose of constituting a federal council of Australasia upon the basis of the draft bill adopted by the convention held in Sydney in the months of November and December, 1883.

Well, her Majesty's Government has already told us that they will not do this; but that they will introduce an enabling bill to allow us to do this for ourselves if we so desire. Therefore, we are asked to do a thing which will be directly in conflict with the decision already arrived at by her Majesty's Government. Now, I venture to ask the Committee—those who are in favour of federation at some time, when events seem to shape a course for successful federation—I ask them to pause, and not create an impediment in the way of federation. I ask them not to diminish the chance of successful federation at some near future time. I ask those who think that we have not arrived yet at a time when a federal government of any kind would add to our prosperity, not to give their sanction to this proposal. On all grounds—if we are led by our common sense, if we are led by a true perception of what is due to ourselves, of what the importance of the question demands, of a true comprehension of the magnitude of the interests involved—we should not commit ourselves to this abortive proposal of a federal body including the Crown colonies, who have no free voice of their own, and let the members of that body, fifteen in number, legislate on the most important questions affecting these great Australian colonies, irrespective of the free parliaments established in the six of them. I cannot conceive that we can in the proper performance of our duty, and in a true discharge of the trust which we hold from the country, consent to this measure. I wish to say one or two words with regard to the other resolutions. It seems to me

a most ungracious thing to pass this first resolution now that the Imperial Government have decided to establish a protectorate over the unoccupied parts of New Guinea. I happened to be informed soon after my arrival in England, on very good authority, that this would be done, and I sent a telegram to the honorable member at the head of the Government before the convention met stating that if the convention pressed for the occupation of New Guinea, and did not complicate that with other questions, it would be done; and it certainly would have been done without the hesitation which has taken place if it had not been for the absurd proposal to mop up all the unoccupied islands in the Pacific. I have already said that I consider this question entirely removed from the province of party politics. I have tried to avoid saying anything at all that could be in any way displeasing to the Government, and I am sure I speak with no unfriendly feeling to them on this question, still less with any abatement of my desire for the real federation of the colonies. But I venture to say that we have a right to speak of the members of this convention who represented the other colonies. We are asked to consider the results of their labours, and we have a perfect right to consider the manner in which they conducted those labours. Then, I say again, and I do not intend it as any mark of personal disrespect to the Premier of the neighbouring colony of Victoria, that Mr. Service throughout the whole of these proceedings has betrayed a lamentable want of the qualities requisite for success. I will now refer to the speech which he put into the mouth of her Majesty's representative, Lord Normanby, in opening Parliament just before the convention met. It was telegraphed to London. I read it in the *Times*, and other papers, and I was perfectly amazed that any Englishman, any Briton, intrusted with the high post of leader of a government, should venture to put such language into the mouth of a representative of the Queen. If you take as a sample the Queen's speeches as prepared by the Imperial Cabinet, you will be struck by their marked temperateness in speaking of the most momentous events: they never use unnecessary adjectives; they never get into a scolding vein; they never say any-

[*Sir Henry Parkes.*

thing to which exception can be taken even in speaking of the most difficult and important questions. But Mr. Service put into the mouth of Lord Normanby, right on the threshold of the convention, this extraordinary language:

The importance which attached to the question as to the annexation of New Guinea and other islands in the Western Pacific, at the opening of Parliament, has been intensified by the action of the French nation—

That is a nice way for an Australian colony to speak of a great nation like France, who has a perfect right to deal with her colonies as she pleases. Is that the way to prevent the mischief occurring which is deprecated? Is that the way to ward off the calamity? Why they almost put France—if France was not too noble and too magnanimous to notice it—in the attitude that she would have no alternative but to carry out her intentions. But listen to the unnecessary cholera of this language:

has been intensified by the action of the French nation, in proposing to deport thither her vilest and worst criminals, notably those who are deemed so far steeped in crime as to be unfit to be retained within the territorial limits of that nation. It is of vital importance to the Australasian colonies, containing a British population of over 3,000,000 souls, representing the best enterprise of the mother country, that those lands should not become the possessions of a foreign power, and that such a sink of moral pollution should not be permitted to exist at the portals of our Southern Britain.

I should like to know how Victoria could prevent it if the French nation chose to carry it out. Remember that the French nation in all these proceedings is only doing what England did in this part of the world. And yet this gentleman chooses to degrade, as I think, the office of the Queen's representative by putting this scurrilous language into Lord Normanby's mouth! Is that the way to prevent a powerful nation like France from carrying out her first intent? I had a conversation of some length with Mr. Waddington, amongst other things, on this subject—it came about almost by accident—and he pointed out this: that his Government would be willing to listen to reason, and above all things wished to avoid creating any annoyance or irritation in the Australasian colonies; but that they were almost put beyond the power of acting when they were threatened in this childish and ridiculous way—and that must be apparent



to any one who knows anything about the relations which exist between governments. Now, all through I have noticed this intemperate handling of these delicate questions. The proposal itself to take up all the islands in the Pacific was the proposal of a madman. What right have we to take up the islands of the Pacific? It was very fair for us to try to get possession of New Guinea because of its proximity to the Australian coast—because it belongs, as it were, to the family of the Australasian colonies; but what occasion have we to seek dominion over the other islands of the Pacific? I raise my protest altogether against the manner in which the proceedings of this conference were conducted, and the proceedings which have arisen out of it, so far as Mr. Service is concerned; and if I may be permitted I would desire to bear my testimony to the more moderate, more conciliatory, and more statesmanlike conduct of our own Prime Minister. I think that all through these proceedings his conduct has been in marked contrast to that of the gentleman to whom I have been referring. I doubt very much the propriety of passing this resolution for the reasons which will be gathered from the remarks I have made:

That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges upon her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands.

For us in this uncalled-for, formal way to protest against the action of the Government of France is simply childish. We have no power to do it; it can do no good, and being a member of the empire we had better rest on the constituted authorities to make such representations as they can make with the best effect to prevent this being done. Lord Granville, in his instructions to the British Ambassador, is not likely to be guided by such extravagant outbursts of passion as this, and he will make, and no doubt has already made, such representations as will avert this calamity which we dread from taking place. But do not let anybody suppose that this has been done by the intemperate language of Mr. Service; it has been done in spite of it, and been done by con-

stitutionary proceedings which have scarcely been embarrassed, but cannot have been promoted in any way by the conduct of this member of the convention. With regard to the next resolution:

That the convention expresses a confident hope that no penal settlement for the reception of European criminals will long continue to exist in the Pacific, and invites her Majesty's Government to make to the Government of France such serious representations on this subject as may be deemed expedient.

I see no objection to it. It covers all, and we do not want the other violent resolution. This is quite sufficient, and much more in keeping with the rules which regulate the intercourse between great governments. So that I think if the honorable member got two of these resolutions he would get sufficient. But he has done his duty by inviting the legislature to consider them—his pledge went no further—and in using his influence legitimately to get them passed. He cannot expect us to adopt these resolutions because they were indiscreetly adopted by the convention. We in no way affect him or his government, or cause him to commit any breach of faith by refusing to have anything to do with them. Depend upon it the best way, considering in what a proud position we stand now—as free as any country in the world, with power to govern ourselves, with power to maintain an attitude which commands the respect of great nations—considering the proud position in which we stand we had better avoid joining in making a spectacle before the world which will cover us with ridicule if we adopt these resolutions.

Mr. BUCHANAN: The neighbouring colony of Victoria has got scant justice from the last two speakers. I venture to say that if it had not been for the action of Mr. Service and Mr. Berry, New Caledonia would have been deluged with convicts long ere this. Furthermore much stronger language than that used either by Mr. Service or Mr. Berry on this subject has been used by the leading journals of England, and by the leading statesmen of England. There has been a strong tone of remonstrance for months past, and any one who has looked into the question and seen what was going on will know that such journals as the *Saturday Review*, the *Pall Mall Gazette* and the *Times* itself have issued strong and powerful remon-

stances against the scandalous idea of France deluging this colony of ours with the vilest of her criminals. Therefore I think there has not been much justice done to the colony of Victoria. More than half of the speech of the honorable member for Mudgee, Sir John Robertson, was devoted to an unmeaning and scandalous abuse of that colony, altogether irrelevant, having no bearing on the subject, and simply because Victoria is a young, energetic colony, full of life, vigour, and animation, while this colony seems to be troubled with a sort of sleepiness altogether foreign to the energy and fire that inspires the neighbouring colony. Simply on that account Victoria has been singled out and traduced by both the last speakers, though more by one than by the other. I dare say their animosity to this young colony is in consequence of the superior energy and power they found in the statesmen that were ruling in Victoria when they were ruling here. I protest against this abuse of the statesmen of Victoria. The very lesson that the honorable member for Tenterfield was reading Mr. Service in reference to his conduct in using strong language and violent censure applied to the honorable gentleman himself, because he was doing the very same thing towards a brother statesman and a gentleman holding the high position of Premier of the colony of Victoria. It amuses me beyond measure that while the honorable member for Tenterfield and the honorable member for Mudgee, both men who have held high office here, professed to have a very delicate appreciation of the language which should be used by one statesman in addressing another, they both fell into the lamentable error of launching their thunderbolts against the unfortunate rulers in the colony of Victoria to an excess, and with an extravagance altogether unheard of and undreamt of in that colony. That seems to me extraordinary. If the Government would accept my advice, I would advise them to withdraw the resolutions altogether. I am in favour of federation, not to wait for it however, but to get it as quickly as we can, and in the best manner we can. I would not go to England for an enabling bill. Whenever federation takes place in this country it will not be by any intervention on the part of England. It will be brought about

[*Mr. Buchanan.*

by some pre-eminent danger forcing us into the consideration of the question, and hurrying it to completion. The idea of 2,000,000 of people asking another country—a foreign state as it has been called, and I call England a foreign state to us—for an enabling bill when we have the right to govern ourselves! Suppose that two or three of these colonies were to agree to federate to-morrow and to coerce the others, what would England say? She would say nothing. She would leave the colonies to do as they liked. England has had too violent and vigorous a lesson in her interference with the government of her colonies before ever to interfere again. What do we want with an enabling bill? Are we not here as a parliament with full power to do what we like? Cannot we pass an act to sever the tie that connects us with England, and if we can do that what do we want with a bill to enable us to unite together?

Mr. ABIGAIL: We are not likely to separate from England!

Mr. BUCHANAN: I do not believe the connection with England is of the slightest benefit to us; nor do I think there is any disloyalty in advocating as I do, the severance of that connection.

Mr. ABIGAIL: You are an exception!

Mr. BUCHANAN: Very likely I am; but perhaps I have sense on my side. I know the colonies of Great Britain are a burden to her, and the best statesmen of Great Britain know that, and have repeatedly signified their wish for a severance, in order to enable them to get rid of the terrible responsibility that attaches to them in the protection and guardianship of the colonies. A set of blockheads have been going about the streets of London with their pockets full of money, which is possibly the only good thing about them, talking about an empire upon which the sun never sets, about the federation of the empire, representation of the colonies in the House of Lords, and other balderdash of that sort; but the statesmen of England have nothing to do with this; they laugh it to scorn as it deserves. I venture to affirm that the best intellects of England admit that the burden that attaches to England in the guardianship of her colonies is a most expensive and intolerable one, and one which will eventually have to be got rid of. Mr. Gladstone admits that.

Sir HENRY PARKES: Certainly not!

Mr. BUCHANAN: Mr. Forster held it once —

Sir HENRY PARKES: Certainly not!

Mr. BUCHANAN: Mr. Forster held it once, but he has been turned about by the tide of delusive folly which is sweeping over some men's minds. I am sorry I have not here a little book which I had a short time ago, and which exemplified in a beautiful manner the danger to England of continuing to retain her colonies. What disadvantage or danger could arise to us from separation? Would not the same trade, the same correspondence continue to be carried on between England and the colonies; would not the same affection subsist? Unquestionably it would; but while the connection is maintained we must live in a state of terror and alarm in case England should be involved in a misunderstanding with France, Austria, Russia or some other power. If the misunderstanding results in blows we have to suffer, and that is a strong reason why we should not remain attached to England. With regard to the subject of federation there can be no doubt that Mr. Berry and Mr. Service are going the wrong way to work. As for Mr. Stuart, no one regrets more sincerely than I do the calamity which has befallen him, and I hope that by God's mercy he may soon recover and adorn this House with his presence again. But they are not going about this business in a proper manner, nor is it possible for them to do so. How is federation to be brought about? It cannot be brought about but by some great catastrophe, and without the unanimous wish of all the colonies, and there will then be no need for an enabling bill. I have never yet been able to understand what necessity there is for an enabling bill.

Sir HENRY PARKES: None!

Mr. BUCHANAN: Then what is the use of talking about it, or troubling the British Government to pass it? I feel that we are humiliating ourselves, and losing that character and respect to which we are entitled in the estimation, not only of England, but of all countries. I am anxious that the colonies should be federated, as they were federated before even in my day, until by the action of our own imbecile statesmen separation was brought about. I can recollect the day

when members from Port Phillip and Moreton Bay sat in this Chamber; but by the folly of our own people this great continent was cut up into a number of small, isolated, and insignificant communities. Now, however, when we are growing in power, in population, and in everything else, and are every day more and more assuming the aspect of a nation, the necessity arises for the various colonies to unite so as to form one powerful state. But how is that union to be brought about? It cannot be brought about by the action of the House of Commons. The whole power of Queen, Lords, and Commons could not bring it about. The only way in which it can be brought about is by the presence of some terrible danger, threatening and frightening us all. It is fear that will precipitate the great consummation. I think the representatives of the people made a great mistake in allowing the proceedings of the convention to pass without comment at the time. I recollect moving the adjournment of the House, and commenting for more than an hour on the very bill we are now asked to adopt, pointing out the terrible powers it would confer on the proposed federal council; but not another member of the House said a word on the subject. The moment the danger appeared it should have been nipped in the bud. It is a frightful bill when it is looked into, and what amazed me was the Treasurer's flourishing it about and saying it was not a bill at all, but only a series of resolutions. He repeated this so many times that the idea occurred to me of a man holding up a bottle of prussic acid and saying, "Look here, the whole of you; this is not poison; it is a series of beef-steaks." No illustration could more appropriately represent the Treasurer's action. But when one comes to look into the bill it is seen to be something full of peril. I do not intend to go through its provisions seriatim; but I shall point out one or two of the most terrible faults in it. For instance, Fiji, Queensland, Tasmania, Western Australia, and South Australia together do not contain the population of New South Wales, and yet their representatives can form a quorum under this bill, and can enact laws behind the backs of Victoria and New South Wales, even to the extent of abrogating the existing law of

the land. Now, what is the white population of Fiji? About 1,000, if it is so much. Well, Fiji, with its population of 1,000, is to be represented in the council by one representative, while New South Wales, with its population of nearly a million, is to have only two representatives. That is an extraordinary state of things, and perhaps honorable members do not credit my statement; but I will read the provision, so that they may interpret it for themselves. Clause 10 is as follows:—

Notwithstanding any vacancy in the representation of any colony the council shall be competent to proceed to the despatch of business and to exercise the authority hereby conferred upon it.

There may be a vacancy in the representation of all the colonies but one or two, and the representatives of the one or two remaining colonies may pass laws to the detriment and ruin of the others which are not represented. Thus, if the representation of all the colonies except Fiji should be vacant, the representative of Fiji could pass laws which would be binding on all the other colonies. Here is another extraordinary thing which we never heard of before. We know that the Governor of a colony may put his veto upon a bill; but we have never heard of a governor saying, "I will not assent to this bill unless you make certain amendments in it which I suggest." Well, listen to what clause 17 provides:

Every bill passed by the council shall be presented for her Majesty's assent to the Governor of the colony in which the council shall be sitting who shall declare according to his discretion but subject to the provisions of this act and to her Majesty's instructions either that he assents thereto in her Majesty's name or that he withholds such assent or that he reserves the bill for the signification of her Majesty's pleasure or that he will be prepared to assent thereto subject to certain amendments to be specified by him.

Nothing like that was ever heard of before in history. The council to which we are asked to surrender our legislative powers is to be subject to this tyrannical interference on the part of a governor, and the amendments that functionary may suggest may not be such as are calculated for the welfare of the colonies, but may be designed for the advancement of some selfish purpose of his own, perhaps for increasing the value of property owned by him in the colonies. One can see

[*Mr. Buchanan.*

what a loop-hole is left here for tyranny of the worst description. I said that the bill would enable the council to make laws to abrogate the existing law in any of the colonies, and I assert that to be correct. I will read what clause 22 says:

If in any case the provisions of any act of the council —

[*House counted.*] The state of the House shows how much interest is taken in this question by the Parliament of New South Wales. Even the thirty members who have not yet escaped to the Melbourne races are still about the House, and yet it is scarcely possible for a quorum to be kept together. Even when two such powerful speeches as those of the honorable member for Tenterfield and the honorable member for Mudgee (Sir John Robertson) were being delivered there were very few members more than a quorum in the Chamber.

If in any case the provisions of any act of the council shall be repugnant to or inconsistent with the law of any colony affected thereby the former shall prevail and the latter shall so far as such repugnancy or inconsistency extends have no operation.

Upon my word this Parliament would deserve to be sunk to eternal and bottomless perdition if it assented to a bill of this description, a bill which emasculates it, and takes away all its rights and privileges, and yet I verily believe there are members in this House who will support it. I have a curiosity to see to what lower depth honorable members are going to sink in according support to the Government. Now I come to the last clause of all:

This act shall not come into operation in respect of any colony until the legislature of such colony shall have passed an act or ordinance declaring that the same shall be in force therein and appointing a day on and from which such operation shall take effect nor until four colonies at the least shall have passed such act or ordinance.

The four colonies may be Fiji, Queensland, Western Australia, and Tasmania. I have often expressed an unfavourable opinion of this Parliament; but I have not so low an opinion of it as to believe that many members will be found supporting the Government on this question. Honorable members cannot do it unless they are completely blind to their duty. If, after being told what the bill is, they still determine to vote for it, they will perform an act more ignominious and more disgraceful than ever was performed by the

basest hangman who ever executed the worst felon in existence. If they will do it, they will do it once and for all, for they will never have an opportunity of doing it again. They may be insensible to their high responsibilities; but the people are looking on at their proceedings, and when the people find that those who should protect even their smallest rights have sacrificed their dearest and most sacred liberties, be assured that swift retribution will speedily overtake them. I do not believe, however, that the Parliament will do anything of the kind. I believe there is in its members such a sense of patriotism, such a sense of justice and right, such a regard for their own character, that they will not vote for the bill, but will act like men and patriots, like true representatives of the people, and with a unanimous voice put an extinguisher upon it.

Sir HENRY PARKES: One word in personal explanation. The honorable and learned member has, no doubt unintentionally, misrepresented what I said with reference to Mr. Service. My observations respecting that gentleman had reference entirely to his conduct as a leading member of the convention; I alluded to him in no other capacity.

Mr. CAMERON: It is not my intention to address the House at any length, nor should I have risen to speak at all but for the consideration that of all questions which have ever been submitted to the representatives of the people in this colony since we have had a legislature this is perhaps the most important. It is a remarkable fact—and it ought to warn honorable gentlemen of the inopportune time at which this question is submitted for our consideration—that at no period of the debate since the Colonial Treasurer submitted the resolutions has there been an attendance of honorable members greater than would suffice to keep a bare quorum. This is a plain indication that these important resolutions have been submitted to us at the wrong time. No one can address himself to this great question in the hope that his observations may influence the votes of honorable members. It seems to me that their minds are made up with regard to their votes, and that it is useless to prolong the debate much further. Whether this state of things arises from the fact that the Land Bill is now an act,

and that honorable members have obtained their railways, I do not know. I should not have taken the trouble to address the House under these circumstances were it not for the fact that I desired my opinions upon this great question to be placed on record before the country. I sympathise with my honorable friend in charge of these resolutions in the difficult position in which he evidently finds himself. I never heard or saw a minister in charge of a great question more openly display the fact that he had a difficult task before him, and I could not help feeling that I should like to take the honorable gentleman by the hand, and say to him "Come over to this side of the House. I feel sure that you could speak your real sentiments here, and that you could place this proposal in all its hideous nakedness before the country." The only compliment I can pay the honorable gentleman is that he made the best he could out of a very bad case. When in years gone by the representatives of the various colonies have, with the authority of their respective parliaments, met together for this purpose of deliberation they have been content to style themselves, as they really were, a conference. I mention this to show that in the present instance there is a particular interest attaching to the gathering of which these resolutions are the outcome, from the fact that the gentlemen who formed it departed from the usual custom and called the meeting a convention. It seems to me that the term was very unhappily chosen, because it is for the people to convene; it is for the representatives of the various colonies to confer together. I think the term conference would have been far more appropriate. There is one matter which has not been mentioned so far as the representatives of New South Wales are concerned, and it is this—that whereas the representatives of Victoria—of whom I shall have something to say presently,—of Queensland, and of the other colonies, attended the conference by the express authority of their respective parliaments, the representatives of New South Wales attended the conference without consulting their Parliament—behind the back of their Parliament, for it was sitting at the time—to make propositions against which I am sure the House, if it had been consulted, would have set its face. Except

for the documents which I now hold in my hand, and the publicity given to the matter by the press, we should know nothing at the present time of what was done by this so-called convention. The representatives of the people are degraded indeed if they will carry a series of resolutions merely for the purpose of pleasing any government which may happen to be in power when those resolutions will have the effect of putting an iron yoke round their necks. We are asked in this series of resolutions to commit ourselves to the federation of the Australian colonies. I, of course, exclude the resolution referring to the annexation of New Guinea. The Imperial Government have already taken action in the matter, and it is no longer necessary for us to bother ourselves about it. The second resolution asks us to support what is called Australian federation, and we are asked to pledge ourselves to the provisions of a draft bill agreed to by this so-called convention. I venture to say that the people of this country will never agree to that bill, and that if the Parliament of this country is afforded an opportunity to consider it in detail it will reject it. Honorable members will need to be very careful as to what they do in reference to this measure. The Colonial Treasurer endeavoured yesterday to fence my question as to whether this legislature would have an opportunity to consider the bill in detail by saying that the resolutions merely pledged us to the main principles of the bill. When the honorable gentleman was pressed to say whether the details of the bill would be submitted to the representatives of the people for their approval he replied, "No, certainly not." I ask honorable members who sit here by virtue of manhood suffrage and vote by ballot whether, for the purpose of keeping a government in power, they would vote for a measure which would fritter away rights which, after a hard fight, were won for the people over a quarter of a century ago? Will they place these rights in the hands of fourteen men, only two of whom will represent this colony? A more rabid and revolutionary proposition was never submitted to any legislature. What will become of this Parliament—what will become of its prerogatives if it should assent to this measure? You may elect a legislature to deal with

[*Mr. Cameron.*

any great question—land legislation, education, or the franchise,—but if you agree to this bill your legislature will be rubbed out as completely as though it had never existed. Do honorable members imagine—even if these resolutions pass at the present time—that the people of this country will put up with such a state of things as that? I have heard it said that this legislature has swallowed many things; but if they swallow these resolutions they will have exhibited a capacity for swallowing which has never been exceeded by any legislature which preceded them. It may be well for honorable gentlemen to consider in what way this convention—this hen-convention in which Shanghai crew the loudest—was brought about. Certainly the people of New South Wales never asked for it. No representative men in New South Wales ever thought of it. The representatives of the adjacent colony of Victoria, into whose hands I am afraid we have been too often prone to play, caused all this storm in a teapot. This is all very well for the representatives of the colony of Victoria—the little colony of Victoria as compared with New South Wales. It is related of a certain emperor of the French that whenever he found his people distracted by domestic troubles he plunged the nation into a war to divert their attention. The attitude of certain Victorian politicians reminds one very much of the policy of this French emperor. A very large proportion of their public estate is gone, and a very large proportion of ours is left.

Mr. O'MARA: And we will stick to it!

Mr. CAMERON: Not if Victoria has its way. Not if we agree to the resolutions of this convention. Victoria is now feeling the effects of her retrograde fiscal policy. She has bolstered up certain manufactures, with the result that the free trade colony of New South Wales obtains them actually at a rate cheaper than that at which Victoria can sell them to her own people. They are now beginning to bite their fingers. And it is a grand thing for her politicians, in order to turn public attention from this internal discord, to raise this cry for Australian federation to make a big row, to keep Victoria to the front, and to make her appear the leading colony of the group, which she really is not. I regret that the representatives of New South Wales should have allowed

themselves to be so hoodwinked by these gentlemen, so thoroughly duped as to be induced to ask this intelligent legislature to agree to these ridiculous propositions. Victoria has everything to gain, we have everything to lose. We are the greater colony of the two—in territory, in resources, in everything which is calculated to make a nation. It pleases these Victorian gentlemen to appear before the world as the representatives of a federated Australia. But let this fact be known: that gentlemen on the Opposition side of the Victorian Assembly, notably Mr. Graves, a member of the late Government, and Mr. Macintyre disagree with these proposals. But there is scarcely any one worthy to be called a representative man in these colonies who is opposed to Australian federation properly so called. We all recognise this fact: that instead of being split up and having New South Wales, Victoria, South Australia, and Western Australia, it would be better to form ourselves into a united empire. But we must be careful to proceed upon the proper lines in order to bring about that state of things. Let us not play into the hands of scheming politicians who wish for the time being to gain a little claptrap popularity at the expense of their neighbours. I would repeat what I said on a former occasion, I narrated a certain set of circumstances and I was roundly abused by the Melbourne *Age* and *Argus*. I did not mind that very much, but I was surprised to observe that the leading journal of New South Wales joined in the war cry. A few months afterwards, however, they published in a sub-leader nearly word for word the complaint which I brought before the legislature. I would ask the forbearance of honorable members while I narrate exactly what took place on the occasion of the junction of the railways of New South Wales and Victoria. On that occasion, the Honorable James Service, who I believe does not care a twopenny ticket for federation, speaking at Albury, proclaimed himself as the first advocate of a federated Australia, and he gave the company notice that he would be a candidate for election to the first federal parliament. When the convention met in Sydney, we had here a distinguished visitor—whose name every colonist should honor—in the person of Lord Rosebery.

Mr. Speaker provided an entertainment to which Lord Rosebery and the whole of the convention delegates were invited. Lord Rosebery and the whole of the delegates accepted Mr. Speaker's invitation. The gathering was a distinguished one, and was well worthy the occasion—an honor alike to the guests and to the host. But the Victorian Premier—this apostle of federation—issued invitations for a banquet to be held in Melbourne on the same evening, inviting the whole of the delegates who had accepted the invitations of the Speaker of the Legislative Assembly of New South Wales. That was bad enough so far as it went; but worse remains behind. This convention federalist in making a speech at the Melbourne banquet uttered these remarkable words. He said he had been to Sydney for the first time in his life—no doubt Sydney was to be congratulated—and that he had found what he had often heard, but had never believed until he actually saw it, an intense jealousy and hatred of everything belonging to Melbourne. Are these the utterances of a gentleman who is sincere in his desire for federation? Jealous of Victoria! We have nothing of which to be jealous except this attempted robbery of the people's rights by their Premier and Mr. Graham Berry. Every citizen of New South Wales worthy of the name rejoices in the prosperity of Victoria, rejoices in the prosperity of each of the Australian colonies, because they cannot flourish without our prospering also. We have no such mean petty feeling. The man who on such an occasion utters such language descends to the position of a demagogue—to an occupant of the stump. I make bold to say that before a federation of these colonies is consummated the question will have to be dealt with by men possessed of a higher spirit than that which Mr. James Service has shown. It will have to be dealt with by men who will meet each other half-way for one common end—the public good—and not by scheming politicians of the Service-Berry class. Both of these men have sunk every political principle which they ever professed for the sake of office, merely to pander to a passing popularity, and not caring for one moment whether federation does or does not come about. We have had in this colony when

most of us if we were not in our cradles were mere youths, a struggle by the champions of the people's rights against cliques and oligarchies. The liberties which we now enjoy were wrung from people who would not have conceded them if they could have helped doing so. Two honorable gentlemen who sit behind me participated in that great battle; but we are asked to fritter away to-night to a body of fourteen men these precious privileges. We are asked to do this to gratify the whim or caprice of politicians who have not studied the subject, and who would place a yoke of iron round the necks of the people. I cannot believe that honorable members opposite are sincere in their wish to pass these resolutions. Surely they would feel glad if the motion of the honorable member at the head of the Opposition were carried, when they would be relieved from the dilemma in which they are placed. I wish that they would come forward manfully and say, "We have pledged ourselves in a foolish moment to submit these ridiculous resolutions to the Parliament. We now see the error of our ways—that the liberties of our people are at stake, and recognising that these liberties ought to be protected to the utmost, we are patriotic enough to say that we shall not go any further with the resolutions." Honorable members may depend upon it, that if these resolutions should be carried during this Parliament by any passing majority, the people of the country will not be likely to put up with it for any length of time. We shall get no federation—there can be no federation which can hand over the liberties of the people to a body of fourteen men. Honorable members may say that this is not to be done, but I invite their attention to the 22nd clause of the bill, which has been put before us, but which we are not to alter, which we are expected to swallow *in globo*, and I ask was anything more repugnant to common-sense—more subversive of the liberties of the people ever submitted to any intelligent legislature? A member may labour here for a life-time to secure the adoption of a certain principle, and after he has thus succeeded, this body of fourteen men—I was going to say this irresponsible body—may step in and say that this legislature has done wrong. Ay! worse than that, a bare quorum of the members of the coun-

[*Mr. Cameron.*

cil, any half-dozen of them, may meet when they like, and may cast the will of the people and the action of their representatives to the wind. The clause reads:

If in any case the provisions of any act of the council shall be repugnant to or inconsistent with the law of any colony affected thereby the former shall prevail and the latter shall so far as such repugnancy or inconsistency extends have no operation.

Can honorable members imagine anything more impertinent—more brazen-facedly put forward to cut away from under our feet our rights and liberties? Do not let it be forgotten that this is the proposal made by two scheming politicians, who, finding that they cannot pay attention to domestic legislation—finding that they have a balance on the wrong side of the ledger, raise a huge storm in a teapot, and wish to join their people with their more successful brethren here. After all is said and done, what does federation mean? What are we going to benefit by it? Are our people oppressed? Are they suffering from any act of their legislature against which they cannot appeal, or which they cannot rectify? Are they not a free people? Is there a country in the world where the voice of the humblest man can be heard more effectually than it can within the four walls of this Chamber? What are we going to federate for? If Victoria wants to federate, and to bring New South Wales to a state of mind which would make her willing to join in any such movement, let Victoria institute free trade across the border. Let her take off the pernicious imports which she places, not only on her own people, but also on the other colonies. Let her abolish the pernicious stock-tax—let her exhibit less jealousy than she has done in the past. Who forgets when the late Mr. J. G. Francis was Premier of Victoria in 1873, when the Postal Conference took place in Sydney, the struggle which the Victorian representatives made to get Melbourne made the terminal port of the Peninsular and Oriental steamers? It was more than the seats of the delegates were worth at that time to have gone back without having succeeded, and they resorted to every sort of trickery to carry their point. While they were *en route* to New South Wales, where the matter ought to have been fairly argued out, these Victorian delegates "nobbled" the other delegates, and the whole thing was fixed

up before they arrived here. And a pretty white elephant Victoria got; she would like to get rid of it now when it suits her own purposes to do so. Take the question of railway gauges. This colony was the first—being the mother colony, and the leading colony, as it is now—to inaugurate a railway system. After every inquiry had been made, and evidence obtained from all points of the compass, we decided to adopt what was then, and what is now, the standard gauge of the world. The jealous Victorians, to show that they could do something better than New South Wales, as they thought, placed a barrier between the junction of the colonies which has not been got rid of to this day, by adopting the impracticable 5 feet 3 inch-gauge. Seeing that we have little to gain by federation on the lines laid down by the Victorian representatives, and that they have everything to gain, let them hold out the olive branch. Let them give a sign that they are willing to sink paltry localism in a broad Australian feeling, and let them recognise the fact which they must recognise sooner or later, that Victoria is not the leading colony of Australia, that New South Wales is the leading colony, as it is the parent colony, and that before any negotiations can take place for mutual federation the politicians of Victoria must exhibit a more conciliatory spirit than they have exhibited in the past. We are asked to agree to these resolutions in order that the Imperial Government may pass what is called an enabling bill. I venture to say that the public men of Australia do not require any enabling bill from the Imperial Government. Who framed our Constitution Act? Who framed the many acts which have given the people the rights and privileges which they now enjoy? Men who have lived in the colonies. If we are to have any federation, the proper thing will be for these legislatures to frame the act for themselves, and to ask the assent of the Imperial Government to it just as they would ask for assent to any other act. I object to Downing-street influence having anything to do with the matter.

Mr. O'MARA: The man Rodgers!

Mr. CAMERON: I object to this draft bill because it gives the representatives of the Crown in the colonies powers which they do not now possess, and which I hope they

never will possess. And I object above all things to this colony, prosperous as it is, and as it will be in the future—free as are our people, and independent as are its legislators—being run into a haphazard bargain, simply because our representatives at this so called convention were foolish enough to pledge themselves to submit these resolutions to Parliament. Is this the proper time to submit this matter for our consideration? Parliament will be prorogued to-morrow.

Mr. DIBBS: No, it will not!

Mr. CAMERON: It will not be the honorable member's fault if we do not prorogue very soon. Is this a question to be settled in a day? It is a question which affects the privileges of this legislature, and may indirectly, through our action, affect the privileges of all the Australian legislatures. It is a question involving a proposal to take away from the representatives of the people in all these young countries the right to say whether the people shall govern themselves or not. We are asked, after sitting here for nearly thirteen months, and within probably thirty-six hours of the prorogation, to commit ourselves to a scheme which may oppress our people for years and years to come. Surely this is not reasonable! Surely we have a right to demand that more time be allowed for a discussion of this grave and important question, on which every member of the House would be justified in speaking at any length! One false step on our part may lead to blunders which it will take years of wise legislation to rectify. The principle is so calculated, if wrongly applied, to rob the people of their undoubted rights and privileges that we could not blame them if they rose in revolution against it. It is an unprecedented and indecent thing to expect honorable members to consider these important resolutions at this time.

Mr. COPELAND: I think that in dealing with a question like this it is much to be regretted that honorable members cannot refrain from making offensive remarks with respect to the politicians of adjoining colonies. The question ought to be dealt with very considerably and tenderly. These are free colonies, and the people of Victoria or any other colony are just as much entitled to hold a strong opinion in favour of federation as the members of

this House are to hold an opinion against it. I think it is unbecoming, to say the least of it, that the Premier and members of the Victorian Assembly should be referred to in the terms which have been applied to them in the course of this debate. I feel in a happy position in respect to this matter, because I think I am in a position, if any one is, to form an unprejudiced opinion of the question as between Victoria and New South Wales, considering that I am just about as much a Victorian as I am a New South Welshman. I have had opportunities of becoming acquainted with Victorian feeling during the last twenty-eight years. Although my residence has been in this colony for the last thirteen years, I visit Victoria frequently, and know the views of the people there just as well as I know those of the people of New South Wales. I have no hesitation in saying that apart from the politicians, the people of Victoria are strongly in favour of federation of some kind. Every time I go to Victoria I find that the feeling has grown stronger in favour of federation, and, therefore, it is not to be wondered at that Mr. Service and Mr. Berry should hold strong views on the subject. I quite agree with the honorable member for West Sydney that it is not right that a question of such vast importance as this should be considered at the fag-end of a long and weary session. I am sure that the House is not at all in a mood to consider a question of such importance. It is unfortunate that the question has to be dealt with now or not at all. I think that the question is one which will keep. There is no need for rushing to a hasty conclusion. The colonies have got on very well so far without federation, and it must be borne in mind that when Australia was practically one colony there were loud cries from various parts for separation, and it was brought about; and I am strongly inclined to think that were the colonies federated to-morrow Victoria would be the first to cry out for secession when a hitch occurred. The question came to the front, I believe, at the time when the junction of the railways of the two colonies at Albury was celebrated. There was a lot of high-falutin talked on that occasion respecting federation; it was a popular card to play at the time, and the people of the two colonies

[*Mr. Copeland.*]

took up the question with a great deal of zest. I think that if we drop the question for the present, a natural federation will be brought about. As the railways are extended from one colony to another, the people will intermix, and will become better acquainted with each other's necessities; a harmonious feeling will be created, and it will grow with the growth of the colonies, and by-and-bye, when a real necessity for federation arises, there will be no difficulty in the way of bringing it about. I venture to say that if we ever have federation it will be brought about in a way very different from that now proposed. I agree almost entirely with the very able speech of the honorable member for Tenterfield. As far as federation with the empire is concerned, it is quite out of the question; it is a most unnatural thing to expect. I have no hesitation in saying that, instead of federation with, separation from the empire must of necessity come about. To some people this may appear to be unpatriotic; but I do not think that any one here will suspect me of any want of patriotism. Separation is the natural result of the healthy growth of a country, just as it is in the case of an individual. I hope that I shall not live to see the time when separation from the mother country takes place; but it must happen, and it may happen sooner than we expect. People are now educated to such a standard that they are able to recognise that they possess great political power, and a spirit of dependence must naturally be crushed out by the growing strength of a country. I do not think that federation with the empire is at all desirable. I believe that one of the best things which ever happened in the history of the world was the separation of the United States of America from Great Britain. I may say without any disloyalty that the separation of the United States of America from England has had the effect of developing a new nation which is an improvement on the old one. The characteristics of the American people are quite distinct from those of English people, and I have no doubt that in course of time, owing to our long separation by distance from the mother country, and the fact that we live under a similar clime we shall develop a distinctive Australian character, and that our feelings with regard to many subjects will

be different from those of the people of England. It is just as desirable that Australia should start house-keeping on its own account as that young people who have arrived at the age of maturity should loose themselves from their parents apron-strings, and go forth into the world to share the responsibilities of life. Whenever separation from the mother country takes place, I hope that it will be brought about amicably. As to the federation of these colonies, I think that within certain limits it would be a desirable thing; but certainly it is not desirable at the present time. People are not educated up to it yet. Let federation be brought about without the fullest consideration, and I am sure that the very first hitch which occurred would make the colonies wish to have the union abolished. It must be borne in mind that the federation of the United States has not always been a happy one; the Southern States realised that not very long ago. If we were to federate before our national character was formed, we might get into trouble with our southern neighbours. It will be time enough to federate when a common necessity for united action arises, and when we do federate we ought to stand alone, and not as part of the British Empire. What is the nature of the federation which is proposed? We are asked to federate with Fiji. It is preposterous to talk about federating with the Crown colony of New Guinea, because it is of no importance. We who live in a temperate climate are asked to federate with the people who live in the tropical climate of Fiji. We all know that there is anything but a good feeling between the people in the northern and the southern parts of Queensland, and I can see nothing for it but a separation of the tropical from the temperate parts of the colony. The sugar-planters in the north require black labour; but the white people of the south, although their class cannot work in the tropical country, object to the introduction of black labour. Unless the southern people make concessions on this point there must be a separation of the two parts of the colony, the interests of which are so conflicting. If this difficulty exists in Queensland, where would be the wisdom of our federating with that colony, to say nothing of Fiji? We must remember that federation carries with it

responsibilities. It is a nice thing to talk about; but we shall not always be in the piping times of peace as we are at present. Suppose there was a war between England and another country; should we be prepared to send men and spend large amounts of money to assist the mother country to protect a place like New Guinea? Suppose France or Germany became involved with England with respect to some squabble in Fiji as to native labour or land, should we be prepared to make sacrifices of men and money to protect Fiji? I venture to think that we should not. I think that we should make a great mistake if we federated with any colonies apart from those on the continent of Australia. I do not think that it would benefit New Zealand to be united with the other colonies. New Zealand is large enough to become a nation itself, and as the interests of that colony are different from ours, we ought not to be federated. I do not suppose that if New Zealand ever got into a difficulty that we should hesitate for a moment about offering her all the assistance in our power. It is utterly absurd to talk about federating with Fiji, considering the position of France in New Caledonia. Suppose there happened to be a war in Fiji, how could we expect to reach the scene of action seeing that we should have to pass a position in which France is so snugly ensconced? In considering the question of federation we must look ahead. By federating with Fiji we should be running our necks into a noose; instead of avoiding trouble we should be creating it. The basis on which it is proposed to establish the federal council seems to me to be very unwise. I cannot imagine any parliament delegating its powers of legislation to a small body like this. Here is a separate body brought into existence without any responsibility. Its members, as far as I can gather, are not to be elected by the people, although it appears to be left an open question as to how they shall be appointed. We might have a mongrel kind of federal council—elected in some colonies, and nominated in others. Yet this body without any responsibility or any one to call them to account are to have power equal to that now possessed by the houses of Parliament. Even in a chamber like this, composed of 113 members, we think it unwise to bring into law

any bill we pass until it has received the assent of the Legislative Council. But this federal council would have no second chamber to send its measures to. Five of its members might pass a law which, when approved of by the Governor, would be brought into existence without reference to the parliaments of the different colonies.

Mr. DIBBS: The parliaments would have to pass a bill asking for what they wanted in the first instance!

Mr. COPELAND: In some cases; but not the majority.

Mr. DIBBS: In all cases; otherwise they are not bound by the law that is passed!

Mr. COPELAND: There are some subjects which would have to be specially remitted to the council; but there are others on which that body could legislate of its own motion.

Sir HENRY PARKES: It would not only have the power of positive legislation, but it could annul legislation of the colonies!

Mr. COPELAND: That follows as a matter of course, because the most recent law would repeal or annul that which went before. But admitting that this federal council has passed a law, who is to amend that law? We pass a law one session and amend it in the next or following session; who is to amend the laws of this federal council? It seems to me that we should have two separate classes of laws—the laws of the federal council and the laws of the different parliaments. The federal council will bring a law into existence one year, and next year each of the local parliaments will set to work to amend it. If the federal council passes a law and it is found to work unsatisfactorily, is that law or the subject to which it relates to be taken out of our hands, or can we amend it the same as we can one of our own acts? The thing seems to me to be altogether unworkable, and the scheme does not appear to have been properly thought out. If honorable members will look at the subjects mentioned in clause 15, they will see that a great portion of our legislative powers will be taken away. I am glad that the Government have had the wisdom to eliminate proposals which have been passed by the other colonies. The parliaments of the colonies who have dealt with this matter have passed some resolutions in reference to the New Hebrides and other islands in

the Pacific, that are in my opinion ridiculous and very offensive. France has displayed wonderful good nature in not taking greater notice than she has done not only of the resolutions but also of the language used in discussing them in the adjoining colonies. I am glad that our Government have had the good sense not to ask us to indorse those resolutions. Seeing that they have eliminated the resolutions relating to New Hebrides and the annexation of other islands of the Pacific, I do not see why they cannot eliminate the others without any loss of dignity. If they are bound to submit any of the resolutions, they are bound to submit them all. It seems ridiculous that we should occupy our time in discussing what is already an accomplished fact. It would have been better to have simply conveyed our thanks to the Imperial Government for having so far acceded to the wishes of the Australasian colonies in annexing New Guinea. I should like to say a word or two on this New Guinea question. Annexing is an easy thing. It is like another institution—you may annex in haste and repent at leisure; and I think that is what we are likely to do in the present juncture of affairs. The argument used in favour of the annexation of New Guinea is that some other country might take possession of it and become unpleasant neighbours. What have we done? New Guinea, as honorable members are aware, is separated from the coast of Australia by Torres Straits which in the narrowest part is 90 miles wide. By annexing that island we make ourselves frontier neighbours to the Netherlands Government. I submit that for the safety of Australia it would have been better to leave New Guinea to take care of itself. So long as it remained unappropriated we had nothing to fear, and our annexation of it will entail nothing but expense and trouble. When we annex New Guinea we shall have foreign neighbours for the first time in our history. The Netherlands Government and ourselves will join boundaries on an imaginary line at the 141° of longitude. If New Guinea were to become populated, which fortunately is not likely, we should be much more likely to enter upon complications with the Netherlands Government than if we had allowed the island to remain unannexed, leaving

[*Mr. Copeland.*]

Torres Straits between ourselves and any foreign power. There is little doubt that in the course of time the Netherlands will be absorbed by Imperial Germany. When that takes place we shall have Germany as our neighbour, with only an imaginary line between us. It would have been better to have left the island unannexed, and let either Germany, France, or the Netherlands occupy it, with Torres Straits between us. However, personally I am glad that the Imperial Government has seen fit to annex New Guinea. I am not one of those who is frightened to take a little responsibility on my shoulders as far as I am individually concerned. At the same time we are adding considerably to our territory, and honorable members who vote for this question must be prepared to follow up their action by many other votes, and by an annual expenditure. The expenditure, although it may be very small now, will considerably increase. The British Government has not been in the habit of working its colonial possessions on the same lines as those of the Netherlands Government. It does not cost the latter Government very much to occupy their half of New Guinea. They have one or two little trading stations on the western side of the island, the maintenance of which I do not suppose costs them more than a five-pound note. The stations are visited once every half-year for trading purposes. But the possession of portion of New Guinea will cost Australia a considerable sum, and it may perhaps land us in difficulties with some foreign country. Be that as it may, however, I for one am prepared to take my share of the responsibility. I have no doubt that New Guinea will be the means of killing off a few adventurous individuals who will go there to look for gold and other minerals. I do not think it will be found to be any richer than the mainland, where we still have hundreds and thousands of square miles of virtually undiscovered country. The 3rd section of the resolution seems to be worded unnecessarily strong. It says :

That the convention protests in the strongest manner against the declared intention of the Government of France to transport large numbers of relapsed criminals to the French possessions in the Pacific, and urges her Majesty's Government to use every means in its power to prevent the adoption of a course so disastrous to the interests of Australasia and the Pacific Islands.

In the first place this resolution is worded very carelessly. The French have other possessions in the Pacific, notably Tahiti, which is about 4,000 miles from the coast of Australia. Unless some words are inserted to make it clear that we only refer to that part of the Pacific near to the coast of Australia we shall be open to the charge of attempting to dictate to a foreign country what it should do with an island 4,000 miles away from us, which, of course, would be a very absurd thing to do. A country protesting to another country in "the strongest manner" should be prepared to do something more than protest. It sounds very much like a piece of insolence for a country like this to set up its frills, and protest "in the strongest manner," unless it is prepared to back up its protest in the usual way. I think we have every reason to be thankful for our connection with the Imperial Government. If it were not for that connection, we should very soon be taught to draw up our protests in different language to that adopted in this resolution, to say nothing of the resolutions passed by the other colonies. I do not wish it to be thought for one moment that I am any thicker skinned than other honorable members on the question of the near neighbourhood of criminals ; but it does seem to me to be a piece of utter presumption on the part of these colonies to attempt to dictate to a large nation like France what she shall do in a portion of her territory 800 miles distant from our coast. There is only a distance of 20 miles between Calais and Dover, and what presumption it would be for England to say to France, "You have no right to build prisons at Calais, and bring your criminals there within 20 miles of our coast." England or Germany have as much right to object to France locating criminals near the frontier, and a much greater right, seeing that they are nearer, than we have to protest against France bringing her criminals to New Caledonia. It should be borne in mind that New Caledonia is as much a part of France as Paris is, so far as the right of that nation is concerned to do as it likes with its own territory. I venture to say that we should consider Australia a portion of Great Britain if we had to claim protection from the mother country. Has France never received any criminals from England?

Was it not quite common for criminals to escape from England into France?

AN HONORABLE MEMBER: And *vice versa!*

MR. COPELAND: And *vice versa*. The view I take of the question is this: That as colonies grow into nations they must be prepared to take their share of national responsibilities. It is true we do not wish to have criminal Frenchmen among us, nor do we want criminals of any kind. We have our own criminals, and that is quite enough; they are like the poor—they are always with us. All we can do is to take care that we do not receive any more than it is absolutely necessary that we should have, and I think if the matter had been represented to the French Government in the proper light, and as was pointed out by the honorable member for Tenterfield, if it had not been for the bombastic style adopted in these colonies, the difficulty would have been got rid of altogether. I think we might safely dispense with this resolution. It is evident that any action we can take in the shape of passing resolutions is not likely in the slightest degree to interfere with the policy of the French Government in the disposal of their criminals. Whatever they intend doing they will do. By passing resolutions we shall only complicate matters, and appear ridiculous in the eyes of European nations. It is no use protesting unless we can do so successfully. I believe in protesting to a man with my fist in his face, and if he does not receive that protest I believe in giving him the blow. It is useless to protest unless we are prepared to follow it up.

MR. SEE: We are not strong enough for that yet!

MR. COPELAND: Then we have no right to use strong language. It is not language which should be used between nations. I think the 4th paragraph should be amended so as to make it clear that we only allude to that portion of the Pacific adjacent to Australia. Surely it would be a piece of presumption for us to dictate to all the European countries what is to be done with the islands in the Pacific. The other European powers have quite as much right to take possession of any of the islands of the Pacific as we have. The people of these colonies seem to have adopted a new religious code; they have

[*Mr. Copeland.*

come to the conclusion that the earth is John Bull's and the fulness thereof, and that no country has a right to annex any islands but Great Britain. From some of the speeches and correspondence on this subject one would almost think that it was time France and some of the other European nations sent in an apology for their existence. For the French Government to have dared to come within 800 miles of this continent is looked upon as an affront—as an unrighteous thing. I shall say no more on the subject. I do not know what course the Government intend to take in this matter; but I think that the 3rd sub-section of the 1st resolution should be withdrawn. If it is not withdrawn, I shall vote against the whole of the resolutions. I should like to see the resolution having reference to New Guinea amended in such a way that we should rather thank the Imperial Government for what they have done than pass resolutions which have now become out of date and entirely beyond the question, because we are asking the Imperial Government to do a thing which we know they have already done. I trust the step which has been taken will have good results; it is something which has arisen out of all this excitement that has occurred. It may not prove a good thing ultimately; but we have to take our chance. I, for one, am not afraid of anything that may follow; but I am sure it will be a considerable expense to the country in the future. Perhaps when the expenditure increases, and we begin to feel the responsibility of annexation, we shall understand more about the subject than we do now.

MR. SEE: I share with a great number of honorable gentlemen the opinion that the introduction of these resolutions at this particular time is inopportune, and I hold that opinion to a very great extent on the ground that it is impossible at this late period of the session—at its very close in fact—to give them that consideration which they deserve. There is no doubt that involved in these resolutions are very serious questions affecting the interests of all the colonies in regard to trade and commerce and many other important matters, and if we can have the discussion postponed I think we shall do wisely. In the approaching short financial session I have no doubt honorable members will

come to the House prepared to do business, and seriously to give their attention to important subjects of legislation of which I hold this to be one of the chief. If the honorable member for Mudgee will withdraw the previous question, I shall move an amendment in Committee to this effect:

That this House would view with favour a scheme of federation which should include as one of its essential parts an adjustment on a common basis of the tariffs of the Australian colonies.

If this amendment were carried, it would leave the House open to consider on what basis federation should be obtained; but I take it that no scheme of federation can be entered upon unless this legislature has an opportunity of expressing its opinions. If my amendment were carried, we should be able to discuss the subject at some future time. I hope the previous question will be withdrawn, and that I shall be allowed to move this amendment. In a thin house, and with honorable members anxious to go about their business tomorrow or the next day, it would be unfair to shelve such an important question in the manner proposed.

Mr. HEYDON: I approach this question with the feeling that it is the gravest that could possibly be submitted to this House for consideration—graver even than any of those important questions we have dealt with this session. [*House counted.*] This is a very young country, but I hope that the natives of it have some little patriotism, and some little love for the land they were born in, and that those also who have come to live here with their families have the same feelings towards the land of their adoption. There is one point about my discussion of this question that I think entitles my remarks to some little weight. Every member of this House will recognise I am sure that I speak on this subject entirely without bias. On the 25th of March last I was an ardent supporter of the Government, and it was at that time that I submitted the resolution which has been referred to this evening, and I am sure there is no honorable member who does not feel that if I were at the present time sitting behind the Government I should speak against the resolutions as strongly as I am going to speak to-night; so that my remarks will be entirely free from any tinge of opposi-

tion to the Government. Moreover, I consider that it is not only uncalled for, but unwise to import into the discussion of this question any feeling of hostility to the Government. I hope the resolutions will be rejected, and I have such confidence in the patriotism of the House, I have such thorough trust in those feelings—[*House counted.*] The idea of a federated Australia has acquired an unreasonable amount of fashionableness, and the reasons why it has become fashionable are rather peculiar. The first instance of a large federation is of course that of the United States of America, which has been taken as a precedent applicable to other groups of colonies. But there is one very important fact to be considered with regard to the United States, and it is this: the United States, although having then as large a population as that of these colonies at the present time, had no thought of federating until they had quarrelled with the mother country—until they ceased to have any support at the back of them—until they had lost that far more potent protection than any they could provide for themselves, and which up to that time they had enjoyed. In our case, however, we are in the happier condition of continuing the connection with the mother country, and therefore any argument drawn from the United States is not justifiable, because the two cases are not parallel. There have been instances since that of the United States of the federation of groups of British colonies, notably in the case of Canada. I think those confederations have been the result of the cowardly policy of the Manchester school of politicians, who looked upon colonies as more of an encumbrance than a benefit, and it was with the distinct intention of weaning the North American colonies from the mother country that federation was brought about. But there was even more reason for confederation in the case of Canada than there is in our case. Canada was next to a powerful and threatening neighbour, and was more distant from England than from that powerful neighbour, so that it was desirable on that account, perhaps, to consolidate the strength of those colonies. But neither of the causes which led to the confederation of Canada have any application to Australia. We have no powerful neighbour at our door, and happily

for the wealth and dignity of the empire the Manchester school of politics is losing its hold upon the British mind. [*House counted.*] It has become recognised that the colonies are the strength of the empire, and that to endeavour to hasten the day of their separation from the mother country was to be guilty of a most unpatriotic act. Of course there is something to be said in favour of the idea of federation. Federation means unity, and unity always is strength; but when one has to choose between two unions, two federations, one of a smaller group, thereby producing less strength, and one of a larger group, thereby producing greater strength, surely the argument in favour of federation, that it produces strength, applies in a stronger degree to the larger federation. The idea is now on foot of an imperial federation. It has been treated with scorn by one or two speakers to-night; but there are minds in England at least equal to those of the gentlemen who have treated the idea with scorn, who do not treat it so; but who, recognising the altered conditions of modern society, the facility of communication, especially the facility of transmitting intelligence, look upon the federation of the British Empire as quite as feasible as the federation of the British Isles was regarded several hundred years ago. It is a most tempting scheme, and if it can be achieved it is better worth achieving than the smaller federation, and it is at least worth while to make the attempt. The example of the United States, and the views of the Manchester school of politicians, that it is desirable for groups of colonies to federate in order that they may have strength enough in themselves and be less dependent on the mother country, have been the predisposing causes which have led to the consideration of the question of federation in this colony; but there have been more direct causes which have precipitated the matters now under discussion. Owing to facts which I shall touch upon presently, a remarkable change has taken place in the public opinion of Victoria on the subject of federation. Queensland, by making a rather original descent upon the coast of New Guinea, created an occasion which was taken advantage of by politicians who wanted federation for the benefit of their own colony, and who threw themselves

[*Mr. Heydon.*

with zeal into the circumstances which resulted in the convention. And while the real objects of that convention were the acquisition of New Guinea, and the protection of our shores from invasion by the *récidivistes*, it was called a federal convention by a side-wind. But it was because the public mind was more directed to the two first subjects than to the last that the people of the colonies assented to the irregular manner in which the delegates were appointed, and did not insist upon the delegates being fully empowered to act at the convention. The conduct of Victoria in the matter has been most amusing. After displaying for many years a spirit of carelessness and indifference towards this colony she at once develops a strong feeling of attachment, reminding one of the warrior-like wailing of Petruchio in the Taming of the Shrew, in which he compels Katharina to be his bride, whether she will or no. Whenever any one on this side of the border mentions the name of Victoria in other than terms of praise, he is at once in the eyes of Victorians jealous of their colony; but it is surely open to us to recall historical facts, and to refer to statistics of an authoritative character without incurring the imputation of jealousy or unkindness. Victoria was the first to disunite Australia by insisting on separation in 1851.

Mr. O'CONNOR: A very good thing for Victoria!

Mr. HEYDON: It was a very bad thing for Victoria. Victoria made a very great mistake when she insisted on separation, and it is because she has discovered her mistake that she is now so anxious for federation. Any one who looks at the configuration of the continent of Australia will see that one-third of New South Wales is geographically nearer to Melbourne than to Sydney, and that a large mountain range interposes between the best part of New South Wales and Sydney, so that the natural facilities would direct the greater portion of the trade of New South Wales towards Melbourne. If Victoria, therefore, had remained united to New South Wales, Melbourne would have been the metropolis of Australia without doubt. All the trade west of the Blue Mountains would have tended towards Melbourne, and Sydney would have been a small fishing village somewhere on

the east of the Blue Mountains. If Victoria had not erected a political barrier on the Murray, New South Wales would not have been driven as she was, with slender means at her command, to pierce the mountains in three different places at once, and the whole of the west would have been allowed to remain as it was at first, looking towards Melbourne as its metropolis. Wagga Wagga is actually nearer to Melbourne than to Sydney. Dubbo and Wellington would have been for the construction of railways nearer to Melbourne, and the whole of the north and north-west would practically have been nearer to Melbourne than to Sydney. These are facts which are not generally recognised. Victoria for a time took advantage of those facts, and the whole of our western territory was for many years, for all purposes of trade, a portion of Victorian territory. In 1864 Victoria had a railway to Echuca, 156 miles in length, while at the same time our southern railway had only got to Picton, a distance of 53 miles from Sydney. In 1876 Victoria had not only completed her railway to our border, but had extended it 60 miles within our territory.

Sir JOHN ROBERTSON: No!

Mr. HEYDON: I am speaking of the railway from Moama to Deniliquin, which practically had its terminus at Melbourne, and drew away trade from Sydney. That railway was 216 miles from Melbourne, while our southern railway only reached as far as Goulburn, and had still 250 miles to go to the Murray. Every one in the country at the time remembers how the south and south-west looked to Melbourne as the capital. A gentleman told me the other day that in Hay three years ago he could not get a Sydney newspaper. Melbourne got the benefit of a large portion of our wool trade. In 1872, out of £3,342,000 worth of wool grown in New South Wales, Victoria got £1,096,000 worth, or 33 per cent. In 1875, out of £5,651,000 worth, Victoria got £2,265,000 worth, or 40 per cent. She got still more in 1880, namely, £2,720,000 worth; but in 1882 the quantity she had gained had fallen to £2,224,000 worth out of a total growth of £7,500,000 worth, or down to 9 per cent., lower than it had been for ten years. In the following year, when the extension to Hay was completed,

40,000 bales of wool came to Sydney which would otherwise have gone to Melbourne. These facts were at work, and no doubt the extension of our railway westward were having their effect even at the time—in January, 1881, when the Victorian delegates refused federation. Then the censuses of the two colonies came out, and they told their tale. We all remember the indignant outcry in Victoria. The statistics could not be true; there must have been an error in making up the returns. Then something must be done to remedy the state of things disclosed by the census. Victoria must have a slice of New South Wales territory up to the Murrumbidgee. We were to have a portion of our territory taken from us, and we were not even to be consulted. However, the Victorians saw that that would not do, and then there was a lull. At last the silence was broken by the cry for federation, which was to be the solution of all their troubles. We had extended our railway out to Hay, and by charging favourable rates of carriage we were recovering the trade of our own territory. It was considerably cheaper per mile to bring wool from Hay to Sydney than from Hay to Albury, and considerably cheaper per mile to take goods from Sydney to Hay than from Albury to Hay. These differential rates which were quite justifiable and not at all aggressive, the Victorians thought would hardly be continued under the federal system. It was considered, perhaps, that Victoria would get better terms from the federal council, that it might be held to be a noble and elevating principle that goods should be carried at a uniform rate per mile on all railways. Again, there was the matter of the land. In 1881, as has been mentioned by several speakers, so far was Victoria from realising the fact that the day of her ascendancy was over, that she voted against federation. Mr. Graham Berry voted against federation, and had the great coolness to suggest that all the unsold land should be drawn into one undivided "pool" for the benefit of all, the fact being that Victoria had sold nearly all her saleable land, while New South Wales had sold but a small portion of hers. Victoria has only 30,000,000 acres of unsold land, including 22,000,000 of mallee scrub, leaving only 8,000,000 acres

fit for selection, while we have 170,000,000 acres unsold of land of every description. New South Wales, therefore, has 140,000,000 acres more to sell than Victoria, and supposing it to be worth only 10s. an acre all round, the value of it would be £70,000,000, of which Victoria wants to get the half, or a sum more than sufficient to pay the whole of the debt incurred by her in making railways to our border to take away our trade. Again, there is another point. The voting at the conference of 1881 was very peculiar. Victoria voted alone in two very notable instances. The first was when she made the very modest proposal with regard to the land. Mr. Graham Berry moved :

That inasmuch as a federal council should be endowed with some certain source of revenue, this conference affirms the desirability of transferring all revenues from the sale and occupation of public lands situate in each and all the colonies to such federal council.

The ayes were Victoria ; and the noes : New South Wales, South Australia, Queensland, Tasmania, New Zealand. Victoria voted alone. The other instance in which Victoria voted alone was when Mr. Watson moved :

That in the opinion of this conference a joint commission of all the Australian colonies should be appointed to consider and construct a common tariff for the group, and that in the constitution of such commission Victoria should appoint three members ; New South Wales, two members ; New Zealand, two members ; South Australia, two members ; Queensland, two members ; Tasmania, one member ; Western Australia, one member.

Victoria voted alone against that resolution, although she received the sop of being placed at the head of the list with three members, while New South Wales was to have only two. That was an attempt made by the other colonies to have a uniform tariff. But a change has taken place on that subject also in Victoria. In 1882 a paper was read by Mr. A. Porteous before the Victorian Chamber of Manufactures in favour of intercolonial free trade, from which paper I will read one or two passages. A motion was proposed as follows :—

That this chamber recommend to the royal tariff commission, now sitting in Melbourne, the propriety of considering whether it would not be beneficial to the interests of this colony to assimilate its tariff, so far as practicable, to those of the neighbouring colonies, and to endeavour to get the governments of such colonies to reciprocate.

[*Mr. Heydon.*

That is a change from the attitude taken by the representatives of Victoria only one year before. Mr. Porteous goes on to say :

It becomes us, as manufacturers, to look for a wider field of outlet for the goods we are making, and to do all that we possibly can to find and to make markets for the disposal of those goods in the adjacent colonies. Owing to our proximity to the townships of Riverina and on the eastern border of South Australia, and also to the towns in Tasmania, these places ought to be simply natural markets for the produce of such a manufacturing city as Melbourne has now become. But those of us who have been trying to push out in such directions find that we are very materially handicapped by the imposition of border duties upon the wares we wish to sell. Besides largely importing English and foreign goods, the other colonies are also developing manufactories of their own, and so cutting the manufacturers here out of the markets which they had previously made among their neighbours by their energies and enterprise. Any person who likes to take the trouble to refer to the statistics of Victorian manufactures for the last few years will be very much struck at the very considerable reduction that has been taking place from year to year.

He goes on to quote some figures with which I will not trouble the House, and again he says :

On the whole, we can only repeat our former opinion that the manufacturing interests of Victoria, so far as exports are concerned, are waning. After reading those figures and particulars, it certainly appears to me that the manufacturers of Victoria have been losing some of their outside markets during the last four years, instead of increasing them, and that although some individual firms may have been successful in improving their export trade, yet collectively the manufacturers must say that exporting for them is in a very bad way.

I invite the attention of the House to this very eloquent passage :

The principal objection to my motion, from a manufacturer's point of view, will naturally be that it recommends a step to be taken which runs directly in the face of the high protective duties that we have all been enjoying a certain benefit from, and many, no doubt, will think it a very serious thing to have a reduction made in the tariff. In answer to that objection, I can only say that I feel certain that there need be no fear of loss of business if we had a free intercolonial trade, and perhaps only a 10 per cent. tariff against English and foreign goods.

That is a notable change from the position assumed one short year before. As it was against our wish that Victoria left us, surely we may consider whether we will undo what she has done ! May we not recall what was done by Victoria in connection with the Suez mail route and the

border duties, about which Victoria tried to drive such a hard bargain, and yet when we began to collect them again we found that we had been losing £20,000 or £30,000 a year? May we not recall the stock-tax? May we not recall the protective duties, the adoption of which, however justifiable in the interests of Victoria, was not a very neighbourly or kindly act towards us? May we not recall the proposition with regard to our lands? May we not recall the most unmistakable demand made by the *Age*, on behalf of Victoria, for all the land to the Murrumbidgee? [*House counted.*] And recalling these things, may we not suspect that the leopard has not changed his spots, and that these federation proposals, notwithstanding all the assurances we receive, may not after all be put forward, not for our own sake, but for the good of Victoria? I do not wish, however, to base my antagonism to these resolutions upon the low ground of opposition to Victoria. The honorable member for Tenterfield quoted the *Times*, and I think that the words he quoted were words of wisdom, because we may profess to be as lofty and high-souled as we like, but interest does after all come in at the bottom of everything. Nothing which is not based upon interest will last; and it would be sufficient reason for us to oppose these federation proposals if we found that the whole benefit was in the opinion of Victorians at all events to be derived by them, and to be derived by them at our loss. If we found this consideration to be the motive power of Victoria, it would be fair and proper for us to hesitate and to see whether we shall, or shall not, lose. But, passing from that ground, I should like to look at the matter from a rather broader point of view. The three things of which we have to be sure before we can vote for these proposals are the following:—Firstly, we have to agree that federation is good in itself; secondly, that it is good for us now; and, thirdly, that it is good for us in this form. Unless we can satisfy ourselves of these three things we must vote against these proposals. With regard to federation at all—that is, Australian federation—three interests have to be considered—those of our own colony, those of the island of Australia, and those of the British Empire. Now, I fail to find

in myself any very enthusiastic loyalty or patriotism to this island. I feel in my heart a much greater attachment to my native colony of New South Wales as a unit—an existing fact—than I do to the whole island of Australia. I do not see why, because this land of Australia—the bulk of which I do not know—is an island, it should necessarily follow that it would be well to federate. I do know my colony; I love it; I want to see that it is going to receive some benefit before I mix it up with the other colonies. I know the British Empire; I love it. The great old mother country has treated us far more liberally than any other country has treated a colony. It is the mother country who now protects us, who has conferred upon us countless benefits, and who, in the most liberal manner, has given us the whole of the land for our exclusive use. I know my duty and affection to that great country; I know no equal duty or affection to Queensland, Victoria, South Australia, or Western Australia. I know my own colony; I love England; and I want to know that some good will result to them from the altered state of things, as well as to this island of Australia which I do not know. If it be recognised as a good principle that all consolidated blocks of land surrounded by sea should federate, it would be well if Canada and Mexico federated with the United States. But we do not wish for that. Not one of us would wish for that. I know that as far as my own colony is concerned the benefits which we receive from the British connection are far greater than any benefits which Victoria can give us. I do not expect that if a quarrel arose Victoria would protect us from France. But happily we do enjoy the benefit of the protection of the mother country from France or from any other nation. Some people say that the federation of Australia is in no way opposed to imperial federation. I contend that it is—that it positively leads away from imperial federation. There is this difference between the federation of these colonies and the federation of the American States. They were, as I have already said, tied to no other power. They had to think for themselves, and they had to defend themselves. More-over their territory, equal in extent to

that of this island—no larger—is split up into forty-two states, whereas our territory is divided only into five. Our states are quite equal to any of the most important of the American states in their dimensions; and I see no indication that they are not already sufficiently large units. As I was saying, the federation of this island would lead directly to separation from England. What have honorable members said to-night in reference to severance from England? The honorable member for Tenterfield—and I very much regretted to hear these few observations, because I regarded them as the only blemish in an otherwise eloquent and statesmanlike speech—spoke on the one hand of imperial federation, and on the other hand of severance. He said that our present relations could not continue—that there must be an altered relationship with the mother country in the shape of imperial federation or severance. The honorable gentleman held out little hope of the continuation of the present state of things beyond a few years, and the honorable member for East Sydney (Mr. Copeland) spoke of severance being the only reasonable and possible termination of the adoption of these proposals. And what was to lead to it? Both honorable gentlemen used the same explanation, that anything which caused the colonies to be strong would hasten the day of their separation from the mother country. And it is admitted that the whole object of federation is to make the colonies as a nation strong for the purposes of defence. What will this be—if the expressions in the mouths of honorable members are correct—but a hastening of the time when separation from the mother country will come about?

Sir JOHN ROBERTSON: We do not want that!

Mr. HEYDON: We do not. We can enjoy no state of things better for ourselves than that which we now enjoy. England does all that she can do for us; and we do nothing at all for her. The only sentiment I feel when I think over the position is that of shame and degradation as a native of the colony, that we do not do more in return for what we get. I see no proof that this proposed federation is good in itself. I should certainly not advocate Australian federation until imperial federation had been repeatedly tried,

[*Mr. Heydon.*

and had been proved to be impracticable. Victoria has shown us that there is a time for separating and a time for federating. It may be that a time for federating in their opinion ought in ours to be a time for separating. They have taught us very eloquently indeed that there are times and seasons to be observed in these matters. As the scriptures say, there is a time for weeping and a time for laughing.

Mr. O'CONNOR: This is a time for weeping!

Mr. HEYDON: I am sorry to detain the honorable member so long with his own speech undelivered. But his speech like all good wine will acquire virtue by age. [*House counted.*] I say that it is a practical question to consider whether federation in itself is good now. The Colonial Treasurer made use of one argument as to why we should vote for these resolutions from the fact that the colony would not be finally bound by them—that there was still a *locus penitentie*, an interval between the present action and the time when we should be finally bound by any course which we might take. But I say that it would be unworthy to deliberately vote for a wrong thing now, because our vote would not be final, in order that we might have the privilege of stultifying ourselves by an opposite vote at a later date. If it would be wrong to take this course later, it is wrong to take it now. I at all events will feel inclined—if ever federation is agreed to—to wait until the not very distant date when the population of Sydney will be double that of Melbourne, when there will be no appeal to us, to hasten our decision, and under the guise of this peregrinating capital—this capital beginning at Hobart and ending we do not know where, like the flying island of Laputa, to settle down—such, no doubt, is our neighbour's intention—in Melbourne. I would wait until the imperial federation scheme has been tried. Able men in England are now advocating this federation, and no doubt there will be an attempt to make it an accomplished fact. I would wait until some particular and pressing need arises; I would not be tempted to rush into this scheme by the new-born zeal of Victoria. Is federation good in the particular form in which it has been put before us? I hardly think there can be a second opinion

upon that point. It cannot be thought that so important a matter as the future constitution of these colonies can be worthily prepared by a hurried and self-appointed conference, sitting and conferring in a secret manner—without the presence of the press—the utterances of the various delegates being unknown to the public. That cannot surely be a worthy way in which to lay the foundation of an empire. If the end is good in itself, it is quite fit that the means taken to secure it should be dignified and somewhat proportioned to the end aimed at. The bill which we are to pass without a possibility of amending it is most efficient and sweeping. In clause 15, not only certain matters which may be dealt with by the council are recited, but there is also a distinct enactment that any other matter may be referred to it by the legislatures of any two of the colonies.

Mr. DIBBS: That does not bind the others!

Mr. HEYDON: No one could have pointed out in stronger terms than did the honorable gentleman the exceedingly unpleasant and undignified position of a colony standing aloof from the other colonies. The honorable gentleman painted us as being in that position already. If that position is uncomfortable, and if we occupy it by the action of the three delegates who sat at the conference—I have no wish to be unkind in any word I say—it would be well to get out of it on the first opportunity. It is easier to bear the burden well and to smile while the matter has yet to be discussed than afterwards when federation is an accomplished fact, when there can be no breaking of the bands. But notwithstanding the option to accept this, that, or the other law, the pressure to join sooner or later with the bulk of our neighbours would be irresistible. We might resist for several parliaments; but presently you would have in office a ministry who for some purpose or other would yield. The final upshot would be that whatever law the larger number of the colonies adopted would be adopted by the minority. The final objection to this particular form of federation lies in the absolute ignorance under which we shall labour as to what they are doing in England with regard to it. We are asking England to pass a law based upon

this bill. We are not to be isolated; we are to bind ourselves under a law upon which others may act—under a law which we shall not have seen until we find ourselves subject to its operation. If federation is good, and is good now, it is not good in this particular form. It is the worst form which could have been adopted. I do not wish to detain the House longer; but I would urge honorable members in voting upon this question to remember its importance. We are asked to take upon ourselves now the yoke of a federation, which a few short years ago about fifteen millions of people shed oceans of blood and spent untold treasure to shake off. The southern states of America fought to get rid of a federal constitution. They wished to regain the power of their sovereign states. They urged that they had never yielded up the sovereign power of those states—that the union was merely a union of federal sovereign states, equal in its binding effects, to a treaty between those sovereign states, and liable to be revoked. They wished to regain their freedom—that which we are asked to throw away now. They spent blood and money in great abundance in an endeavour to undo what we are asked to do after twelve hours' debate. If any honorable member has any misgiving whatever, if he has the slightest doubt upon the question, he should determine his doubt in the direction of delay. There is no pressing need for action, and the risks are certainly great. If any member, therefore, has the slightest misgiving, and any but the clearest convictions as to the wisdom and pressing nature of the proposal, he ought surely to decide in favour of further consideration, more abundant caution, and fuller deliberation. We have this gift offered to us—thrust upon us—by an aggressive neighbour who wishes to mend her condition at our expense. We have some affection for our colony, and for the England who has treated us so well. What has Victoria ever done for us, except to insult and despoil us—that we should for her sake injure New South Wales, the land of our birth, and England who has given us everything that we have?

Mr. BURNS: There is not much temptation to debate a question of this kind when it is exceedingly difficult to keep a quorum together, and when minis-

ters attach so little importance to it, that as a rule there are not more than three of them in the Chamber.

Mr. TRICKETT: The fewer men the greater honor!

Mr. BURNS: If there is any fault in that respect it lies at the door of the Government. It is now over twelve months since the convention sat in Sydney, and since that time the Government must have realised that the project for federation was distasteful to the people of this colony, or I am sure that long ere this we should have been called upon to deal with the question—we should have been asked to deal with it at a time when we could have discussed it in a way which its importance demands. It must be evident to honorable members that the Government have not thrown their heart and soul into the matter, and on no ground whatever is there any justification for regarding this as a party question. Judging from the reports published in the newspapers respecting the proceedings of the convention, I imagine that the representatives gave an unwilling assent to the resolutions, and I believe that the Treasurer showed that he did not altogether approve of them. Although I might be inclined to vote for most of the resolutions, I could not support that in favour of the establishment of a federal council. I should like to know what necessity there is for the federation of these colonies at the present time. In other countries where federation has taken place it has been the outcome of some outward pressure—some common interest, such as that of defence against other nations. I am quite willing to give my assent to federation of the colonies on matters of common interest which are clearly defined beforehand; but I am not disposed to vote for federation on the lines laid down in the draft bill. The long delay which has taken place in the bringing forward of these resolutions has had this great advantage: it has shown us that the voice of Australia as expressed by the various parliaments has had quite as powerful an influence in England as it would have had if it had been expressed by a federal council. We cannot help being aware that the discussion which has taken place in the various colonies on the question of the transportation of criminals to New Caledonia has had a powerful in-

fluence on the public mind both in England and in France. If we can gain our desire on such an important question without the intervention of a federal council, I think we have a right to ask for what special purpose we require federation. What are the subjects which it is proposed to give the federal council power to deal with:

(a) The relations of Australasia with the islands of the Pacific.

(b) Prevention of the influx of criminals.

(c) Fisheries in Australasian waters beyond territorial limits.

(d) The service of civil process of the courts of any colony within her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued.

(e) The enforcement of judgments of courts of law of any colony beyond the limits of the colony.

(f) The enforcement of criminal process beyond the limits of the colony in which it is issued and the extradition of offenders (including deserters of wives and children and deserters from the imperial or colonial naval or military forces).

(g) The custody of offenders on board of ships belonging to her Majesty's colonial governments beyond territorial limits.

(h) Such of the following matters as may be referred to the council by the legislatures of any two or more colonies that is to say—General defences quarantine patents of invention and discovery copyright bills of exchange and promissory-notes uniformity of weights and measures recognition in other colonies of any marriage or divorce duly solemnised or decreed in any colony naturalisation and aliens status of corporations and joint stock companies in other colonies than that in which they have been constituted.

I ask, could not the majority of these questions be settled by uniform legislation in the various colonies? It seems to me that there has been a disposition on the part of Mr. Service and others to magnify the necessity for the establishment of a federal council. If we eliminate from the resolutions those which refer to the annexation of New Guinea and the transportation of French criminals to New Caledonia, which are international questions, there will be no question of importance left for a federal council to deal with. I have read the debates which have taken place in the Victorian and Queensland parliaments on the question, and the reasons advanced in favour of federation by some of the members are of a most extraordinary character; but I have failed to discover that any one has pointed out that there is any necessity for federation here

[*Mr. Burns.*]

on the lines which have been adopted in Canada and elsewhere. There was strong necessity for federation in Canada, as the United States of America had held out threats of interference with the interests of the Canadian States in various ways. I have heard the statement made that these colonies are in the same position as were the states of Germany and Italy before they were federated; but honorable members who use the argument forget that we form part of the greatest federation of modern times—we form part of the great British Empire. Her flag is our flag, and her navy is intended for our protection just as much as for the protection of the British Isles. If we were to adopt the idea of the honorable and learned member for Mudgee, and to sever our connection with England, we should be weaker as colonies than we are at the present time. Some honorable members seem to have overlooked the real cause of the meeting of the convention. It is only fair to say that the convention was not the result of any special movement on the part of Victoria, as I have heard it alleged, but was first suggested by Sir Thomas McIlwraith with reference to the proceedings of the Queensland Government respecting the annexation of New Guinea. I join with the honorable member for Tenterfield in the compliment which he paid the Colonial Secretary respecting his course of action on the New Guinea question. I think that all through the proceedings of the convention the Colonial Secretary displayed more wisdom and judgment than any other member of the convention as to our position as a dependency of Great Britain. If we were to follow the course advised by some of the members of the convention, we should, in all probability, be led into most serious complications. I regret that some honorable members have not been able to discuss the question without casting reflections on the character of public men in the other colonies. As a minister I have been brought into contact with Mr. Berry on official matters, and I must say that I do not believe that there is the least justification for the charge made against him of want of good faith and honesty. Although I differ entirely from Mr. Berry on questions of public policy, I must say of him that in my experience as a minister I

never had dealings with a more reliable man. However erroneous we may consider his views on public matters, we must acknowledge that he has adhered to his principles with remarkable consistency. One of the most important matters which it is proposed to give the federal council power to deal with is that of the transportation of French criminals to New Caledonia. But past events show that there is no necessity to establish a federal council to deal with the subject. Many years ago Victoria, finding that there was too large an influx of criminals to her shores from Tasmania, passed an act to prevent it. If the French Government showed a disposition to ignore any remonstrance which might be made by the colonies as to the transportation of criminals to the islands of the Pacific, it would be a simple matter for us to pass an act similar to that to which I have just referred. The honorable member for Tenterfield spoke strongly against the 22nd clause of the draft bill; but I think that there is more danger in the 16th clause, which provides:

The governors of any two or more of the colonies may upon an address of the legislatures of such colonies refer for the consideration and determination of the council any questions relating to those colonies or their relations with one another and the council shall thereupon have authority to consider and determine by act of council the matters so referred to it.

It seems to me that this is a provision which would be likely to lead to constant agitation for the extension of the powers of the council. If we are to have a federal council, I shall object to its having expansive powers. I should not give the council the power to deal with matters affecting the railways, the Crown lands, or the fiscal policies of the colonies. I am not at all in favour of intercolonial free trade. I was delighted to hear the speech of the honorable member for Yass Plains; if the honorable member were an out and out free trader, he could not have more clearly expressed my views respecting the other colonies. My objection to the course taken by the Government is that it prevents us from considering the draft bill with a view to the amendment of it. I should not object to vote for the bill provided the constitution of the council were altered, that provision was made for the manner in which the members were to be appointed, and that the powers of the

council were distinctly defined. The Treasurer has told us that it is imperative that we should deal with the resolutions now. Why is it imperative? Honorable members are aware that the various colonies were invited by the authorities to frame constitutions for themselves. The bills were dealt with in the ordinary way, and submitted to the Imperial Parliament for approval. The bills were thoroughly discussed before they were agreed to, and in Sydney so great was the interest taken in the question that a powerful citizens' committee was appointed to watch the progress of the measure. In this case we are asked to agree to the bill as it stands or to reject it altogether. For the various reasons which I have stated I intend to support the proposition of the honorable member for Mudgee.

Mr. O'CONNOR: My honorable and learned friend, the member for Yass Plains, in addressing the House, said that there was a time for laughing and a time for weeping, and I interjected the remark that this was a time for weeping. I desire to assure my honorable friend that that was not a personal remark, but that it would apply to this House and to the condition into which the Government have brought us by asking us now to discuss this most important question. What is the melancholy spectacle that has been presented here this evening? From the very earliest hour that you took the chair, sir, even while the two oldest and most experienced men in parliamentary life, perhaps in the whole of Australia, were addressing the House, there was barely a quorum, and since the honorable member for Tenterfield resumed his seat we have never had a quorum present except by the ringing of the bell. Now what is the meaning of this? Is it not a sorry spectacle? Is it not a sight degrading to this country? I do not envy the man who does not feel a pang of pain and sorrow to-night, and a pang of humiliation, that a question, barely second in importance to the Constitution Act of this colony, should be discussed in a house kept together by the ringing of the bell every ten minutes. Who is to blame for this? We were led to believe, and were repeatedly told, that immediately after the passing of the Land Bill there was to be a recess.

Mr. DIBBS: Who said so?

[*Mr. Burns.*

Mr. O'CONNOR: The Government!

Mr. DIBBS: Nothing of the kind!

Mr. O'CONNOR: They said so over and over again. My honorable friend is inaccurate on this as he has been on many other occasions. I say we were assured over and over again that as soon as the Land Bill was passed there would be a recess.

Mr. DIBBS: There was a promise made that these resolutions would be submitted!

Mr. O'CONNOR: Even supposing such a promise was made, ought not their intelligence and their sense of dignity have prevented ministers from bringing this colony into ridicule by submitting for consideration a great question affecting the destinies of the country in a house in which a quorum can be barely kept? I have seen a member for a country constituency keep a fuller house in order to carry a £30 bridge than the Government have been able to keep to-night for the consideration of this great national question. This is a matter for profound humiliation. It is a thing that will not readily be forgotten. During the consideration of the Land Bill the Government could hardly find seats enough behind them for their supporters. The sitting capacity of the Chamber was taxed to its utmost to find seats for honorable members when discussing a question in which they were personally concerned. But to-night in dealing with a great question affecting the destinies of this country the Government are unable to keep a quorum. What a sad spectacle! Who can envy the position of a minister of the Crown under such circumstances? Where is the man upon whose cheek there is not a blush of humiliation that this should occur in a parliament formed by the genius of one of the greatest men this country ever produced, and which holds within its bosom, even now, some men who have laboured sufficiently long to place their names on the statute book—and humiliation that an honorable member holding the position of the honorable member for Tenterfield should have lived long enough to witness the degradation that this House has been subjected to by the incapacity of the Government and the want of that inherent dignity without which no public man can command respect. If the Government saw, as they could have done by means of the agencies which they can bring into

operation, that the House was not in a condition to deal with this great question, why did they not postpone it until another session? Why should they make us degrade this Parliament—it is not a parliament, for I do not believe there is a quorum present. [*House counted.*] I appeal to those in whose charge is placed the dignity of this House whether it is not time that this farce was brought to an end. This question is of such a magnitude that a call of the House should be made. We should not be asked to consider it when members are tired and jaded after a session which for duration stands unparalleled in the history of the colony. The Government are sincere or they are not sincere. If they are sincere in submitting these resolutions, their incapacity is unequalled in any portion of the British Empire, or in any civilised country on the face of the globe. Their every utterance points emphatically to the conclusion that they are insincere, and to a desire that these resolutions should be damned. The subject has not been approached with that tenderness and sacredness which such a great question should be treated. In a trivial matter between two private individuals involving only the value of a ten-pound note, four men and perhaps twelve are empanelled to inquire into the case, every tittle of evidence is procured, counsel are heard on both sides, and the learning of a judge is brought to bear upon the evidence so that justice should not be violated. But here in a question that will effect not ten or 10,000, but perhaps 10,000,000 people, and on which depends the destiny of the country, we have the spectacle of men who in a few moments will be required to give a vote the effect of which will last for generations—we see these men smoking their pipes in indifference while others having got all they wanted in the Railway Loan Bill and the Land Bill are absent from the House. Why should we not be saved from this humiliation. My honorable and learned friend was right, whether by accident or design—this is a time for humiliation, and sackcloth and ashes ought to clothe every member of the Government, if not something worse. The Government see this House dying, fading away before their eyes; they see their supporters leaving for the railway-station on their way to the Melbourne Cup.

Mr. DIBBS: Are you going?

Mr. O'CONNOR: I am not; but if I were that would not relieve the honorable member from the humiliating position in which he will stand to-night. Members are waiting here in a state of feverish excitement, anxious to take their passages to Melbourne to indulge in what I regard as a very reasonable form of amusement, and to which I have no personal objection; I say it is not right to keep members here in such circumstances to give a vote on a question like this. It is an insult to the Parliament thus to lower it in the estimation of its neighbours. What has been said here to-night about the Premier of Victoria? That in a moment of excitement he said this, that, or the other thing. Granted that he did say so. The impetuosity of a Scotchman in Victoria, when he has a little Scotch whiskey, or after a festivity, is not in any way equal to the impetuosity of a Scotchman here who may be sober. But these are extraneous matters. What will the people of Victoria say when they know that this question has been discussed in a house of from fourteen to twenty members? What will be said in Tasmania? in the rising colony of Queensland? in the great colony of New Zealand?—"Leave out your penal settlement." What will be said in these other colonies that possess at this moment, and have produced in the past, men of remarkable ability? Queensland possesses one of the most eminent men that ever adorned public life in Australia; I mean that distinguished Scotchman, Sir Thomas McIlwraith—a man who, combined with the genius of his country, is endowed with the power, intellect, and courage of a true statesman. What will these men say, who have been so long labouring to build up an Australian nationality? What will they think of the Government that brought forward a great question like this to the consideration of a few jaded followers? When we come to consider how nations have been built up; when we come to consider the learning, patriotism, care, and attention bestowed upon the work by great men in all countries, inspired with the ambition to elevate a small state into a great one; when we come to consider what George Washington, Franklin, and Jefferson did in the production of that remarkable document that laid the foundation of

the glory and strength of the American republic—how they weighed down their intellects and taxed their energies in a desire to make their country live after them in glory and splendour; how they strained every nerve in order to produce that result with a contempt for everything but the glory of their country; I say when we come to consider these things, and think also of the great nation from which we have sprung, and of the men who laboured to strike down the tyranny of King John, and of Charles the First, in order to establish the liberty we enjoy, what a tribute we seem to pay to the patriotism and the genius of the men who laboured to place this priceless treasure into our hands when we deal with a question like this in a house with a bare quorum! I say that this will stand out in the history of the colony as one of the most melancholy, degrading, and reprehensible spectacles ever exhibited to the gaze of an intelligent people. I feel that I have no heart to-night; I experience nothing but indignation and humiliation. You are my witness, sir, how many times you have had to order your chief officer to ring the bell to summon members to discuss a question which ought to be approached with the solemnity and responsibility due to a subject affecting, not the interests of a particular class, but the good or ill of this great country. The Government should withdraw these resolutions. If they do not, there is no other course to adopt but the proposal of my honorable and venerable friend, the member for Mudgee. There is a statement going round the Chamber to-night that if we vote for these resolutions we can amend them in Committee. That is a fraud. Whether the honorable gentleman knows it or not, we shall have no power to deal with these resolutions when we get into Committee. We cannot expunge a line; we must adopt them or reject them *in globo*. I should have been delighted to see this question introduced to the House in language befitting the high office of a minister of the Crown. For myself I believe in the federation of Australia. I believe we shall never be worth anything until we belong to a great whole. I regret the intemperate and injudicious language used in the debate to-night towards Victoria. If any states-

[*Mr. O'Connor.*

man of that colony had the bad taste to speak harshly or ungenerously of New South Wales, that is no reason why we should follow so bad an example. What is the good of talking about Victoria being small? What is the size of the great country to which we belong compared with that of Russia? Is a nation estimated by its geographical area? Does his physical size indicate the character of a man? The soul is the man; the intellect is the nation. Since the time of the great states of Athens, England has been the greatest and most successful colonising nation on the face of the earth. Who talks of geographical surroundings? Where would England be in the middle of Asia? Where would England be alongside of Russia? What is the good of speaking thus of Victoria? Although that colony is small, its people have been most industrious and prosperous—in fact, a remarkable people. I can understand Frenchmen and Germans, with all the national antipathy that belongs to two nations jealous of and angry with one another, grinding their teeth over the disposal of Alsace and Lorraine; but I cannot understand men in the Parliament of Victoria—and I hope I shall never hear it any more in the Parliament of New South Wales—setting up anything like intercolonial antipathies, when I remember that we are the same people, sprung from the same stock, owing obedience to the same great sovereign, and having the same great future before us. Why should two great colonies emulate the bad practices of two little towns in the backwoods of Australia? The intemperate language used by the Honorable James Service affords no justification for its imitation here. What we have to consider is: are we going to make an innovation in the constitution of the country for good or for evil? I have heard over and over again the expression, "Australia for the Australians;" but who ever heard any one say, "I am a New South Welshman," or, "I am a Queenslander." No? every one says with a feeling of innate pride, "I am an Australian." Who could imagine any antipathy between Yorkshire and Bedfordshire, or between Edinburgh and Aberdeen, or that Dublin and Cork could be antagonistic? Let us drop our little provincialism, and let us talk about building up a nation.

Let Victoria take a great stride, let Queensland take a great stride, let New Zealand and Tasmania and all the colonies take a great stride; I am sure New South Wales has nothing to fear from any of them. We are able to emulate the best of them, and in my opinion we can surpass any of them. We are called upon to consider one of the greatest and the gravest questions that could engage the attention of any parliament, and we ought to have regard not only to the importance of the subject, but also to our capacity to deal with it. I confess that I feel very tired, and when that is the case with me I know it must be the case with most honorable members. Is this a state of affairs in which we should be asked to consider such an important question? I would ask the Treasurer, with his keen commercial instinct, whether we are in a fit condition for the transaction of ordinary business, and if not how much less are we in a condition to transact business of the highest national importance? I am as desirous as any man to build up Australia as a nation; but I shall record my vote for the previous question as a protest against the manner in which the subject has been brought before us.

Mr. GARRARD: I should like to ask Mr. Speaker what is the proper course to be taken in dealing with the resolutions in Committee, especially as to whether the resolutions can be amended?

Mr. SPEAKER: The 1st resolution asks the House to record its approval of certain utterances of the convention, and it would scarcely be regular for the Committee to alter the text of any of those utterances, although any one or more of them may be excluded from the recorded approval of the House, or an addition may be made to the resolution which includes the utterances of the convention. With regard to the 2nd and 3rd resolutions, they may be amended in any way the Committee may think fit, so long as the amendments are relevant to the subject matter of the resolutions.

Mr. BURNS: I would point out to honorable members that if we adopt the resolutions relating to the Federal Council Bill we shall have no opportunity of dealing with the bill itself. The proposed resolutions may be amended, but the Federal Council Bill must be accepted or rejected.

Mr. SPEAKER: The draft bill will be before the Committee in its present shape, and the text of it will not be open to amendment.

Mr. GARRARD: It was not my intention to speak on the subject, but I cannot help joining with the honorable member who last spoke in expressing my regret at the tone of some of the speeches which have been delivered to-night. Every honorable member who has spoken has advocated the principle of federation; but most of them have maintained that its adoption is not opportune at the present time, though they look forward to the time when it will be an accomplished fact; but if anything will prevent the federation of the colonies and the creation of that feeling which must exist before federation is possible, it is such speeches as have been delivered here to-night. I am quite willing to admit that in some of the transactions which have taken place between this colony and Victoria, that colony has obtained an advantage over us; but I do not think that either the people or the statesmen of Victoria are guilty of the discreditable conduct which some honorable members have attributed to them; and whilst I am as desirous as any one of upholding the dignity and the status of New South Wales, still I do not think that there has been any justification for the extraordinary speeches we have heard, particularly from the honorable gentleman who has hitherto always held up Victoria as the country we ought to copy in every particular—I allude to the honorable member for Yass Plains. I do not know whether that honorable gentleman's speech is a preparation for the recantation of certain views —

Mr. HEYDON: The honorable gentleman is quite mistaken!

Mr. GARRARD: If the views he has put forward to-night are to be regarded as a sort of preliminary canter to the recantation of certain views he has often put forward in this House, we can, of course, understand them; but I was never more surprised than when I heard the wholesale abuse the honorable gentleman has heaped upon the colony and the statesman he has lauded so much in times past. It seems to me that language of that description tends neither to advance the principle of federation, nor to elevate the character of this Assembly. I, too, in a

humble way, believe in federation; but I believe it will only be brought about by some extraordinary occurrence which will compel the colonies to unite. My own opinion is that we are not yet ripe for federation even to the extent proposed by the convention. That it will come about sooner or later I have not the slightest doubt; but at the present time we are certainly not ripe for it, and I shall be no party by my vote as a member of this legislature to pass a bill on the lines laid down by the convention to deprive the local legislatures of their power and place it in the hands of a few irresponsible persons constituting the federal council. If the contention of some honorable members had been correct that we had no power to amend the resolutions, it was my intention to vote for the previous question, and therefore I asked the question as to our power to amend the resolutions. It seems, however, from the ruling Mr. Speaker has given that whilst we cannot amend any of the resolutions of the convention of which we are asked to approve, it is nevertheless in our power to omit any of them, and that is the course which I think it is advisable to adopt, for there are some of those resolutions to which every honorable member would agree, though there are others which are not palatable. It seems to me, for instance, that we are all agreed with reference to the first resolution, and although events have occurred which rendered it to some extent unnecessary, still I think it would not be out of place to recognise in some way the action of the Imperial Government in annexing New Guinea, as well as to express our willingness to bear a proportion of the cost which will have to be incurred in connection with that island. If we reject the resolution, we shall not have signified in any way our willingness to participate with the other colonies in the expense attendant upon the annexation of New Guinea. I think, therefore, that I shall be doing my duty by voting to go into Committee, with the object of recognising what the Imperial Government has done with regard to New Guinea, which we cannot do if we reject the resolutions as a whole.

Mr. HEYDON, in explanation: I may inform the honorable member for Balmain, who has expressed surprise at my con-

[*Mr. Garrard.*

duct, that the figures and facts I quoted were taken from the notes of a speech delivered by me at a public meeting in Sydney, and reported in the press eighteen months ago. I may also inform him that I wrote a letter in the same strain to the *Herald* twelve months ago. To say that a certain policy has benefited Victoria does not say that I admire the conduct of every politician in Victoria. If the honorable member for Balmain draws erroneous conclusions from my utterances, that is nothing whatever to me.

Mr. POOLE: I feel that the subject before the House has been worn nearly threadbare; but as one of the representatives of one of the largest constituencies in this country, I, perhaps, may be pardoned if I venture to offer a few remarks on the subject before the House. If anything is needed to convince honorable members who are present, as well as the people of the country, of the unwisdom shown by the Government in forcing the House, jaded and weary as they are, to consider this important subject, it has been shown by the aspect of the Chamber during the whole of this debate. This has been one of the most extraordinary debates it has ever been my lot to listen to in this House. It is a most remarkable thing that while all the members who have spoken have admitted that federation on just and equitable lines must take place some day, they have all considered that the present is an inopportune time for the consideration of that momentous question. I have been in the Chamber during the greater part of the debate, and with the exception of the honorable member for Grafton, who merely gave notice that at a later period of the evening he intended to move an amendment, nothing has been advanced in favour of the proposals of the Government. The honorable gentleman in charge of the resolutions is entitled to every consideration in being called upon at a moment's notice, so to speak, to deal with the question, but we have more than the honorable gentleman to consider; we have to consider whether the House will, of its own motion, shear itself of its privileges and dignity, and hand them over to an undefined and unknown body. I quite agree with the Treasurer that the Government were bound in honor to sub-

mit these resolutions to the Parliament during this session. The Government indicated that they intended to submit the resolutions when the fate of their Land Bill was known; but in the interval between the passing of that bill and the present date some very important matters have been dealt with, and if the Government desired that the resolutions should be discussed in a reasonably full house, they could have attained their object by holding the Loan Bill in abeyance. Having regard to the importance of the question which we are discussing, I think the very small attendance of members is humiliating. The question is of infinitely greater importance than the Land Bill, or the taking of a railway to every man's door. The honorable member for Mudgee has acted in a most courteous and conciliatory spirit towards the Government in moving the previous question, the carrying of which will simply mean that we consider that the present is not a fitting time for the settlement of the question. The honorable member for Tenterfield went very fully into the matter, instancing the best example of a confederacy of which we know—that of the United States. But we all know what induced the American colonies to consent to a federal government. They did so because their very existence was in peril. It was not until many years afterwards that they settled upon even the skeleton of a federal constitution, and the question was not finally settled until a few years ago, when it was settled at the cost of an enormous amount of blood and treasure. Whatever may be said of the question of slavery, there was a strong feeling among the Southern states against the surrender to the federal government of what they held to be exclusive state rights. Jefferson Davis, afterwards the president of the seceded states, was the colonel of a regiment of militia from one of the Carolina states; but he refused to accept his commission from the Government of Washington. He said, "I will take my commission only from the Governor of my own state; I do not acknowledge your authority." I only quote this case to show that there was in the minds of a vast number of the American people a feeling of repugnance towards the over-shadowing influence of the federal government. When-

ever a federal government is brought about the local legislatures must of necessity surrender some of their powers. We acknowledge the supremacy of England; but so far as our internal government is concerned we are a supreme body. It is only when we go outside of colonial matters that her Majesty interferes, and reserves to herself the right to veto our legislation. I had hoped that the honorable member for Tenterfield would have shadowed forth what in his opinion should be the basis upon which federation might eventually take place. Although I may be accused of temerity, I will venture to give my own opinion. I am induced to form that opinion from what has taken place in reference to the states which now form the empire of Germany. The basis of that federation was a uniform tariff. As the honorable member for Tenterfield pointed out identity of race and language is not sufficient to bring about a federal government between free and independent states, which practically the Australian colonies are. There must be an identity of interests. How is it possible that we can have that identity of interests when we have conflicting tariffs? Victoria and New South Wales are at the two opposite poles of the fiscal systems of the world. How is it possible for there to be united action between the delegates of these two colonies meeting together in a federal council? Another reason why I think the previous question should be carried is this: during the past few years this experiment has been tried in the Dominion of Canada. We already see indications that the different provinces are very restive under their federal constitution. No harm can result from our waiting for a year or two. Let us see how they will work out the problem without the pressure which was brought to bear in the case of the United States of America. The colonies which form the Canadian dominion are assured the protection of England so long as they choose to remain a portion of the empire. Let us wait for a few years and see what the result of their federal union will be. The honorable member for East Sydney (Mr. Copeland) dealt, to some extent, with the diversity of interests arising from different climates. I feel convinced that before many years have passed away

northern Queensland will be in the heat of an agitation for separation from the southern portion of that colony. Let us see how far the process of disintegration is going before we attempt to set in operation the reverse process. As one of the free representatives of the free people of this country, I am by no means willing to lay down any part of the trust which has been reposed in me. I do not know that the people of this city desire any change in the direction of federation. Until they tell me that they do require this change I shall assume that they do not require it. I think far too highly of the privileges we enjoy to give up ever so small a particle of them; but it appears to me that if we agree to these resolutions we shall be sacrificing the whole of them. Not many years ago the federal government of the United States used its troops to compel the state of Rhode Island or Connecticut—I forget which—to comply with the federal law, and if you established a federal council it is quite possible that they might authorise the levying of a body of 6,000 or 7,000, a portion of the cost of maintaining whom would be defrayed from our land revenue. I think we should act very foolishly if we were to put our necks into this noose. I yield to no man in my desire to see established a thoroughly Australian community, but I do not see what we are to gain by federation at the present time. I should prefer the whole of these colonies to be known as Australia; but you must leave it to time to effect such changes as this, and I think that if the Government are sincere in their desire to lay the foundations of this federation they will do all that lays in their power to bring about an assimilation of the Australian tariffs. I understand that the Treasurer is willing to accept suggestions which have been made by the honorable member for East Sydney (Mr. Copeland). What did the honorable member suggest? That resolutions Nos. 1 and 2 should be allowed to stand, that all the others should be omitted, and that a new one be added, expressing thanks to the Imperial Government for having acceded to our request respecting the annexation of New Guinea. Manifestly resolutions Nos. 1 and 2 are not wanted. It would be far more consistent with the dignity of the House for us to pass a distinct resolution expressing

[*Mr. Poole.*

our satisfaction at the annexation of New Guinea, and our willingness to pay a share of the cost of governing the island. I do not wish that there should be any misunderstanding as to the position which I take up, therefore I say that on no terms whatever shall I consent to the House going into Committee to consider these resolutions.

Mr. LUSCOMBE: The arguments which I have heard used to-night have been all on one side. It has been said that if we agree to the establishment of a federal council we shall give up our privileges. It seems to me that the establishment of such a body would have the effect of making us appear to be a powerful people in the eyes of the world. If we had federation, our people would be recognised when they visited England. I can assure honorable members that at the present time people from the Australian colonies are scarcely noticed in England, while people from Canada and America are treated with the utmost respect. If we reject these resolutions on the supposition that by agreeing to them we shall be giving up our rights and privileges, what a sorry figure we shall cut before the other colonies. The people of those colonies will say to us, "You are really very stupid; you do not know what is good for yourselves." Do we not require federal action with respect to the Chinese question? Recently a conference of medical men from the various colonies met in Sydney and advocated uniform quarantine and sanitary laws. Are not those important subjects which might be dealt with by a federal council? Why should we suppose that a federal council would be an enemy of New South Wales. The honorable member for Mudgee talked about the great fights which have taken place here to get the rights and privileges which we enjoy. Have not the other colonies equal rights and privileges?

Sir JOHN ROBERTSON: We won them here!

Mr. LUSCOMBE: Have not the Victorian people who have been so strongly condemned to-night not fought for their liberties? Did they not stand up like men to stem the torrent of criminals from an adjacent penal settlement? Honorable members talk about the strong language which the Victorians have used with re-

spect to the transportation of French criminals to the islands of the Pacific. Is not that a serious matter which warrants the use of strong language? But if necessity arose the Victorians would not be content with the use of strong language; they would take equally strong action to prevent their colony being overrun by French criminals. At present the colonies are separate sticks—very weak ineffective weapons to ward off any attack; but what would they be if they were united? A statesmanlike policy for us to pursue would be to make preparation in time of peace for any contingency which may arise. There is no reason in the complaint that we have not time to discuss these resolutions. Surely we have had ample time to consider them, and to make up our minds as to how we ought to vote respecting them. I cannot help thinking that some honorable members must regard their position here as something more than one of honor, because for some time I have missed the faces of thirty or forty honorable members who were always present when the Land Bill was under consideration.

Mr. DIBBS, in reply: I rise solely for the purpose of protesting, as I feel bound to do, against the attacks which have been made against the representatives of Victoria at the late convention. We are not discussing the personal character of the representatives who took part in the convention; we are here to treat with the colony of Victoria. As has been already said the intemperate language which has been used by one or two speakers is more calculated to create a breach than to effect a union between the colonies. I should have liked to have replied to some of the statements made by the honorable member for Tenterfield. With a great deal of the honorable member's speech I am quite in accord, and notably that portion of it in which he laid down the rule which ought to govern communications passing between the colonies and a great state like France. I do not think that violent language will assist in bringing about what we desire with respect to the islands in the Pacific, nor do I think that the House would for a moment sanction anything which would be considered as doubting the right of France to occupy any position she pleases which is not already occupied by any other power. I hope that

the House will come to a decision now, so that we may close the session as early as possible.

Previous question—That that question be now put—put, whereupon the House divided with the following result:—

Ayes	21	} Majority, 1.
Noes	22	

AYES.

Abbott, J. P.	McCulloch, A. H.
Cohen, H. E.	Melville, N.
Coonan, W. T.	Merriman, G.
Copeland, H.	Olliffe, J. B.
Dibbs, G. R.	O'Mara, T. C.
Farnell, J. S.	Purves, J. M.
Fergusson, W. J.	See, J.
Hammond, M. J.	Wilkinson, R. B.
Humphery, F. T.	<i>Tellers,</i>
Luscombe, R. C.	Garvan, J. P.
Machattie, R. R.	Targett, W. S.

NOES.

Abigail, F.	Robertson, Sir John
Burns, J. F.	Smith, R. B.
Cameron, A.	Smith, S.
Chapman, M.	Sutherland, J.
Clarke, H.	Taylor, A. G.
Dalton, T.	Teece, W.
Gibbes, F. J.	Wisdom, R.
Heydon, L. F.	Young, J. H.
Holtermann, B. O.	
McLaughlin, J.	<i>Tellers,</i>
O'Connor, D.	Burdekin, S.
Parkes, Sir Henry	Poole, W. T.

Question so resolved in the negative.

CIVIL SERVICE BILL (No. 2).

Message—intimating that the Council does not insist upon its amendments disagreed to by the Assembly, and agrees to the Assembly's amendments upon the Council's amendments in this bill—reported.

PROROGATION.

Mr. DIBBS: I have it in command from the Governor, that his Excellency intends to prorogue Parliament at noon on Saturday, and consequently it is necessary for me to move:

That this House at its rising do adjourn until Saturday morning at half-past 11 o'clock.

Question resolved in the affirmative

House adjourned at 12.10 a.m. (Friday).

Legislative Council.

Saturday, 1 November, 1884.

Prorogation.

PROROGATION.

Shortly after noon his Excellency the Governor entered the Council Chamber and took the chair.

A summons was sent to the Legislative Assembly, requesting the attendance of members in the Council Chamber, who, being come with their Speaker :

Mr. SPEAKER presented the Appropriation Bill and the Loan Bill to his Excellency for the royal assent.

Bills assented to.

His EXCELLENCY delivered the following speech :—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

1. It affords me much gratification to be able to relieve you from labours of the gravest character, which have been performed during a session of unprecedented duration, extending from the 9th of October of last year. The colony will not fail to appreciate the exertions and sacrifices which have made this session of Parliament a memorable one in our history.

2. The great measure of land reform which has almost continuously during this protracted period engaged your attention is one which had been long and anxiously looked for by the country. Much care had been taken in the preparation of the materials by means of which you were enabled to mould it into the form which it now assumes ; and the labour bestowed upon maturing and perfecting its provisions is the best guarantee that it will conduce to the rapidly increased productive occupation of the colony, and to the general prosperity. The necessary arrangements for bringing the act into operation are now being made.

3. The act for regulating the civil service of the country and providing for the superannuation of and retiring allowances to its members is one the main object

of which is to improve the character of the service, to render it more attractive to men of capacity, and more valuable to the country. It is to be hoped that, by the careful provision which has been made in regulating the advancement of officers according to seniority and merit, and in providing for the support of aged and incapacitated servants, the objects sought to be attained by it will be accomplished.

4. The act providing against injuries from fire is one which was urgently needed for the protection of life and property. The experience already obtained during its operation has fully justified the passing of the measure.

5. Various other acts, including The Customs Duties, The Public Watering-places, The Fisheries Act Amendment, The Mining Act Amendment, The Imported Stock Amendment, The Mining Lease Validating, and The Criminal Law Amendment acts, have also occupied your attention and have passed into law, to the great advantage of the public.

6. The Public Watering-places Act, which comes into force on the 1st of January next, besides making ample provision for the notification of reserves and their protection, and for the construction and management of public watering-places, will enable most important work to be prosecuted with still greater vigour and efficiency. The effect will be not only to accommodate the travelling public and facilitate the general and stock traffic, but will materially assist in opening up and settling the interior of the colony.

7. The mining prospects of the country are on the whole most satisfactory, notwithstanding the recent decrease in the yield of gold. The development of the silver-mines in the western and northern districts, and the important discovery of numerous rich silver lodes in the north-west and other parts of the colony, justify the belief that silver-mining is destined to become a very important branch of mining industry in the colony. It is gratifying

also to know that diamond-mining is likely to become an extremely valuable industry. The output of coal is rapidly increasing, and the opening up of new seams establishes the incalculable extent of our coal deposits. Fresh discoveries of tin and copper indicate our riches in these minerals, the development of which is retarded solely by the low price of those metals.

8. The royal commission appointed to report upon the conservation of water has been and is still busily engaged in collecting information from all available sources bearing upon this vitally important subject, which must ultimately be of great value in dealing with the question of water supply in the interior.

9. The necessary measures to be taken for the establishment of a reformatory for boys have long engaged the attention of various governments. Steps are now being taken to effect this desirable object, and within a reasonable time it may be hoped that an institution will be established, which, while it will meet all immediate necessities, will form a model on which establishments of a like character may be founded in the centres of the principal portions of the interior.

10. It gives me much pleasure to inform you that the public revenue continues in a flourishing condition, and that there is at the present time a well-founded expectation that the Treasurer's original estimate for this year will be largely exceeded. The fact that almost every source of the public income exhibits an increase is satisfactory evidence that the colony, notwithstanding recent unpropitious seasons, continues prosperous and progressive. The loan of £5,500,000, negotiated in London during the past month, at a rate of interest one-half per cent. below that which has been paid by this colony, realised £93 13s. 6d. per cent., a price equivalent to £103 16s. for a 4 per cent security, which is considerably higher than any price hitherto obtained. The financial advantages acquired by the terms of the loan consist

not only in the excellent price which the loan has realised, but also in the prospective value which the public securities of this colony will command in the money market of the world.

GENTLEMEN OF THE LEGISLATIVE
ASSEMBLY:

11. I thank you for the supplies granted so liberally for carrying on the public service, and for the large loans which you have, after mature deliberation, authorised for public works, for the extension of existing lines of railway, and for the construction of new lines in various parts of the colony. The sums voted for the ordinary expenditure of the country will be disbursed in strict accordance with your views, and with every desire to meet the growing requirements of the community at large.

HONORABLE GENTLEMEN OF THE LEGISLATIVE
COUNCIL, AND GENTLEMEN OF
THE LEGISLATIVE ASSEMBLY:

12. The numerous public works authorised will be proceeded with with the least possible delay, and every exertion will be made to have the requisite surveys completed, and the plans prepared for the various railway-lines, the construction of which has been sanctioned.

13. The subject of increased railway communication has occupied your anxious consideration. At the commencement of the present session 1,320 miles of railway were in operation, and since that time an additional 301 miles of line have been opened, giving the advantages of railway communication to such important centres of population as Glen Innes, Mudgee, and Jerilderie, while the great central town of Bourke has been brought within 50 miles of the present western terminus. There are at the present time 1,621 miles of railway open for traffic, and 378 in course of construction, including amongst others, extensions to Bourke, Young, Kiama, Molong, and the line connecting the southern and western systems with the northern. The

liberal provision recently made by Parliament for the extension of the railways will embrace country now unprovided with easy means of transit, and tend in a large degree to the development of important districts, the progress of which has been retarded hitherto owing to the want of economical and speedy means of communication with the main trading centres. These proposals include the extension of the railway from Redfern to the city, the construction of a line from Forbes to Wilcannia, and the extension of our northern railway to meet the Queensland railway on the border. There are several important subsidiary lines which will act as feeders to the main railways, and tend to swell the stream of traffic, and enhance the beneficial results already obtained. A change has been proposed in railway enterprise, in the adoption of lines terminating at seaports other than Sydney or Newcastle. In the north the rapidly improving port of Grafton is to be connected by railway with the table-land of New England, and by a coast line with the Tweed, and in the south the rich Bega district will be connected with the port of Eden.

14. The important works for the supply of Sydney with water are rapidly drawing to completion, while those in connection with water supplies for several of our large country towns are also making satisfactory progress.

15. The works for the improvement of the entrance to the Clarence River are in active operation, and evidences are already apparent that they will be successful. Other important works in connection with harbours and rivers are also being carried out, notably the construction of a first-class dock at Biloela, suitable for the reception of ships-of-war of the largest class.

16. The estimates for roads and bridges having been voted by Parliament in April last, a very large portion of the works on roads has been completed, and the remainder is being vigorously prosecuted.

17. The works for inland water supply have been energetically proceeded with. Reservoirs for 250,000,000 gallons of water have been prepared, and an approximate quantity of 80,000,000 gallons has already been stored for next season.

18. The great danger to the public health, as well as the inconvenience and expense which have from time to time arisen throughout the whole group of Australasian colonies, in consequence of the absence of concerted action in matters of quarantine, induced the Government to convene a meeting of representatives from the neighbouring colonies technically acquainted with the subject, with a view to discuss the whole question. The result of the deliberations of this important conference is embodied in a series of recommendations for the amendment of the law; in order to give effect to which, a comprehensive measure, having for its object the conservation of the public health, will be brought before the Parliament for its early consideration.

19. In the Department of Public Instruction the demands for the extension of the advantages of our system of education have been fully met. During the six months of the present year, ending on the 30th June last, 127 new schools were brought into operation in various parts of the colony, making the total number now in existence under the supervision of this department, 1,930. The necessary expenditure for the maintenance of these establishments forms a heavy charge upon the public; but it is hoped that the advantages that will flow from the spread of a sound system of public instruction will fully justify the wisdom and liberality of Parliament.

20. In consequence of the failure of the Pacific Mail Steamship Company to obtain from the American Government the stipulated contribution towards the subsidy agreed to be paid by this colony and New Zealand for the San Francisco mail service, it has been thought necessary to give notice to terminate the existing contract

at the end of November; but no inconvenience will thereby result to correspondents with Europe, as the arrangements entered into with the Orient Company for a fortnightly service *via* Suez have resulted in an appreciable shortening of the course of post, and have justified the adoption of the new principle of payment by weight of mails carried. It is, moreover, probable that a service between Sydney and San Francisco will be still continued, under somewhat altered conditions.

21. I regret that but a brief interval will take place between the close of this and the commencement of next session, as it will be necessary, in order to make financial provision for the coming year, that a short session of Parliament shall be held exclusively for this purpose.

22. In relieving you from the public labours which have been imposed on you during the past twelve months, I humbly ask that the blessing of Almighty God may attend your private occupations.

23. I now declare this Parliament prorogued until Tuesday, the 18th of November instant.

Legislative Assembly.

Saturday 1 November, 1884.

Assent to Bills—Macintosh's Conditional Purchase—Whaling Road, North Shore—Adjournment (Newtown Road)—Prorogation.

Mr. SPEAKER took the chair.

ASSENT TO BILLS.

Royal assent to the following bills reported:—

- Municipal Gas Bill.
- Public Parks Bill (No. 2).
- Carriages Regulation Bill.
- Goulburn Hospital Site Sale Bill.
- Bryen's Estate Leasing Bill.
- Civil Service Bill (No. 2).
- St. John's (Mudgee) Leasing Bill.
- Sales of Reversions Law Amendment Bill.
- Mittagong Coal-mining Company's Railway Bill.
- Dillon's Estate Bill.

MACINTOSH'S CONDITIONAL PURCHASE.

Progress report of select committee presented by Mr. Levien.

WHALING ROAD, NORTH SHORE.

Report of select committee presented by Mr. Holtermann.

ADJOURNMENT.

NEWTOWN ROAD.

Mr. MELVILLE rose to move:

That this House do now adjourn.

He did so to draw attention to the unjust way in which the Government were treating the Newtown council with respect to the Newtown Road.

Mr. ABIGAIL rose to order: Was the honorable member in order in accusing the Government of acting unjustly?

Mr. SPEAKER: The honorable member's remark is perfectly compatible with the freedom of speech.

Mr. MELVILLE said that the Newtown council had at an expense of between £400 and £500 kerbed the Newtown Road. The Government had let a contract for paving the road with wood blocks, and had given permission to the contractor to take possession of the stones in the kerbing. This was very unjust to the corporation, who intended to test the matter in a court of law.

Mr. CAMERON: Perfectly appalling!

Mr. O'CONNOR: The honorable member is taking the measure of the Government!

Mr. BUCHANAN rose to order: Was the House to be screwed down in this way? No doubt the honorable member's speech had been well rehearsed, and it was evident that the honorable member plumed himself that he was in order. He submitted, however, that the honorable member ought to be mute —

PROROGATION.

The BLACK ROD was admitted and announced that his Excellency the Governor desired the attendance of honorable members in the Legislative Council Chamber.

Mr. SPEAKER accompanied by honorable members then proceeded to the Legislative Council Chamber.



Sydney : Thomas Richards, Government Printer.—1884.



Soudan Indemnity
Bill - Division in
L. Assbly: March 1885.

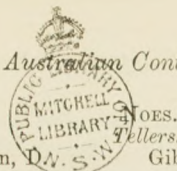
— and —

Sir John Roberton's
Motion respecting Fede-
-ral Union. - Same
Month. - Post, 262
to 276.



Division
as to Indem-
-nity Bill
in the matter
of the Soudan
Contingent.

2



!!!

of the House, animated by feelings of loyalty, to stand in the way of granting the necessary supplies. I desire to say that I by no means agree with observations that have been made both here and outside with respect to the policy of the war in Egypt. It was not upon that question that the Opposition took issue with the Government. The amendment that was moved in no sense involved the question of the policy of the war on the part of Great Britain, and only had reference to the action taken by the Government without the sanction of Parliament. I intend to vote with the Government on this occasion, and I trust that when the division takes place the honorable member for Mudgee will be the only member voting with the noes.

Mr. S. SMITH: I intend to take no part in opposing the vote now asked for by the Government. I supported the amendment of the honorable member for Eden (Mr. W. Clarke) because I believed there was not sufficient urgency to warrant the Government in the course they took; that they had ample time to ask for the assent of Parliament; and having recorded my vote silently I do not intend now to offer any remarks on the bill. It is not my intention to obstruct the Government in any way in their endeavour to obtain a vote from the House of the money necessary to pay the expenses of the expedition, and I trust the House will not be divided.

Question put; the House divided:

Ayes, 46; noes, 2; majority, 44.

AYES.

- | | |
|------------------|---------------------|
| Abbott, J. P. | Lloyd, L. |
| Abigail, F. | Loughnan, G. C. |
| Barbour, R. | McCourt, W. |
| Barton, R. | Melville, N. |
| Burdekin, S. | Merriman, G. |
| Burns, J. F. | Mitchell, J. |
| Butcher, R. | O'Mara, T. C. |
| Cameron, A. | Quin, E. |
| Campbell, W. R. | Robertson, Sir John |
| Cass, G. E. | Slattery, T. M. |
| Chapman, M. | Smith, S. |
| Clarke, W. | Sutherland, J. |
| Cohen, H. E. | Suttor, F. B. |
| Dalton, T. | Targett, W. S. |
| Day, G. | Taylor, H. |
| Dibbs, G. R. | Trickett, W. J. |
| Farnell, J. S. | White, R. H. D. |
| Fergusson, W. J. | Wilkinson, R. B. |
| Fletcher, J. | Withers, G. |
| Fremlin, A. R. | Wright, F. A. |

Tellers.

- | | |
|-----------------|------------------|
| Garvan, J. P. | Griffiths, G. N. |
| Heydon, L. F. | Lee, C. A. |
| Holborow, W. H. | |
| Humphery, F. T. | |

Buchanan, D. W. S. W. Gibbes, F. J.

In Committee:

Motion (by Mr. DIBBS) proposed:

That it is expedient to bring in a bill to provide for the government, discipline, payment, and maintenance of the Australian contingent engaged and despatched for service with her Majesty's regular forces in Egypt, and for the indemnification of all persons employed or concerned in the engagement and despatch of such contingent, and for the validation of all acts done and payments made in connection therewith in anticipation of the sanction of Parliament.

Division called for by Mr. Buchanan; but there not being a second teller on the side of the noes, the question was resolved in the affirmative.

On the questions—That the Chairman leave the chair and report the resolution to the House; that the resolution be received; that the resolution be read a second time; that the resolution be agreed to; that the bill be read a first time—divisions were called for, but there not being a second teller to the honorable and learned member, Mr. Buchanan, on the side of the noes the questions were resolved in the affirmative.

Motion (by Mr. DIBBS) proposed:

That the bill be printed and now read the second time.

Mr. BUCHANAN said he desired to explain that he entertained such strong objections to the measure that he felt bound to resist it at every stage, whatever honorable members might think of his action.

Question put, and division called for by Mr. Buchanan; but there not being a second teller on the side of the noes, the question was resolved in the affirmative.

Question put—That Mr. Speaker do now leave the chair and the House resolve itself into Committee to consider the bill in detail. The House divided, but there not being a second teller to Mr. Buchanan on the side of the noes, the question was resolved in the affirmative.

In Committee:

Clause 1 (Short title) and clause 2 (The contingent declared to be a force for the purposes of 34 Vic. No. 19 and 44 and 45 Vic. chapter 58, section 177) proposed, and a division on each called for; but there being no second teller to the honorable and learned member for Mudgee (Mr. Buchanan) on the side of the noes, they were agreed to.

Clause 3 (Appropriation of £150,000 for the purposes of the contingent).

Mr. GARVAN asked if it was the intention to keep the force up to the number of those sent away?

Mr. DIBBS: The intention of the Government is to keep the force up to the number who were despatched from the colony. There may be sickness or death among the soldiers of our contingent, and our offer to the Imperial Government would be a farce if the vacancies in the ranks were not filled up by us. If the circumstances require it, it is intended to make good any reduction the ranks of our contingent may suffer.

Mr. GARVAN said that would reasonably follow on the offer our Government made; but the majority or the whole of the contingent might lose their lives. If such an unexpected thing should occur, would the Government before despatching another contingent give Parliament an opportunity to consider the policy involved in the matter?

Mr. DIBBS: The question takes a very wide range—whether, if the force is wiped out of existence, we should replace the contingent with an equal number, and before doing so submit the matter to the consideration of Parliament. In any action the present contingent may lose a few men, which may not require that the force should be supplemented; but in the event of the loss of fifty men, it would not do to refrain from filling up the ranks.

Clause agreed to.

Clause 4 (Indemnity clause) and clause 5 (Validation of acts &c. under "Military and Naval Forces Regulation Act") proposed and a division called for; but there being no second teller to the honorable and learned member for Mudjee (Mr. Buchanan) on the side of the noes, they were agreed to.

Question—That the preamble be agreed to—put, and a division called for; but there being no second teller to the honorable and learned member for Mudjee (Mr. Buchanan) on the side of the noes, resolved in the affirmative.

Mr. BUCHANAN said that having done his duty with regard to this bill he could leave the House with a clear conscience. When dealing with a measure in which the ruin of the country and people was involved it was well to mark every

step with a barrier; he was, therefore, justified in systematically and religiously resisting it.

Question—That the bill be reported without amendment—proposed, and division called for; but there being no second teller to the honorable and learned member for Mudjee (Mr. Buchanan) on the side of the noes, it was resolved in the affirmative.

In the House:

Bill reported without amendment.

Question—That the report be now adopted—put, and division called for, but there being no second teller to the honorable and learned member for Mudjee (Mr. Buchanan) on the side of the noes, it was resolved in the affirmative.

On the questions—That the bill be now read the third time; that the bill do now pass; that the title be that in the bill; and that the bill be sent to the Legislative Council—divisions were called for, and in each instance there being no second teller to the honorable and learned member for Mudjee (Mr. Buchanan) on the side of the noes, the questions were resolved in the affirmative.

FEDERATION OF THE AUSTRALIAN COLONIES.

Sir JOHN ROBERTSON moved:

(1.) That an address be communicated to her most gracious Majesty the Queen, praying that any law enabling the federation of the Australian colonies which would have the effect of excluding other of her Majesty's possessions, and especially of Great Britain and Ireland, may not have her Majesty's sanction.

(2.) That his Excellency the Governor be respectfully requested to forward such address to her Majesty by telegram without delay.

He said: It will be in the recollection of honorable members that this question of federation was brought before the House some time ago when the House practically disapproved of what it was proposed to do. Still we find that an attempt has been made by certain colonies to press this matter on her Majesty's Government without any regard to the wishes of this colony. The Agents-General in London have been pressing forward this mischievous proposal, and I think it cannot be denied that this colony should say something. Hitherto we have said nothing. I propose that we should send this address to her Majesty.

Question proposed.

Mr. FLETCHER: I think the Committee is entitled to some explanation of this very important motion. It will be in the recollection of honorable members that an intercolonial convention was held in Sydney to take steps with regard to the federation of the colonies, and that each of the representatives on that occasion pledged himself to use his best endeavours to induce the Parliament, of which he was a member, to agree to the bill which was then prepared. This Parliament refused to adopt that bill. We are now asked to petition her Majesty to allow no federation that does not include Great Britain and Ireland. I contend that we have a right to know to what extent, and in what way this resolution, if carried, will affect this colony. If it was acted upon, and the colonies were federated with the mother country, would the militia law by which men could be drawn from England, Ireland, and Scotland be in force here? Should we not come under every law that is in force in Great Britain?

Mr. DIBBS: How could we when we have a separate Constitution?

Mr. FLETCHER: It would be precisely the same. The resolution asks that no federation shall be granted unless it includes Great Britain and Ireland. I contend that it is unjust to the other colonies. If they desire to federate, it is dishonest on our part to say to the Government in England, "Do not grant them federation." I do not think that this Committee will agree to the resolution, nor do I think that the Government would be doing its duty to those gentlemen who met and sat at the conference in Sydney day after day, trying to draw up a bill which would meet the wants of all the colonies if they sat quietly by and allowed such a motion as this to be passed. It would be a slap in the face for every one of those gentlemen. I am certainly opposed to federation on the lines laid down by the convention. It puts the power of the federal council into the hands of a few persons who may meet, and compel the colonies which had federated to agree to anything that they decided upon. There are many things on which we could with advantage have a federal understanding, and if the other colonies wish to federate I do not think that we should be acting justly in passing

a motion like this. We are told that if federation took place the laws of the mother country would not have any force here. That is what was said in the case of Ireland, when the union was effected; but every law that is passed in England takes effect in England, Scotland, and Ireland. If we agree to this motion, and it is carried out, every law passed in England will be in force here. Whether that would be the result or not, I maintain that we ought not to attempt to deal with it at this late hour of the session, when most honorable members are away, and so little explanation has been given. I, for one, shall enter my humble protest and give my vote against this resolution brought forward at a moment's notice, and without honorable members having had any time to consider it.

Mr. HEYDON: I think the Committee will receive the motion in the spirit in which the honorable member has moved it. In moving it the honorable gentleman did not seem to think it necessary to say much on the subject, and I thought that the Committee would pass it without opposition. The honorable member who has opposed the motion spoke of the danger of our committing ourselves to whatever may be done in England. There is no danger whatever in this resolution; it is only of a defensive character. It does not propose anything positive; but merely something negative. It does not affirm that federation of any kind should be effectuated; but merely that a certain federation that has been proposed should not be allowed. The effect of this is to ensure that we shall be left as we are. The danger which it saves us from is a very material one. We know that the energy and activity of Victorian statesmen have put us for some time past on the brink of a serious danger. We know what kind of enabling bill they induced our representatives to agree to. No doubt then our representatives were in a different state of mind from that which they are in now. The Premier of Victoria took care on that occasion not to speak his mind while he was here; but when he went home he was unable to contain himself, and he expressed himself too freely. If the Enabling Bill were passed, it would enable any four colonies to federate, and the federal union would be able to deal

with any matter which was referred to it by the parliaments of the respective colonies. They would possess sufficient machinery to extend their operations to any conceivable object. It would be quite competent for any of the colonies in a hostile way towards New South Wales to federate, and to do so upon a basis of protection as regards England and the rest of the empire. Victoria and Tasmania have already concluded a treaty by which each of those colonies is to admit to her market the goods of the other free of duty. I say that owing to the activity of the Victorian statesmen we have been placed in a most serious danger of being isolated and shut out of the markets of the other colonies.

Mr. MELVILLE: They have a right to do so if they like!

Mr. HEYDON said that fortunately they had not the power yet. The activity and deceit of the representatives of Victoria in London had been boundless, and they had caused an impression there that we really wanted this thing. Our representatives had not been as active as they ought to have been. At all events, the whole matter had been left to Mr. Murray Smith. Judging from telegrams which have been published, it would seem that the Government of England are ready to accede to the selfish and extraordinary request of Victoria. It seems to me that the motion has been wisely and adroitly framed, its object being to secure that which we must all regard as being very desirable—that is that we should be left as we are. The motion will open the eyes of British statesmen to the danger of having English goods shut out of these markets—that a blow struck at New South Wales will mean a blow struck at the trade of London. Who in this colony wants any change in the present state of things? Who is it that is seeking the change? Is it Victoria or is it New South Wales? Did we ever hear anything about federation as long as Victoria was going ahead the fastest—so long as she had the trade of the south-west part of our territory? The brotherly love shown by Victoria was not very great while she had that trade; but now that they have lost it they come forward with open arms and ask us to federate with them. What does federation mean to them? That they will have pro-

[*Mr. Heydon.*

tection and that they will secure our markets for their manufactures.

Mr. MELVILLE: I thought that you were a protectionist!

Mr. HEYDON: I am not going to be a protectionist for the benefit of Victoria, although I am for the benefit of this colony. I am quite consistent; I would be a protectionist to do myself good; but I should be a free trader if I thought that that would do me the most good. We know that when the last census came out the Victorians were furious, they were disappointed; first of all they said that the census could not be true, and then they wanted to annex a slice of our south-western territory; but they found that they could not do that, we still having the shadow of the old country to stop a civil war, however much they might wish it. After sulking for a year or two they suddenly evinced a most brotherly feeling towards us; they found that it did not pay to be so isolated, and that the only way to get a large market was to be brotherly and kind. They came here professing an overflowing affection for us, and I do not wonder that our ministers who had not seen their previous anger and mortification were taken in by them, and said, "O, yes! federation is a noble, high-sounding thing, we ought to federate," little dreaming what sort of a trap was being set for them. The profit which Victoria would gain would be the financial ruin of New South Wales. We do not want this Victorian federation until such time—ten or fifteen years hence—as the population of Sydney will be twice that of Melbourne; when Sydney is beyond dispute the metropolis of Australia, as she ought to be from her situation, her magnificent harbour, and the extent of her territory. That will be our proud position some day; therefore let us remain as we are; we are doing remarkably well—ever so much better than Victoria.

Mr. LOUGHNAN: Sydney cannot be cut out; it is the capital of Australia now!

Mr. HEYDON: But she can be held back; the Victorians think that federation will help them to keep neck and neck with us in the race. I say that we want no handicap; we are winning the race hands down.

Mr. McELHONE: Without protection!

Mr. HEYDON: We are not going to have any foolish tampering with a desirable state of things.

Mr. DIBBS: A few more speeches like that which we have just heard, and I should begin to regard the honorable member as an out-and-out free trader. He tells us that we are going ahead of Victoria hands down. The honorable member claims to be a protectionist; but to carry out his theory he ought to approve of protection in Victoria, as he approves of its being established here.

Mr. HEYDON: I go in for something more substantial than theory!

Mr. DIBBS: The honorable member argued as though he were a thorough free trader. I saw the face of the honorable member for The Hunter glowing with pride when the honorable member was speaking; no doubt he was jubilant at the honorable member's conversion to free trade. He tells us that Victoria wants federation for the purpose of securing the free trade market of New South Wales; yet New South Wales can exist without it. As to the motion, beyond a small amendment to which I propose to ask the mover to agree, I see nothing in it to which the Government can object, because we cannot shut our eyes to the fact that since the convention sat last year some very important changes have taken place with regard to the position of England to Australia; we cannot shut our eyes to the fact that the events of last night, and of the 12th February did a great deal to federate England with Australia, and we ought to be careful in the extreme in allowing anything to be done by the English Parliament to raise a barrier against that perfect federation which ought to exist between England and her colonies. Besides, we cannot shut our eyes to the fact that since the convention took place Victoria has been doing her utmost to gradually obtain, as it were, possession of the whole of the trade of Australia. There is no doubt that Victorian influence was largely used in Tasmania, and there is no doubt that the commercial policy of Victoria is to secure a system of intercolonial free trade. That system means this: Australia is to be protective as a nation against the old country, and that is a thing which I think the majority of honorable members here would not be likely to agree to. If

we continue as a portion of the British empire, let us be prepared to extend to the people of England, Ireland, and Scotland the same privileges with regard to trade that we apply to ourselves, and not shut out the commerce of the old country while opening the door to the commerce of Victoria. There is no doubt about it that Victoria has not come well out of the convention proceedings. I, for one, now that the thing is a matter of the past, am not sorry that the previous question was carried when the convention resolutions were before us. I am expressing my personal opinion; I know that some of my colleagues hold a different opinion on the subject. The question being an open one now, I see no objection to the motion, the effect of which will be to prevent anything hostile to the mother country being done in the event of the colonies federating. I think that the address would read better if the words "other of her Majesty's possessions, and especially of" were omitted.

Sir JOHN ROBERTSON: I do not think that the amendment suggested by the Treasurer will be any improvement, but I have no objection to its being made.

Motion amended by the omission of the words "other of her Majesty's possessions and especially of,"

Mr. BURNS: The most unsatisfactory thing that I see about the motion is that it may lead to a misunderstanding as to what we mean on the subject of federation. When the question was before the House on a previous occasion some honorable members voted to go into Committee, although they had no intention to support the convention resolutions. If the House had gone into Committee on that occasion the resolutions respecting the Federal Council Bill would have been negatived by a large majority.

Mr. MELVILLE: How do you know?

Mr. BURNS: I judge by the opinions expressed by honorable members. If the honorable member will refer to *Hansard* he will see that what I say is correct. The motion to go into Committee was negatived—in a large degree by reason of a desire on the part of honorable gentlemen to go into Committee—by a majority of one. This created an impression both in England and elsewhere—I have seen it referred to—that the House was in favour of federation, and that it was only an accidental vote which led to the negativing of the

motion to go into Committee. The Colonial Secretary and another member of the Government were absent, and it was supposed that by a mere chance vote the proposal of this federal council was defeated. I believe the House then, as now, had no desire for a federal council upon the lines proposed by the convention. I am glad to hear from the Colonial Treasurer a statement on the part of the Government.

Mr. DIBBS: No; I said it was my personal opinion!

Mr. BURNS: I am glad to hear the honorable member, speaking as a member of the Government, say that he was not sorry that their previous effort to establish a federal council had failed. As to the resolution before the Committee, what the honorable member for Mudgee intends is—as far as he can do so—to defeat the Federal Council Bill which is being so strongly supported in Victoria, and which I am very glad to hear the honorable member for Yass Plains, as a protectionist, so strongly condemns. An understanding has been recently arrived at between the governments of the colonies of Victoria and Tasmania with regard to certain alterations in their tariff, representing what they call intercolonial reciprocity. When Mr. Berry returned to Victoria from Tasmania those concerned in industries, which were affected by the Victorian tariff, found fault with him for assenting to the reduction of certain duties—especially the duty upon hops. The honorable gentleman in reply said he understood that when we had a federation of the colonies the whole of the duties as between the colonies would be knocked off, and that we should have protection only as against Great Britain and the outer world. That is what is intended by the Victorian Government; and I am glad that the honorable member for Yass Plains, the leader of the protectionist party in this House—for no honorable member has advocated protection with greater ability than has the honorable member,—has told the House what is intended by this intercolonial federation. I am still of the opinion which I formerly expressed. I do not desire to see a federation of the colonies with the objects aimed at by those who are anxious to promote the Federal Council Bill. I desire to see free trade not only between these colonies but with

[*Mr. Burns.*

England. I will never give my assent to a policy having for its object intercolonial free trade with protection against the outer world and England in particular.

Mr. McELHONE: We have no free trade!

Mr. BURNS: Very nearly so. The wide distinction between our taxation and that of Victoria is that any customs duty which we impose is imposed solely for the purpose of raising revenue. We can at any time—when the wisdom of the Parliament so decides—remove any one of these duties without inflicting injury upon manufacturers, or giving them a pretext to put forward the claim of vested rights under the law. We are in this happy position: that if the honorable member for The Upper Hunter can show that any of our duties are unjust to our manufacturers, or to any one else, we can in a summary way alter the law without causing injury in other directions. You cannot take that step in regard to any duty imposed for the purpose of protection. In that case when you remove a duty people will come forward and plead for the consideration of their vested rights. That is the difference between a tariff for revenue purposes and a tariff for protective purposes. If this resolution will have the effect of strengthening the hands of those who are opposed to the Federal Council Bill, I think we should do well to adopt it at the present time. I have carefully examined the various proposals which have been made for the federation of the empire, and I confess that I do not see how any of them can be carried out. There was nothing about which these colonies were so sensitive some years ago as the interference of people in England—having no proper knowledge of our requirements—with our local affairs. How you are to have a federation of the empire without having people in London dealing with questions affecting the Australian colonies, I do not clearly see. If the effect of this resolution will be to strengthen the hands of the Agent-General of this colony, and of the Agent-General of New Zealand—both of whom are taking active steps in opposition to the passing of the Federal Council Bill by the British Parliament—we cannot do much harm in passing it, although I should have been better pleased if we had at once addressed the Crown

praying that no measure might be passed enabling a federal council to deal with such questions as those referred to by the honorable member for Yass Plains, whose speech on this question is so unmistakable and complete an answer to the other side that I desire to say nothing further on the subject.

Mr. WISDOM: It is very refreshing to hear one of the leaders of the protectionist party in this House coming forward to-night as a thorough free trader. The honorable member for Yass Plains has shown us what protection really means.

Mr. HEYDON: It is selfish, of course!

Mr. WISDOM: It is not for the good of the general public; it is for the good of some particular colony. If that is so, why not have protection in one town as against another town? There is just as much reason in that as in the arguments of the honorable member for Yass Plains, which must have opened the eyes of many honorable members as to the real nature of protection. It is a thoroughly selfish policy.

Mr. HEYDON: Of course!

Mr. WISDOM: Further than that; I think it is to be regretted that the narrow-minded jealousies of the other colonies should be expressed in this House. If we are to have federation—and federation must come—it will not be hastened by these narrow-minded expressions of jealousy as to the policy of other countries. The honorable member for Yass Plains says, "Wait till Sydney has four times the population of Melbourne, then we will federate." What will Melbourne say when you reach that stage? "Wait until we have four times the population of Sydney." It is not by the expression of such narrow-minded views as these that federation will be brought about. I entirely agree with the object of my honorable friend in proposing this resolution. I am utterly opposed to the proposed federation, as shadowed forth in the bill prepared by the convention. I think it would be a dangerous thing to accede to, and if the honorable member had moved a resolution to that effect I would certainly have voted for it. I take this view not from a feeling of jealousy towards the other colonies, but because I think it would be extremely dangerous to confer on such a small body as the proposed federal council such enormous powers. I am surprised that

the honorable gentleman should endeavour to defeat this proposal by bringing forward a resolution, to pass which would I think be a disgrace to the House. The terms of the resolution are such that any one having a knowledge of words, who reads it must come to the conclusion that it would be a disgrace to us if it were passed in its present form. What does it mean? I have been endeavouring for an hour past to make out its meaning and I cannot yet discover it. It says:

That an address be communicated to her most gracious Majesty the Queen, praying that any law enabling the federation of the Australian colonies which would have the effect of excluding other of her Majesty's possessions

Is it not absurd? But it continues:
and especially of Great Britain and Ireland.

As if they were other of her Majesty's possessions. Is the House in its proper senses going to agree to a resolution of that kind? Whatever views we may take on the broad question of federation, are we to disgrace ourselves by agreeing to a resolution the wording of which would reflect disgrace upon any schoolboy?

Mr. COHEN: It is to be amended!

Mr. WISDOM: I think it is still worse in the form in which it is proposed to amend it. In that form it would read as though Great Britain and Ireland were Australian colonies.

Mr. COHEN: No!

Mr. WISDOM: Then, can the honorable member explain it?

Mr. COHEN: I can understand it!

Mr. WISDOM: I do not believe the honorable member does. If the honorable gentleman in this resolution means to say that the House expresses disapproval of the Enabling Bill for the federation of the colonies, I am with him heart and soul, especially as that bill was submitted to us in a form in which we could neither agree to it, dissent from it, nor amend it. If the honorable gentleman is opposed to the Enabling Bill framed by the convention, I am with him; but let us say so in direct terms. We have the extraordinary spectacle of the Colonial Treasurer rising—and he must be the mouthpiece of the Government; he cannot speak in any other position, for no honorable member can deny that this is a question on which the Government is bound to have an opinion one way or the other; it is a question of great public

policy; it cannot be on open question—we have the Treasurer rising, I say, and expressing his own opinion—not the opinion of the Government—and telling us that he is glad that the convention resolutions were not carried. What is the policy of the Government in this matter? That is what we are entitled to know. Have the Government an opinion, or are they waiting to see how the cat jumps? We were told in the most triumphant manner by the Government that the Soudan movement would bring about federation almost instantaneously—that it would of itself bring about the federation of the empire. If so, I ask the supporters of the Soudan expedition to explain the necessity for any federation proposals at all. I ask the Minister of Justice—who, I suppose, is going to give expression to the views of the Government, and not to his individual views on this question—to reconcile the speech made by the Colonial Treasurer to-night with the resolutions submitted in the Upper House by the Attorney-General, and in this House by the Colonial Treasurer himself with regard to what was agreed to by the convention. Let the honorable gentleman explain the inconsistency of the Colonial Treasurer to-night in making a speech directly in opposition to the views of his acting as well as of his real chief. This matter cannot be dealt with in any spirit of levity. It is a very important matter. A more important question could not be submitted to this House, and the Government ought to have an opinion about it. It must be dealt with sooner or later by this or by some other government. What is the opinion of the Government? That is what we want to know. If I could vote for the spirit of the resolution without committing myself to its wording, I should vote for it; but as the resolution is submitted to the Committee, I feel bound to vote against it unless it is amended in such a way as will enable me to support it.

Mr. MELVILLE: I think it is a great pity that this question has been approached by at any rate one speaker with an apparent fear of at least one of the neighbouring colonies. Having been in the ranks of that honorable gentleman for some time on a particular question, it seems somewhat singular to hear him declare to-night that his opposition to federation is

[*Mr. Wisdom.*

caused by some great evil which is about to happen in consequence of a particular law existing in one of the other colonies. As has been stated by the honorable member for The Hunter and the honorable member for Morpeth, the very fact of the colonies federating will lead to colonial free trade as against the world. I do not see why the honorable gentleman should have any fear about it, and as to his almost unjust remarks with regard to the neighbouring colony of Victoria and its anxiety in this matter, it is the very reverse, because notwithstanding that Victoria was the first colony to stand forth and go to ruin, as the honorable member for The Hunter chose to put it, its people are prepared to federate with the other colonies as against the world.

Mr. McELHONE: Where does your loyalty come in?

Mr. MELVILLE: Loyalty to the Queen is one thing, and loyalty to a parcel of British merchants is another thing. While I am quite prepared to be loyal to the British Government I do not care to be loyal to a parcel of British hucksters and traders who are swamping this country at the present moment, and whose only desire seems to be to get New South Wales as a market for their Brummagem and shoddy rubbish to be sent here to the exclusion of all who desire to enter upon manufacturing industries. The Victorian people have been disloyal so far as that is concerned; but they are not prepared to be disloyal to their fellow inhabitants upon this large island. They consider that the people of Australia, though separated into various colonies, should be united together in that respect. The honorable member talks about waiting, and says we are getting on pretty well, and that if the few manufactures which we have are being wiped out of existence—

Mr. DIBBS: They are increasing every year!

Mr. MELVILLE: What has become of our woollen manufactories? Have they increased?

Mr. McELHONE: What has become of the Victorian woollen manufactories?

Mr. MELVILLE: They are paying better than ours.

Mr. McELHONE: America, with all her protection, imports an immense quantity of woollen goods!

Mr. MELVILLE: I know that America looks after her own people, and encourages her own manufactures; and as soon as these colonies encourage their manufactures and look after their own people, and the employment of their population, they will be acting wisely. It is very well for persons who are deeply interested in buying and selling, and in picking up bargains in Sydney and sending them to London for the purpose of making money to be exceedingly careful of England interposing between them and their sources of wealth. As for the statement that our manufactures are increasing rapidly, that increase is nothing in proportion to what it would be if we did what nature designed we should do, and developed the resources of the country. It seems to me, from this resolution, that the only fear of federation is because we are afraid that Victoria is going to beat us in some way or other. One honorable member talked about the great protectionist leaders; but he forgot that one of the leaders in Victoria is a rabid free trader. An honorable member who has been many years in this House, and who complains of interference between Great Britain and ourselves with regard to manufactures, told us that we were free traders. What are the facts of the case? Are we free traders with regard to kerosene? Are we free traders with regard to candles? Are we free traders with regard to bacon, and with regard to sugar?

Mr. McELHONE: And oil!

Mr. MELVILLE: And notably kerosene oil. Though this House declared itself in favour of free trade it put 6d. a gallon on kerosene oil. It is not for me to say why. It might be worth some people's while to inquire outside how much interest certain persons had in that resolution in the shape of shares in a certain company which was thus brought into existence. And honorable members told us that it would be a simple matter with a free trade tariff to take that duty off the moment it was not wanted. Did the honorable member of the preceding Government, who intimated his intention to take the duty off sugar, proceed with that intention? Or did the people of this country, who have seen a large development of the industry at the cost of a large sum of money, stand quietly by and consent to have the

duty taken off? This is not the time to discuss the relative merits of free trade and protection; but I certainly confess that I was astounded at the position taken up by the honorable member whom the honorable member for The Hunter has declared to be a leader. Unfortunately the protectionists in this House are very small in number, and they are all leaders. With regard to one leader I am afraid that in his case evil communications have corrupted good manners, for since the honorable member has gone over to that side of the House, he has allowed the sharp edges which he exhibited on this question when on this side of the House to be somewhat rubbed off. Now with regard to this question of federation. The resolution before the House, as pointed out by the honorable member for Morpeth is a very taking one to begin with, and so far as I am concerned I am prepared to approve of the federation of these colonies on certain lines, because there are great matters of national importance in regard to which it is necessary that we should be federated. For instance, it is necessary that the colonies should be united in carrying out one general scheme of defence, and there are other matters which I might mention. But what are we asked to do? We are told that Victoria and some of the other colonies are about to receive from the home Government power to do something, and we are asked to step in and tell the home Government that they must not do any such thing, because we cannot agree to it. I rather think the view expressed by the honorable member for Morpeth is nearer the mark, and that we might request that any bill enabling the colonies to federate should first be submitted to the parliaments of the respective countries. I could quite understand that; but to ask for a federation of the empire involves, loyal as we are, questions of far greater magnitude than we now have time to discuss.

Mr. HEYDON: It leaves us where we are!

Mr. MELVILLE: I cannot understand the honorable member. The neighbouring colonies have not asked for any power to compel us to federate. Then, if we choose to be left out in the cold, and to be frozen out, that is our look out. The other colonies have a perfect right to apply to

the home Government if they have come to the conclusion that it is necessary for them to federate upon certain lines; but if we are going to object to that federation let our objection be based upon some better grounds than those put forward to-night. Let it be some ground that is sustainable, and not the mere cry that we think they are going to federate for the purpose of having the market between themselves, and that we are frightened of them because we fear that their federation is going to leave us out in the cold. On the next occasion when the question comes forward, in which I have a warm interest, I do not know what excuse I am going to give. I have had to give my reasons for voting with the honorable member in a minority on a former occasion; but I do not know what I am going to say now. The honorable gentleman who led me on that occasion has gone clean off the path of rectitude in this matter, and is staggering about under the weight of something he calls free trade. That is a very awkward position to be placed in, and I am exceedingly sorry for the remnant of the regiment that is left. It seems to me that if things go on in this way the regiment will be spoken of as Falstaff spoke of his, and no one will be found to march through Coventry with any one of them. I trust the resolution will not be passed. It has already been stated that in the division on the last occasion there was only a majority of one for going into Committee. The honorable member for The Hunter stated that several honorable members who were disposed to go into Committee felt inclined to negative the resolution. So far as I could see they were not disposed to negative the resolution, but to substitute another, more in keeping with the opinions they held upon the federation question at that time. But what were the circumstances of that debate, and what are the circumstances of this? It is a singular coincidence that the former federation debate took place at the termination of a session, and when a train was waiting to take honorable members to Melbourne, and that on the present occasion honorable members are anxious to start by rail for Young to attend a demonstration there. This question seems to be destined to come on for debate in a thin House at the end of the session, when honorable members are desirous to get

[*Mr. Melville.*

away. The subject deserves better treatment than it has received on either occasion, and it should be brought forward when honorable members are in their places. I know that the honorable mover of the resolution is sincere. I have known him since I was a boy, and although I have differed from him on many occasions, I have every faith in his intentions as he expresses them. But I hope that he will withdraw the resolution, which, more especially after the honorable gentleman's speech, is calculated to place us in a false light before the world.

Sir JOHN ROBERTSON: If we postpone this matter the federation bill now being urged forward by Victoria will be passed into law. My object in bringing forward the motion in the form in which it appears was that it might not be antagonistic to what the Government have already done. It is, on the contrary, quite in accord with what they have done, because they have already informed the other colonies that they do not intend to take any further action with regard to federation in consequence of the action of Parliament. It is for that reason that I invited the House to act. What would be the position of affairs if the Federal Bill were passed? The federal council would have the control of our money, and we should have only two members in the council. [*Committee counted.*] Any one may easily see what manner of treatment we are likely to receive at the hands of the federal council. The honorable member who has just sat down spoke of the shoddy which comes from England; but does no shoddy come from Victoria?

Mr. MELVILLE: What she is sending now is not shoddy by a long way!

Sir JOHN ROBERTSON: My honorable friend's opinion on that point may not agree with the opinion of other people. [*Committee counted.*]

Mr. QUIN: I sincerely regret that the honorable member for Mudgee has submitted this resolution at the present time, because it is of sufficient importance to require the presence of a full house for its decision. I was very much pleased to hear the opinions expressed by the honorable member for Yass Plains, because I have a lively recollection of the honorable member speaking in reply to me on the question of the fiscal tariff, and adducing

figures to prove the advantages possessed by Victoria over New South Wales in consequence of the protectionist policy of the former. I am glad to see that he has retracted the opinion he expressed on that occasion, and that he admits that with our free trade policy we are beating Victoria with hands down. I have no such fear as the honorable member entertains with regard to our being excluded by the other colonies. How can we be excluded? It can only be done by the adoption of a protectionist policy, and whatever tariff the other colonies might impose I have no doubt that we could successfully do battle with them under our free trade policy. I should like to see the suggestion of the honorable and learned member for Morpeth adopted, that any measure relating to the federation of the colonies should first be approved of by the colonial legislatures before being passed by the Imperial Parliament. I think that great advantages might accrue in many respects from the federation of the colonies; but I do not fear the antagonism of the other colonies as the honorable member who last spoke does. The more they federated to our exclusion by protection the more they would lose and the more we should gain. I hope the honorable member for Mudgee will withdraw the resolution, or amend it in such a way that we can all agree to it.

Mr. McELHONE: There can be no doubt that this is a matter of very great importance, and it is almost a shame that it should be discussed at the fag-end of a short session, convened for a special purpose. I do not see what harm would be done by allowing it to stand over until another session, notwithstanding the fact that the Federal Bill has been introduced in the House of Commons. I recollect that at a meeting held at the Mansion House, in London, on the subject of federation, Sir Saul Samuel said that federation was impracticable; that we had it now to all intents and purposes; and that we could not improve very much on the federation we now have. I think our Agent-General spoke a great deal of truth in giving expression to that opinion. Honorable members like the honorable member for Northumberland, and his colleague, and the honorable member for Yass Plains, want to shut out the manufacturers of Great Britain, and allow the

shoddy manufacturers of the other colonies to come here free. What becomes of the fulsome loyalty expressed by these honorable members when the Soudan question was before the House? They are willing to send our men to the Soudan to be butchered to help Great Britain; but, on the other hand, they will shut out British manufacturers from the colony. Is that the gratitude they show to the mother country for all she has done, and is doing for the colonies—for the millions of acres of land they have received for nothing, for the protection afforded them by the British fleet in these seas? They are loyal to the British Crown and Constitution, because their loyalty costs them nothing; but they will starve out the men who made Great Britain what she is. And what for? To let in the shoddy and rubbish of Victoria, which, ever since she has been a colony, has tried to make little of her neighbours, and is only now being made to take her proper position as second only to New South Wales. It was Napoleon the Great who said that the English were a nation of traders; but it was reserved for that nation of traders to crush the power of Napoleon when he had all the nations of Europe in the dust at his feet.

Mr. MELVILLE: It was not the merchants who did that!

Mr. McELHONE: It was the merchants; they made her great, glorious, and also free, without any display of military spirit; and may she ever be great and glorious! I do not believe in that sort of loyalty which, when one is full of whisky, says, "I'm loyal to my country, and I'm loyal to my Queen," and yet will shut out the manufactures of Great Britain and open our markets to the shoddy rubbish of Victoria. The other day I noticed some remarks in the *Herald*, a paper which treats public questions very fairly; they not only do that but also have an open column in which others may express their views. In the correspondence from the United States last week, I read that many factory girls who were wandering about looking for work were found dead on the roadsides. When I was in that country I saw that the working-men were worse off than the working-men here or in Great Britain. In San Francisco I should have to pay £8 for a suit of clothes and I could buy a suit of a

similar quality in Sydney for £4 10s. In Sydney you pay 3d. per lb. for meat which would cost 10d. per lb. there. This was the effect of protection, while England was rubbing her way under a free trade Government and was more prosperous than America was with protection. In Austria, Belgium, and France the sugar industry was carried on until it was smashed up, so that the governments of those countries had to subsidise it heavily. This idea of federation is a piece of downright bunkum and nothing else. Sir Hercules Robinson started it here, Sir Henry Parkes took up the cry and others followed him. There is nothing to gain by it. Victoria has gone behind and is likely to go further behind, because she has not got coal and other valuable minerals as we have, whilst she has an overgrown population in Melbourne, and they simply want federation to get their rubbish in here free, to shut out the manufactures of England. And yet they think themselves so loyal to Great Britain. Starve her trade, then God help the old country! "Money makes the mare to go," and it enables Great Britain to command the ocean. She would sink into a fifth-rate power without her trade, which has made her great and glorious as she is. With that trade crippled and reduced, instead of being what she is now, a mighty nation, which can set the world at defiance when she braces up her muscles for conflict, she would be like Belgium or Holland, overawed by other nations—it may be Germany or France. Let Victoria federate with South Australia, New Zealand, Queensland, and Tasmania; New South Wales can do very well without federation. She can do better without it than with it. Let them shut us out if they can; if they do they suffer and we do not. Victoria has already shut out our live stock and produce, by restrictions upon their passing the border, and what has she gained? With her bolstered up manufactures, her people are not so well-to-do as ours. We have proof indisputable that the trades in Victoria taken all round do not gain as much pay as that earned by the New South Wales workmen; but there are manufacturers there with great fortunes made by sweating the souls out of their employees, by cheap labour and making their productions dear to the consumers. We can "paddle our own canoe" for a century, remaining

[*Mr. McElhone.*

independent of Victoria. When she is played out, not having anything like our mineral wealth to depend on, New South Wales will be prosperous and free, as she is to-day. Notwithstanding the liability to be spoken of as disloyal I shall vote against the resolution moved by the honorable member at the head of the Opposition: though as to that I may say we now have no leader of the Opposition. The honorable member for Northumberland, Mr. Melville, and others who lately went mad on loyalty to the Crown of Great Britain, would now starve her trade by excluding her manufactures. Her trade destroyed by such a policy she would no longer be England; she could not keep up a royal family. If Victoria chooses to continue the selfish policy she has always pursued, let her do so; she cannot injure us. If the views of the honorable member for Newcastle, Mr. Fletcher, were correct, we should have to give up our Constitution as Ireland did her parliament, and to do without responsible government. I do not think the mover of the motion gave himself time to think of what it meant.

Mr. WILKINSON: I quite agree with the honorable member for Newcastle as to the undesirableness of proceeding with so important a debate at the end of a short session called for a special purpose, and during which we have discussed one of the most momentous questions it is possible for Parliament to consider. That discussion has left us no time to devote to this other important subject, federation; and it ought not to be dealt with now. As, however, the House has determined to go on with the discussion, I think a few remarks from me, as representing one of the outlying districts of the colony, may not be out of place. As I view the resolution and the amendment they both mean this: that there must be no federation except imperial federation; that is to say, that the work already done by the intercolonial convention which sat two years ago is to be set aside—that the resolutions of that body are to go for nothing, and that we are to go back to the era before the governorship of Sir Hercules Robinson, when the subject of federation was first brought in a prominent manner before us. I think we should rather go forward, and if the Treasurer will with-

draw his amendment and allow me to propose one, I think mine would meet the views of the House. I have no expectation that the House will go so far as to say that there shall be no federation unless there is imperial federation. That step, however, we are asked to take. The amendment I would suggest to the Treasurer is this: to strike out the words "excluding other of her Majesty's possessions, and especially," and inserting in their place the words, "preventing the colonies federating with." I understand the object is to prevent the Australian colonies when federated from bringing forward any such fiscal policy as would act prejudicially on the importation of British goods. That, I apprehend, is the main reason why the resolution is brought forward; but the amendment I suggest will meet that view, and place us in such a position that we can federate ourselves, but only as a step in advance towards the federation of the empire. We have heard a great deal against the federation of the colonies. It has been asked, "What are we to gain by federation?" We have this to gain. We shall arrive at a common tariff, have no border duties, and our railway and other policies will be this: that every district in the colony will be able to send its produce to the best market. If there are any difficulties put in the way of outside districts sending their produce to the best markets, a heavy tax is put on them, and the loss is an immediate loss to the whole of the colony; besides being an indirect loss it is also a direct loss, because you rob these people of the advantages they are entitled to from the difference between the markets, and you put a tax on anybody going to settle in that part of the colony by lowering the value of everything they produce. I may also point out that thereby the value of our Crown lands is lowered. You talk of raising the rent of that part of squattage runs included in the leasehold areas; and if you adopt federation, and allow the leaseholders to avail themselves of the best market for their produce, you can put on a heavier rent than you can when they are compelled to come to Sydney. I thought we had gone beyond the policy of centralisation, that the present and last preceding governments had adopted decentralisation, which is a sounder policy than framing

our laws so as to drive all trade to our own metropolis. Sydney is only a part of the colony, and compulsorily driving the trade here tends to the wrong of the rest of the colony. Suppose we pass this resolution, we depend for federation on the federation of the empire. I give way to none in my desire, my ardent wish for that federation. But how long shall we have to wait for it? Let honorable members read the speeches made at the meeting of delegates for the federation of the empire. where every one said that it was only an idea that must be gradually worked up to, and that it will take many years to do it. Look at the almost insurmountable difficulties which present themselves in dealing with the separate interests of the different countries; before these were overcome the individual interest of this country in the subject would wear away. If we wait for that we shall all have to wait a very long time. Now we have an opportunity of coming to some understanding with the other colonies, and if we do this we take the very first step towards that imperial federation which we so much desire to see. How can we expect to federate with an empire having such wonderful ramifications and such a variety of interests if we say at the start that we cannot federate with the neighbouring colonies? The interests of all these colonies are practically identical. We have only to put our shoulders to the wheel honestly and determinedly and we shall break down those barriers which now stand in our way. Self-interest will do it. As I said at first, if we pass this resolution proposed by the honorable gentleman at the head of the Opposition, or as the Government propose to amend it, we shall prevent ourselves from federating with the other colonies. The first step towards imperial federation is the federation of the colonies.

Sir JOHN ROBERTSON: No; if you federate the colonies you create an antagonism towards the old country!

Mr. WILKINSON: What is to prevent us from federating in such a way as to prevent any such antagonism?

Sir JOHN ROBERTSON: We have no power to do it!

Mr. WILKINSON: I am anxious to see the federation of the colonies, and to have it done in such a way that it shall

not prevent imperial federation from taking place hereafter. I would therefore ask the Colonial Treasurer to withdraw his amendment so as to enable me to move mine. I would strike out the words "excluding other of her Majesty's possessions, and especially of," and insert the words "preventing the colonies federating with." The resolution would then read as follows:—

(1.) That an address be communicated to her most gracious Majesty the Queen, praying that any law enabling the federation of the Australian colonies which would have the effect of preventing the colonies federating with Great Britain and Ireland, may not have her Majesty's sanction.

(2.) That his Excellency the Governor be respectfully requested to forward such address to her Majesty by telegram without delay.

Another point I would mention is this: that if we are to federate with the empire, we are not the only colony that has to be considered. If you fancy that the empire would federate with New South Wales, and leave out the other colonies, you are very much mistaken. We are an important colony; but the Imperial Government would not federate with us alone. By passing such a motion as that now proposed, we shall only cause irritation, do an injustice to the other colonies, and prevent federation from taking place.

Mr. LUSCOMBE: It struck me immediately I read the proposed address as being about the most absurd and monstrous thing that could at present be brought before the House. After the glorious resolution which we passed yesterday, I consider that by passing this we should be lowering ourselves to the lowest depths of meanness and degradation. Here is an address to the Queen, asking her Majesty to prevent the other colonies from doing anything without our consent. That is what it means. Can they not go along peaceably without our interfering with them? When they see this resolution they will say something of this kind, "Whatever are those New South Wales people thinking about? They are doing a mean thing which we cannot comprehend." I am astounded at the honorable member asking the House to pass it. Some honorable members have raised the question of free trade and protection. One honorable member said that the protectionists were the people who would wish to go against England, and to

[*Mr. Wilkinson.*

injure England's trade. Why, it is the protectionists who are the very best promoters of England's trade. They charge the free traders of New South Wales with being the greatest curs and humbugs in the colony. They get seats in this House under the pretence of being free traders, and then vote money to support foreign manufactures. Look at the girders obtained recently from Germany, and the dump-cars got from America. Only last week we read of iron girders from Germany being placed in the new picture gallery. They accuse the protectionists of doing this; but it is to prevent this that we are such genuine men to the country. Because the Victorians are making you feel the pinch by drawing every ready pound you produce from you, you propose such a course as this. Feeling the pinch, you are trying to injure the other colonies by passing a resolution like this. Put a tariff on your own goods, and do not be drained as you are being and will be drained. There is not, and never has been, such a thing as free trade in New South Wales. We have taxes on no less than thirty articles. There is scarcely a commodity which the working-man touches which has not a protective duty on it. If Victoria and any of the other colonies wish to federate why should we interfere, especially if we are so prosperous? Reference has been made to the fact that a few girls died in America, where the winter was particularly severe. Yet only the other evening we were told that some one who advertised for a man to work at a store had 300 applications. This occurred in New South Wales. As regards distress, where could there be anything more distressing than the condition of many of the people in England every winter? Under protection this sort of thing would not occur at all. We should have people coming away from England and making room there for others poorer than themselves. An honorable member told us that England could not exist a year without her manufactures; much that honorable gentleman knows about the capabilities of England. England could support her population without any manufactures. She could do it from the income she derives from Australia, India, China, and other countries. The whole world is under a pledge to pay income to England.

It is a disgraceful thing for New South Wales whilst professing to be such a faithful friend to England, to be ready to go to Germany, France, or America for everything that we want. That shows what our importing merchants are made of. It shows the degrading nature of the mercantile policy. We can see what they are doing in America. To stop the monopoly of the ultra free traders in America they are buying up one of the telegraph cables which connects England with the United States. Where the land belongs to companies which own the railways, they are charging producers two or three times the ordinary rates for the carriage of their produce. By this means they have in many cases crushed the producers out of existence. They have starved off the *bond fide* farmer, who has consequently been obliged to sell out to the great monopolist. Go where you will the working-classes are much better off in protectionist countries than in free trade countries. How did England manage to draw the trade of the world? By a protectionist policy, which she maintained until she had established her industries in such a way that the whole world could not injure her. I say that this ought to be our policy here. We ought to manufacture everything that we can. We have the best of iron and other material in the colony, and that could be done if our men were true to the colony which they live in. Had they been so we should have had that 150,000 tons of rails manufactured in the colony. Not a bit of it! An attempt was made to form a company here, but the free traders combined together not to take shares in it. As far as the motion is concerned I maintain that it would be a wretched thing to send such an address to the Queen after the glorious conclusion at which we arrived yesterday. I am confounded at the action of the honorable member in proposing such a motion after making such a grand speech as he did on the question of sending our troops to the Soudan.

Mr. FLETCHER: I cannot understand why it is that the questions of free trade and protection have been raised on this occasion, seeing that the motion does not relate to either subject in any way. This is a most important motion, and I ask the members of the Government are they prepared to allow the votes of a bare

quorum of members to pass as a deliberate expression of opinion on the part of the House? A false issue has been put before honorable members. It has been said that the motion was moved for the purpose of putting a stop to federation. If words mean anything the motion means quite the reverse of that. It does not oppose federation; it simply affirms that no system of federation from which England is excluded ought to receive sanction. Is that opposing federation?

Mr. HEYDON: Yes!

Mr. FLETCHER: It will be interesting to ask what is being done in England at the present time? Does not the honorable member know that the Jingoës are at work, and are advocating the establishment of an imperial council in London? The motion, if agreed to, would lead these people—among whom are some who made their fortunes in the colonies—to believe that we are in favour of the establishment of such a council. Has not our Agent-General said that if such a council be established this colony ought to be represented in it? The honorable member for Mudgee said that we were not going to allow a federal council to control the financial affairs of this colony. Would not that take place if there were an imperial council sitting in London?

Sir JOHN ROBERTSON: We shall take care not to have it!

Mr. FLETCHER: If the honorable member does not want it, why does he not propose a specific motion to that effect—why not say at once that New South Wales is opposed to federation of any kind. [*Committee counted.*] I am glad that the attention of the Chairman has been called to the fact that there is not a quorum present. [*Committee counted.*] Some most extraordinary reasons have been urged against federation to-night, and honorable members seem to me to be very inconsistent. We have been told that our action in sending our troops to the Soudan would have the effect of bringing about federation almost at once, and no sooner has the House approved of that action, which is to produce such a great result, than one of the most prominent members in the House moves a motion antagonistic to federation because, forsooth, the other colonies might injure us. I certainly did expect to hear something

better than the petty jealousy and localism which has characterised this debate. [*Committee counted.*] I think that it is unreasonable that such an important question should be discussed in such a thin House; therefore, I beg to move:

That the Chairman do now leave the chair, report progress, and ask leave to sit again to-morrow.

Sir JOHN ROBERTSON: I am inclined to think that that will be the best course to pursue. I must say that I do not think that it is creditable for honorable members to stand at the doors, call attention to the want of a quorum, and then rush out themselves.

Motion agreed to; debate adjourned.

ADJOURNMENT.

Motion (by Mr. DIBBS) proposed:

That this House do now adjourn.

Mr. S. SMITH said that he intended to move the adjournment of the House to-morrow evening to refer to certain matters connected with the purchase of railway rolling stock.

Question resolved in the affirmative.

House adjourned at 10:37 p.m.

Legislative Council.

Thursday, 26 March, 1885.

Collision between the *Nemesis* and *Iberia*—Adjournment (The *Nemesis* Catastrophe—Boat-races on the Parramatta River—The Post Office Carvings)—Australian Military Contingent Indemnity Bill—Railway Extension: Tenterfield to Queensland Border—Australian Military Contingent Indemnity Bill (second reading)—Adjournment (The Charges for the Storage of Explosives).

The PRESIDENT took the chair.

COLLISION BETWEEN THE *NEMESIS* AND *IBERIA*.

Mr. DARLEY asked the ATTORNEY-GENERAL,—(1.) Whether his attention has been called to the verdict found on the inquest held on the death of Mrs. Coles, who was killed by the collision which occurred between the steamers *Nemesis* and *Iberia*, on the 3rd instant, and which while it exonerated those in charge of the steamers from all blame, imputed to the Marine Board a neglect of duty in not framing proper regulations for the conduct of the navigation of the harbour on

[*Mr. Fletcher.*

the day in question? (2.) Whether the Marine Board has postponed its inquiry into the circumstances of such collision until the return of the steamship *Iberia* to this port? (3.) Whether, under the circumstances, it is advisable that the Marine Board, being itself charged with neglect of duty, should hold a judicial inquiry touching the matter? (4.) Whether the Government will, during the recess, consider whether it is advisable to bring in a bill during the next session of Parliament to deprive the Marine Board of all judicial power, seeing that large powers of administration, for the neglect of which they may be held responsible, are now vested in them.

Mr. NORTON answered,—(1 to 3.) The evidence in this case is very voluminous, but so far as the Treasurer has been able to peruse it, he does not consider the Marine Board open to any imputation for neglect of duty. (4.) The question asked is of too serious a nature to be answered without more consideration than it has been possible to give to it since notice of this question was given.

ADJOURNMENT.

THE *NEMESIS* CATASTROPHE—BOAT RACES ON THE PARRAMATTA RIVER—THE POST OFFICE CARVINGS.

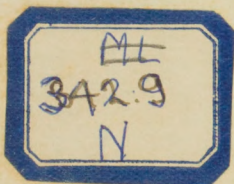
Mr. DARLEY wished to call attention to the answer which had been given to his question concerning the *Nemesis* fatality. It was really no answer at all. He had not asked whether the Treasurer had looked into the matter, or what his opinion might be. He had asked whether the attention of the Representative of the Government had been called to a certain state of facts. The jury at the inquest found the Marine Board guilty of neglect of duty because they had not made proper regulations for that day. He asked whether attention had been called to that fact. He had received no answer to the 2nd, 3rd, and 4th questions; but he submitted that he was entitled to an answer. It seemed strange that the Marine Board should not hold any inquiry, seeing that they were blamed by the coroner's jury, who had exonerated the officers of the steamship *Nemesis*. He hoped that he would receive some further information, and he begged to say that he would renew his question on the next sitting-day. He moved:

That this House do now adjourn.



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