

medical man to undertake the duties referred to, but this had been done at the expense of reducing Dr. Barnett's salary very materially, while at the same time all the most important duties of his office as Colonial Surgeon and Surgeon Superintendent had still to be performed by him. When he surrendered a portion of his salary, he only had £25 as Superintendent of the Lunatic Asylum, and this proposed increase would only make it £100.

MR. SHENTON: What arrangements have been made with the new Health Officer for discharging the duties of which Dr. Barnett has been relieved?

THE COLONIAL SECRETARY (Hon. M. Fraser) said that Dr. Barnett had surrendered £50 a year from his salary as Health Officer and £50 from his salary as the medical officer for Rottnest. In future he would be not only the Surgeon but also the Superintendent of the Asylum.

MR. STEERE, referring to the item "Incidentals, £136," said he understood this was a charge made by a private medical man for doing the work of the Colonial Surgeon at Fremantle, and, as the Audit Committee had expressed an opinion that the amount was one that could not be claimed, he should move that it be struck out.

THE COLONIAL SECRETARY (Hon. M. Fraser) said no doubt the Audit Committee had very properly recorded their opinion on the subject, but, looking at all the facts of the case, it appeared to His Excellency he had no choice but to come forward boldly and ask the Council for the money. It might have been smuggled in under the vote for "Miscellaneous," but he was sure hon. members would acquit the present Administration of any attempt to conceal anything connected with the public expenditure, or to shelter themselves behind any vote. The facts of the case were these: at the beginning of this year Dr. Barnett was suffering from a severe illness and obliged to be relieved from his duties by Dr. Hope, a private practitioner, but attached to the Imperial Convict Establishment, who was employed upon terms similar to those which had been previously allowed under similar circumstances. His Excellency made every endeavor to make a more economical

arrangement, but was obliged to give way to the expression of opinion of the Colonial Surgeon himself, who said that whilst Dr. Hope was performing Dr. Barnett's duties, which the latter was incapacitated from performing owing to illness, Dr. Hope was entitled to claim this amount. The Government would take care in future to prevent a repetition of this arrangement, but, under the circumstances, there was no other remedy. They could not have left an important district like Fremantle without a Colonial Surgeon or a medical officer, especially at a time when so many people were suffering from the prevailing epidemic. But he might safely say for His Excellency that he would not again admit a claim of this character.

The vote was then agreed to.

Progress reported.

The House adjourned at four o'clock, p.m.

## LEGISLATIVE COUNCIL,

*Friday, 25th July, 1884.*

Night Trains on Eastern Railway, Cost of running—Running Goods Trains on Sundays—School Fees received by Central Board—Berthing of Steamers at Fremantle—Message (No. 6): Intimating sanction of Secretary of State for introduction of Loan Bill—Federation Resolutions: adjourned debate—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

### NIGHT TRAINS ON THE EASTERN RAILWAY.

MR. RANDELL asked the Commissioner of Railways to lay on the table a return of the expenditure incurred in running the night trains on the Eastern Railway during the months of April, May, June, and July last; such return to show also the receipts during the same

period. The hon. member said he wished to state that in moving for the return he did not do so with any intention of putting an end to these trains running at night, but in order that the House and the country might know what they cost. He was afraid, however, from facts which had come to his knowledge since he gave notice of the question, that he would not be able to obtain such precise and accurate information as to the cost as he required, owing to the fact that many people who took return tickets during the early part of the day did not return by the early trains, but availed themselves of the opportunity of returning by the last train at night.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said the expenditure incurred in running the late night trains on the Eastern Railway during April, May, June and July amounted to £164 2s. 11d., while the receipts during the same period amounted to £32 10s. 9d. Sunday trains were not included in this return.

#### RUNNING GOODS TRAINS ON SUNDAYS.

MR. RANDELL asked the Commissioner of Railways if arrangements could not be made to cease the running of goods trains on Sundays, or, if not, to reduce the number of such trains to the lowest possible number. In asking this question he should like to state that he entertained no "ultra" views on the subject of running goods trains on Sundays. If there was an absolute necessity for it, he would readily bow to the inevitable. But he could not conceal from himself the fact that there was a large section of the population, of a class that was entitled to consideration, who at all events objected to the running of these trains, and he himself objected to their running unnecessarily. He hoped the reply of the Commissioner would be that it was the intention of the department to limit the number, or, if possible, do away with the necessity of running them at all. If so, he was sure the Commissioner would receive the thanks of a large number of the community, of a class whose approval he was sure would give the hon. gentleman gratification.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said no one

could be more anxious than himself to put a stop to the running of goods trains on Sundays, for he did not approve of it, but there were circumstances, as hon. members were aware, under which it became an absolute necessity to run these trains, and such had arisen during the course of the last few weeks, in consequence of the large quantity of material—rails, fastenings, etc.—for the permanent way, required by the contractor for the construction of the 3rd section of the Eastern Railway. It was found to be utterly impossible to forward this material during the ordinary working days, owing to the other traffic on the line; but he assured the hon. member that after this work ceased the Sunday goods trains would be stopped. Some hon. members might say it was not only contractor's material that was carried by these trains. That was true; but only to this extent: if it was found, after conveying up the material required by the contractor, that timber was waiting at any of the sidings to be brought down, as a rule it was brought down, rather than that the train should return empty. But it was only when the trucks were already loaded and waiting that they were brought down. On no occasion were these trucks loaded on Sundays, and it was simply as a matter of economy that they were attached to the train at all.

MR. RANDELL said he had heard the Commissioner's reply with much satisfaction, and he believed it would prove very gratifying to a large section of the community.

#### SCHOOL FEES RETURNS.

In reply to Mr. Carey,

THE COLONIAL SECRETARY (Hon. M. Fraser) said a return showing the amount of school fees received by the Central Board of Education during the past year, and of the expenditure, and balance in hand at the end of the year, was in course of preparation, and would be laid on the table of the House.

MR. CAREY said he was glad to hear it. He now begged to move, in accordance with notice: "That, in the opinion of this Council, it is desirable that a return showing the amount of school fees received by the Central Board, and

"of the expenditure, should be given in the Board's annual report, yearly."

The motion was agreed to.

#### BERTHING OF STEAMERS AT FREMANTLE.

On the motion of Mr. Shenton, the correspondence laid on the table of the House in reference to the berthing of steamers at the port of Fremantle was referred to a select committee, consisting of the Colonial Secretary and Messrs. Loton, Randell, Marmion, Crowther, Steere, and the mover.

#### MESSAGE (No. 6): INTIMATING SANCTION OF SECRETARY OF STATE TO INTRODUCTION OF LOAN BILL.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"Referring to the 12th paragraph of the Speech with which he opened the session, the Governor has the honor to inform the Honorable the Legislative Council that, in reply to a telegraphic inquiry which he addressed a few days ago to the Right Honorable the Secretary of State for the Colonies, he has received an intimation to the effect that a despatch, which may be expected to arrive by the incoming mail, conveys His Lordship's sanction of the introduction into the Council, as recommended by the Governor, of a Bill for raising a Public Works Loan of £525,000, upon the condition that a detailed statement of the proposed expenditure should be prepared, and approved by Her Majesty's Government, before the bill becomes law.

"2. So soon as he has received the Secretary of State's despatch, the Governor will introduce the new Loan Bill into the Council, and will at the same time request the opinion of the Council with regard to the works on which the money should be expended.

"Government House, Perth, 25th July, 1884."

#### FEDERATION OF AUSTRALASIA.

##### ADJOURNED DEBATE.

THE COLONIAL SECRETARY (Hon. Mr. Fraser) said he had intended to have moved that the House should proceed with the consideration of the Supple-

mentary Estimates before proceeding with the other orders of the day, but he had that afternoon received a telegram from the Premier of Victoria, stating that his Government was very desirous of being informed of the result of the discussion by the Legislature of this colony of the resolutions with reference to Federation. Under these circumstances, he would ask that the Supplementary Estimates be taken after those resolutions were disposed of, and before the orders of the day.

This was agreed to.

MR. BROWN then resumed the debate upon the resolutions submitted by the Colonial Secretary on Monday evening, confirmatory of the proceedings of the Federal Convention. The hon. member said he had hoped the leader of the Government would have seen his way to have consented to further adjourn the debate upon this very important subject, and particularly so, as it devolved upon him (Mr. Brown) to resume the discussion, for, owing to the many claims upon his time in connection with other matters, it had been quite impossible for him to give that attention to the subject which its magnitude and the importance of the issues involved demanded. He should have liked to have been prepared, as he was not prepared, to speak fully on the subject; but, in consideration of the telegram from the Premier of Victoria, it had been impossible for the Colonial Secretary to have consented to a further adjournment. There was no necessity for him to trace the history of this great movement. Hon. members knew that for the last thirty years there had been nothing in the way of a settled government in New Guinea nor any of the other islands of the Western Pacific. They all knew the great necessity there had been, both in the interests of the savage inhabitants of these islands and of the Europeans of various nationalities who had been carrying on a trade with these islands for many years past, that law and order should be established there. They also knew that strong representations had been made by the Australian colonies, one after another, time after time, for years past, to the mother country, pointing out the absolute necessity of establishing a protectorate in some sense, to the extent of

watching over the occurrences taking place; but the time had now come when Australia from one end to the other considered that the steps already taken were inadequate, and the various colonies had united in protesting that such a state of things as now existed was a disgrace to civilisation, and that the interests of civilisation, the interests of the native inhabitants themselves, and also the interests of all Australasia required that some steps should be taken, and that as soon as possible, on the part of Great Britain to establish law and order on these islands. He was sure no one had taken greater interest in this subject than he had. No one was more pleased to witness the manly independence that Australia had shown throughout in this matter. Nobody sympathised more with those who had gone to the trouble of bringing to an issue this very delicate and difficult question than he did. He said delicate and difficult subject, for he had looked into it, and it was because it was such a delicate and difficult subject that he should have wished the debate to have been deferred to a time when he should have been better prepared to speak upon it. He could not imagine a more difficult, intricate, and delicate subject to deal with. It was a subject that might stir up strife amongst the nations of Europe. They knew that any false step taken by the mother country might involve her in war at any moment, and, in a delicate matter such as this, he thought every public man who spoke on the subject or who took any step in the matter, should weigh carefully his words and his actions. They were all aware that one great difficulty which presented itself was this,—that up to the present moment, as had been said in the Agents General's report, no person throughout Australasia was aware of the exact relations of the various Great Powers in reference to New Guinea and the islands of the Southern Pacific. It was indeed probable that it would be very difficult on the part of these Powers to arrive at a mutual understanding as to their exact relations, their exact rights, in reference to these islands. It was very difficult to ascertain what each Power—he referred more particularly to England, France, and Germany—might do or might not do, without

contravening some stipulation or condition entered into, at some time or the other, between these Powers. Therefore it was that the question was an exceedingly delicate question. It was also a difficult question, in many ways, and one of its difficulties was presented by the fact that there was an immense savage population located over these islands whose interests must be guarded and must be protected by the mother country and by Australia, while at the same time the interests of Australia itself must also be protected. For the last thirty years England had seen what a difficult question it was, and, seeing the difficulty, had fought shy of grappling with the question. But, in view of the united representations of these colonies, she had at last grappled with it, and he was very glad to find there was no truth whatever in the statement which was telegraphed the other day that Lord Derby, in consequence of some speech made by Prince Bismarck in the German Parliament, had withdrawn from the position he had assumed in reference to this matter. He had no doubt that Great Britain would be able to deal with the matter ably and well, both in the interests of civilisation and of Australia, and without in any way entrenching upon the rights of other nations. Although it was a difficult and delicate question, it was one which he thought Australia might well leave to the mother country, satisfied that justice would be done, and done as quickly as the difficulties and the delicate nature of the subject would permit. But hon. members were now asked to do what? They were asked to accord their entire approval of the resolutions before the House, as passed by the Sydney Convention. That Convention deserved the thanks of all Australia for the manner in which it had dealt with this very difficult matter, and for the outcome of its deliberations. At the same time hon. members must bear in mind that the delegates at that Convention dealt with the question at its outset. They dealt with the question when no doubt they felt very strongly on the subject, and, under the circumstances, it was very natural that the resolutions adopted should have been couched in warmer and stronger language than one would expect them to be at this stage of the

question. Now, with regard to these resolutions, which, as an individual member of that House, he was asked to record his entire approval of, he must say they did not all commend themselves to his mind. The first of them was to the following effect: "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 interest of the Empire." Would hon. members, at this stage, commit themselves to a resolution of that kind? It was very desirable no doubt that there should be unanimity on this question; but the unanimity he would ask for was unanimity in confirming the conclusions arrived at by the Convention. Why should that House commit itself to every detail, to every opinion, expressed by the Convention? He did not think they need do so. He did not feel at all inclined to support this particular expression of opinion—that any acquisition of dominion in the Pacific by any other power than England would be highly detrimental to the safety and well-being of these colonies and injurious to the interest of the British Empire. He was sorry such a resolution should have been agreed to by the Convention. He read a short time ago a little work called "John Bull and his Island," written by a Frenchman who gave his experience of Englishmen after a residence of ten years amongst them. Having recounted some of the vast possessions which had been acquired by John Bull—amongst them India and Australia—the author said, "Correctly speaking Oceania belongs to him entirely." But 'What shall it profit a man if he gain the whole world and lose his own soul'—so says the Scripture. This is just what John Bull thought, so in the next world he has knocked down to himself the Kingdom of Heaven, which in his eyes is as uncontestedly a British possession as India or Australia." No doubt this Frenchman had hit the prevailing sentiment of Englishmen. Hon. members knew how adventurous John Bull was, and that he would not lose an opportunity of acquiring extra territory through any lack of self-assertion. Here John Bull, represented by young Australia, wanted to knock down for himself all the territory in the Pacific, for the resolution said that any further acquisition of dominion in the Pacific by any power other than himself would be injurious to the interests of the Empire. Now he could not support that proposition, and he was sorry it was ever agreed to by the Convention. The 6th resolution was also couched in the same spirit. It ran thus: "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." Now he thought the fact that France had been so long the powerful ally and valued ally of Great Britain should have protected her from so irritating a clause as that, and he was sorry, too, that this resolution had been adopted by the Convention. Why we, at any rate, should be asked to ratify such a clause he could not say. He should be sorry to make one to support irritating language of that kind. "To the French possessions." Surely France might claim that she might do what she liked with her own, and not be dictated to even by England herself. Surely if England could show to her old ally that her interests would be seriously affected by her carrying out this course, England would never have gone in this bullying and blustering manner to endeavor to stop her from using her own possessions as she pleased; and he should like that, too, to be struck out. He thought the 7th resolution contained all that was necessary to say on this subject: "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 was language of which he himself entirely approved, and that, he thought, would be perfectly sufficient for that House to agree to. There would be nothing he could see for the neighboring colonies to take exception to, if we

were to omit these resolutions; for the resolutions now before the House were not all the resolutions passed by the Convention. If they had been, well perhaps a little offence might be given; but it was not so. There was a resolution left out which he himself would have very much liked to have seen brought in. No doubt it might be the intention of the Government to take action upon it. If hon. members would turn to page 23 of the Proceedings of the Convention, they would see this resolution: "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." That seemed an important resolution, and was one in which he most cordially agreed, but it had not been presented to them for ratification, and there were others which stood in the same category. If such an important resolution as that did not appear among these resolutions submitted for their approval, well, he should say there would be nothing to create any offence if they simply left out No. 1 and No. 6. So long as they expressed their approval of the final conclusions arrived at by the Convention he thought they would do all that was necessary for them to do. He was aware that possibly it might be considered bad taste on his part, an insignificant individual like himself, to set up his own opinion against the opinion of the most eminent statesmen of Australasia. But he had duties to perform. He was there to discharge a public duty, and he could not shirk that duty in any way. He also felt that whatever the Legislature of Western Australia might do in this matter could not in any way affect the question, because of the present insignificance of Western Australia. He felt that this colony had in this matter been treated most handsomely by the other colonies—recognised in the fullest manner possible, just as much as if she were of ten times more importance than she is. Therefore he felt some reluctance in speaking as he had done on the subject. But, as he had already said, so long as they ratified the final decisions of the Convention he thought they would do all that was necessary, and that which

none of the colonies could take exception to. The hon. member concluded by moving the Speaker out of the chair, so that the resolutions might be considered, *seriatim*, in committee.

This was agreed to.

#### IN COMMITTEE.

Resolution I, sub-section 1—"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."

MR. BROWN moved that this sub-section be struck out. He had already pointed out why he thought it was undesirable for this colony to commit itself to this expression of opinion—that any further acquisition of dominion in the Pacific by any Foreign Power, no matter how friendly, would be detrimental to the safety of these colonies and injurious to the interests of the British Empire. That might be so, or it might not, but he did not think they were called upon to express any opinion on the subject, and, for that reason, he moved the omission of this sub-section.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he had explained, in moving the resolutions, that the Convention had taken a whole week before they agreed upon the propositions now before the House. With regard to this particular clause, it was brought forward originally in a somewhat different form, namely: "That it is essential to the future well-being of Australasia that Eastern New Guinea and the Western Pacific islands, from the Equator to the New Hebrides, should not fall into the hands of any Foreign Power." That was Mr. Service's original proposition, and, if hon. members would go through the minutes of the proceedings, they would see that it was altered five times before it was agreed to by the Convention in its present form. Of course it was for the House to decide how far it was prepared to adopt the views of the Convention, as expressed in these resolutions. He had no intention to divide the House upon any of them.

MR. STEERE said he certainly did not approve of the wording of this

paragraph, because he thought it was an attempt on the part of Australia to assert a doctrine which was asserted years ago in America, and a doctrine which he had always disapproved of—the Monroe doctrine. Still, he thought it was worthy of consideration whether it would be wise to strike out any of these resolutions, for, as had already been stated, they were the outcome of the serious deliberations of the leading statesmen of these colonies assembled in Convention. That Convention had shown great consideration towards this colony, and he thought it would be rather hypercritical on our part to strike out this resolution because we had some objection to the wording of it, though for his own part he much preferred the wording of the original resolution brought forward by Mr. Service, for he quite agreed with the proposition there laid down.

MR. MARMION said it seemed to him after all that there was no very great difference in the actual meaning of the two propositions, beyond that the wording of one was somewhat more moderate than the other, and, for the reasons given by the hon. member for the Swan, he thought it would be a pity if they were to interfere with these resolutions, which had been deliberately adopted by a Convention at which our own colony was represented. He must confess, for his own part, that he was not prepared to deal with these resolutions that evening, and therefore he felt constrained to be very careful in what he said. It was a very important subject, and he was afraid it had been pushed forward rather hastily, and that probably it would have been better if a little more time had been given to hon. members to consider these resolutions. He was not in sympathy with those who deprecated our expressing any opinion on the subject now before the House simply because at the present moment we happened to be the least significant colony of the group. Although not so important as the other colonies of Australasia at present, it must not be forgotten that we had an enormous territory, and that the day might come—that the day he hoped would come—when Western Australia would assume an importance equal to any of its sisters. As a representative body, he thought

that House was quite justified in protecting the interests not only of the present generation, but also of future generations. They were now assisting in planting a seed, which might be said to be already in the process of germination, and which would, it was hoped, eventually become a gigantic tree; and, though it might not be regarded as of great importance now whether we joined in this expression of opinion, formulated by the Convention, or not, still, in the interests of future generations, it appeared to him they would be acting wisely if they were to join with the other colonies in protesting against any foreign aggression. He thought it would be more gracious on our part to pass these resolutions as a whole than to mutilate the work of the Convention by striking out any portion of them.

MR. RANDELL thought, however they might object to the wording of some of these resolutions, it would be wise on their part to follow the advice of the hon. member for Fremantle, and adopt them as a whole, rather than in part. Personally he felt as strongly as the hon. member for the Gascoyne as regards some of them. The hon. member for the Gascoyne said he thought it was a piece of self-assertion on the part of John Bull to say that no Foreign Power should acquire any further possessions in the Pacific; but he (Mr. Randell) thought the self-assertion was not on the part of John Bull but on the part of Young Australia, though he admitted it was characteristic of the British race. He could not help thinking that these resolutions were calculated to give offence to at least three Great Powers,—two in Europe and one in America. He believed the United States Government had already taken some action in checking British aggrandisement in the Pacific, and that it was in consequence of that action that Honolulu had been preserved from being taken under British control, and was now an independent Kingdom, very much to the benefit of the commerce of the world. He could hardly conceive that any Foreign Power would wish to grasp any of these Pacific Islands for the purpose of converting them into arsenals to the injury of Australian trade and the menace of Australian commerce. He thought the action of Queensland in this matter had

been premature. He thought it was a monstrous thing that any Colony should, in the way Queensland did, almost commit the British Government to war with Foreign States. He thought it should have contented itself by making strong representations to the Imperial Government, and he was afraid a great deal of mischief had been caused by what he could not help regarding as the rash and precipitate action of the Queensland Government in connection with the annexation of New Guinea, followed up as it was by the tall writings of Australians in England and elsewhere. For his own part he felt more in accord with the attitude taken up by Mr. Stuart, the New South Wales Premier, on this subject, than he did with the action of Mr. service, who seemed very enthusiastic, and very sanguine. What his ulterior objects were he did not pretend to say, and his sympathies, as he had already said, were with the New South Wales rather than the Victorian Premier in this matter. He thought the clause now under discussion, and also the sixth clause, were worded in exceedingly objectionable language,—language that was calculated to offend the susceptibilities of a high-minded people like the French and the Germans, dictating to them, as these resolutions did, in a matter with which he thought these colonies had very little to do, being a question of domestic policy. No doubt it would be a most undesirable thing and a grievous thing for these colonies if the French persisted in deporting their worse criminals to islands situated no long distance from Australian shores; but he took it that the Australian colonies would be able to protect themselves, should the French Government persist in flooding these islands with its convicts. These were his own personal sentiments with regard to these resolutions, and having stated his own views on the subject, he should offer no further opposition to the adoption of the resolutions. It would be better perhaps that, if adopted at all, they should be adopted in their entirety, for he was very much afraid that they would effect little or no good if they were to alter or to modify them. He did not think the time at their disposal, nor the knowledge they had of the subject, was likely to lead to any beneficial result. He thought

they might safely entrust the conduct of its foreign relations in the hands of the Imperial Government itself, who no doubt would prove equal to the occasion, and was not likely to rashly commit itself to a policy the eventuation of which it could not see. He did not think Lord Derby and those with whom he was associated were likely to take any steps which would prove detrimental to the interests of the Australian colonies, nor, on the other hand, were they likely to involve their country in war with any Foreign Power, simply because these resolutions were affirmed.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he did not intend to detain the committee for any length of time on this question, but he desired to offer a few remarks on the subject. If the hon. member for the Gascoyne would allow him to say so, he must say he thought the hon. member had laid this question before them with great ability and modesty. The hon. member said he had no wish to put forward his own opinion as against the opinion of the various representatives of the colonies of Australasia, but that he felt he had a duty to perform, and that was to express his own opinion on this subject. He must say he cordially agreed with the hon. member in that respect. He thought the greatest thanks of the inhabitants of Australasia were due to the members of the Convention who devoted their time and energies to the consideration of this important question; but, at the same time, they had heard from his hon. friend on the right (the Colonial Secretary) that this first sub-resolution grew from time to time as it came before the Convention. He supposed the feelings of the members expanded,—that they felt warmer and warmer as they went on—and that, at last, what was at first a moderate and practical resolution expanded into a resolution of great magnitude, and, in fact, as he thought, a resolution almost too theoretical to be taken into serious consideration by practical men. And although no doubt the voice of Western Australia would not have any great weight yet, still, if it was the voice of reason, they had heard that the “still small voice” sometimes would make itself heard and felt, although it might not be put forth with so much force as



the voice of greater communities. Now it did seem to him that this first sub-resolution—that any further acquisition of dominion in the South Pacific 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—was altogether going far beyond what the facts of the case justified. The South Pacific embraced an enormous area, and was covered with numerous islands, varying in extent and importance; and, to say that the possession by any foreign Power—by any Power other than Great Britain and the Australias themselves—within this enormous area would be highly detrimental to our interests, was really going beyond what the real truth of the matter required. He must say he agreed with what the hon. member for the Swan said, that it seemed to him rather a doubtful and dangerous extension of the Monroe doctrine. As the committee was aware, many years ago President Monroe propounded the doctrine that it would be injurious to the interests of the United States if any European power should set up in that hemisphere any political system contrary to the political system of the United States, namely, a Republic. That doctrine had been to a certain extent persisted in,—it might be, to the advantage of the States and of the world at large. But the proposition now before the committee seemed to him to be going even beyond that. We did not intend to permit any Power but ourselves to have a foot of land anywhere within the wide area of the Southern Pacific, no matter whether it was a friendly Power, and a Power having similar institutions with our own, or not. We said that for any foreign Power to possess a foot of soil within that immense area would be dangerous to our safety. He thought, if that was the case, we must be in a very precarious position, and in a very helpless and unprotected position. He could not bring himself to think that we were, and therefore he thought this resolution went a great deal too far. He could not agree with the hon. member Mr. Randell in what he said, that it would be better in order to carry out our object and to gain our ends that we should agree to these resolutions as they stood. If we were asked to agree to propositions that

were to go before the British Parliament, and if in our opinion some of those propositions were so theoretical and impracticable as not to commend themselves to our sober judgment, he did not think we should damage what was practical and immediately to our purpose—the great question of Federation—if we withheld our assent from such propositions. He did not think that by expressing an independent opinion with regard to these resolutions we should weaken the force by which we supported them. On the contrary, he thought it would show that instead of supporting them as a matter of feeling or of sentiment, we had weighed and considered them as a matter of reason. He thought he had said all that occurred to him on this subject. It appeared to him that by not assenting to this first sub-section and the next sub-section, which was merely a corollary of the first—and perhaps also the 6th sub-section—he thought that by not assenting to these portions of the resolutions we should be doing nothing to weaken the force of the remaining resolutions. Speaking in the interests of federation itself, and with the strongest desire that this first step in that great movement—which appeared to him to be the greatest movement ever made yet by these colonies—should lead to the fruition of our hopes, he did not think that in striking out this sub-resolution we should in any way weaken, but rather strengthen the movement.

MR. RANDELL said he was quite in accord with what had fallen from the hon. and learned gentleman who had just spoken, only he thought the time at their disposal prohibited them almost from interfering with the resolutions at all.

MR. BROWN said he agreed with the Attorney General that they would in no way weaken their case by striking out this resolution. He had already pointed out that there were other resolutions which had been agreed to by the Convention, but which were not embraced in these resolutions. For instance, there was the following resolution, a most important one: "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 islands of the Pacific not having

"a recognised Government should be acknowledged, except in respect of small areas 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, and then only for the like purpose." That surely was a very important resolution; yet it was not included in these resolutions, although it was agreed to by the Convention. Then there was that other resolution which he had referred to before, namely, that which affirmed that the several colonies should without delay pass a uniform law to prevent the landing on their shores of persons from penal settlements in the Pacific, who had been convicted of crimes. There was nothing about that in these resolutions, so that hon. members would see that in adopting these resolutions, even if they adopted them intact, they would not be confirming all that the Convention had done. Therefore it appeared to him they were quite at liberty to adopt so many of these resolutions as they thought proper. Hon. members had no right to shelter themselves behind the proceedings of the Convention, when those proceedings were not in harmony with their own opinions. So long as they agreed with the conclusions arrived at by the Conference—which was, that united action was desirable, and that if practicable a Federation Bill should be passed by the Imperial Parliament—they would do all that could be fairly expected. He should be sorry to press the matter to a division, and he hoped the committee would consent to strike out this clause on the voices.

**THE COMMISSIONER OF CROWN LANDS** (Hon. J. Forrest) said he desired to say a few words with reference to the question before the committee. He was entirely in accord with every word that had fallen from his hon. and learned friend the Attorney General on the subject. He thought the clause went altogether too far. If some particular part of the Pacific had been specified, he would have been very willing to consider the proposal; but when they found the resolution dealing with the whole of the Pacific islands, many of them thousands of miles from our shores, he must say it appeared to him they were going too far

altogether, and that if such a resolution were passed by that House and by the Legislatures of the other Australian colonies it would only bring them into ridicule. He did not think that, in a matter like this, they ought to be guided by any sentimental considerations that these resolutions had been formulated by any Convention or Conference; they were there to consider them on their merits, and, while no doubt they should be influenced by the opinions of the statesmen of Australia, in convention assembled, still it would be no excuse for that House to say that it had adopted these resolutions—although not in accord with them—simply because they had been recommended for their adoption by the Convention. He thought himself the resolutions were likely to have more weight if one or two of them were omitted.

The motion to strike out sub-section 1 was then put, and carried on the voices.

Sub-section 2.—"That this Convention refrains from suggesting the action by which effect can best be given to the foregoing resolution, in the confident belief that the Imperial Government will promptly adopt the wisest and most effectual measures for securing the safety and contentment of this portion of Her Majesty's dominions."

**THE COLONIAL SECRETARY** (Hon. M. Fraser) moved that this sub-section, which he said was merely a corollary of the 1st sub-section, be likewise struck out.

Agreed to.

Sub-section 3—"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."

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he was sure this resolution would meet with the hearty concurrence of every hon. member. Although a great deal had been said and written about New Guinea during the last year or two, since it had been brought into prominence by the action of the Queensland Government in annexing it, still he believed very little was known of the island, as a rule, and perhaps it would not be out of place if he gave some particulars, historical and geographical, with regard to it (which the hon. gentleman did).

MR. GRANT said he had great faith in the natural resources of New Guinea, and he thought it was a very wise action on the part of the Queensland Government to have taken possession of it, as it did, in the name of Her Majesty. He thought it was a very desirable step in the interests of the natives themselves that the island should come under the dominion of the British, both from a colonising and civilising point of view.

The sub-section was then agreed to.

Sub-sections 4 and 5:

Agreed to, *sub silentio*.

Sub-section 6—"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."

MR. BROWN moved that this sub-section be struck out, for the reasons which he said he had already stated.

MR. STEERE said he saw nothing objectionable in this whatever. He thought the Convention had a perfect right to protest in the strongest terms against these French convicts being sent to the Pacific, with the probability of their eventually finding their way to Australia. He sympathised very much with the framers of the resolutions, and he hoped this clause would be agreed to.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the only possible objec-

tion to the clause was that it denied the French people the right to deal as they liked with their own territory. He drew attention to this fact at the Convention, but it was pointed out to him that it was only a protest. He felt, however, that he was unable to support its intention; nor could he do so now, except as a protest. From that point of view it was harmless, and, probably, of itself, it would be inoperative. Under these circumstances he thought it would be as well that this colony should join with the rest in protesting against the action of the French Government in this matter, so that the authorities at home may know what our feelings on the subject were.

MR. BROWN said hon. members would bear in mind that the wording of this clause had already given extreme offence in France. The public press had taken it up most strongly, and he did not blame them for it. No doubt we should use every endeavor to induce France to refrain from sending her criminals to the Pacific, but he thought no one would gainsay that the language of this resolution was irritating in the extreme, and that it was not language that ought to be used by a weak Power—if indeed a Power at all—towards an old, and powerful, and valued ally of the Mother Country. Until France positively refused to listen to their requests in this matter, he thought such language as this was simply insulting. It did not merely protest against the deportation of criminals to islands owned or claimed by other Powers, but it also protested against France sending her criminals to her own possessions. France, he submitted, had as much right as England to do what she wished with her own. It would be time enough, he thought, to pass such a resolution as this, when proper representations had been made to the French Government, and France had shown herself unworthy of holding that high place among the comity of nations which she now held, and when she had forfeited the friendship and respect of England and her Australian dependencies. He thought they might well be satisfied with the next—"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 was diplomatic language—courteous, firm, unmistakable, and sufficient. There was nothing in language like that to offend the susceptibilities of any nation, and he was sure it would better effect the object they had in view, if left standing alone, than it would if accompanied by the clause now under discussion.

MR. GRANT said he was very much surprised indeed at the action of the hon. member for the Gascoyne in this matter. The hon. member did not seem to sympathise at all with the feeling which animated our neighbors in protesting against the threatened invasion of these shores by the scum of French criminals. The hon. member did not seem to be aware of the evils which threatened our sister colonies from contamination with such villains. [MR. BROWN: I admit them all.] Then he did not understand the hon. member's action in moving that this clause be struck out. [MR. BROWN: Because the following clause would answer every purpose.] They all remembered the strong protest made by the other colonies against the introduction of British convicts here, and surely it was only natural they should protest in still stronger terms against being contaminated by the scourings of a foreign nation. He should be sorry indeed if this colony were to withhold its sympathy from the other colonies in this matter.

MR. RANDELL said he should support the hon. member for the Gascoyne in his motion to strike out this subsection. He thought the hon. member for the North had missed the point. It was not the question of the imminent peril which the Australian colonies might labor under from the escape of French convicts from New Caledonia, but the question of how we were to ask the British Government to address itself to a foreign Power with regard to a question of domestic policy. This resolution was simply asking the British Government to engage in war with France. He thought the object of the Convention would be secured if they adopted the next subsection, which was couched in respectful

language, and was not calculated to hurt the susceptibilities of any nation.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he agreed in part with the hon. member for the Gascoyne, and in part with the hon. member for the Swan. He agreed with the hon. member for the Swan that it was quite open to any State to make any representations it might think fit, in a proper manner, when the interests of that State are at all endangered by the conduct of another State. Although there might be no case in which there was any *casus belli*, still circumstances might arise in which a State had a right to make strong protests and to represent that the action of another Power was unfriendly. It was well known, in international law, that such cases had arisen, and that such protests had been made and made with good effect. But, while agreeing with the hon. member for the Swan to that extent, he did not quite agree with the hon. member as to the mode in which it was proposed to make this protest in the present instance, and, with regard to this point, the hon. member for the Gascoyne had forestalled him. He thought everything which the 6th clause aimed at would be effected by the 7th clause—in fact the 7th resolution covered the whole of the ground covered by the previous one, except this, that instead of pointing to France and using strong language, it spoke generally and used what the hon. member for the Gascoyne called "diplomatic" language. It seemed to him it was going a little too far to say that "the Convention protests in the strongest possible manner against the declared intention of France to transport large numbers of escaped criminals to the French possessions in the Pacific." He wanted to know in the first place how it was to be proved that France had declared its intention to do this thing? In what document or at what time was that intention declared? He was fully aware that the public prints had been full of articles and statements, and that politicians had spoken much, on the subject; but he himself—he was quite open to conviction, it might be a want of knowledge on the point—but he himself was not aware that the French Government had declared any such intention. He was aware that France had sent out a

number of criminals to the Pacific, but he was not aware that she had declared her intention, as this resolution said she had, to transport large numbers more of her relapsed criminals. It might be true, but he did not see why we should point so plainly at France, in this matter, especially when it was remembered, as had been pointed out, that there was a slight tension between France and England in the matter. The intention of the resolution was good, but the form of it was not very well considered: and, although this might be the opinion of statesmen in the other colonies more particularly interested—which was an argument of weight—yet it was possible that the warmth of their feeling carried them a little further than they would express in their calmer moments. He thought it would be more prudent if they left this out, and adopted the next resolution, which covered the whole ground and went beyond it, but in moderate and he thought more suitable language.

THE COLONIAL SECRETARY (Hon. M. Fraser) said as to the “declared intention” of the French Government, correspondence was read at the Convention showing clearly that France fully intended to continue to send her convicts to New Caledonia. But whether or not it would be more politic to adopt the language of this resolution was another thing. He saw no harm in it, as he had already said, as a protest, but it was not his intention to divide the House upon it, if hon. members thought the object in view would be attained by the adoption of the next resolution.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) believed that every member in the House had his own views with reference to the inadvisability of criminals being transported from France to New Caledonia, and the only difference of opinion appeared to be as to the best way of inducing the French Government to change its views on the subject. For his own part, he thought that by resorting to calm, respectful, and dignified language they were more likely to gain their object than by resorting to rash, impolitic, and irritating language, such as that in which this clause was couched. He thought if such language were addressed to hon. members in their private walks through life they

would be very much inclined to put up their backs at it; and he felt that it was calculated to produce the same result with the French people.

Mr. MARMION said it seemed to him that this again was simply a question of words. To some extent he thought the meaning of the two paragraphs was identical, and he could not agree that the milder form would answer every purpose. There were occasions when more forcible language was required, and he thought this was one of them. The representatives of the colonies most deeply affected by the action of the French Government in this matter had felt it their duty to make use of such language as could not be mistaken, and he thought if their protest had been couched in milder language it would not have received that attention at the hands of the mother country and have induced such action on its part with regard to the French Government as a more vigorous protest was likely to do. It was quite possible that the resolution might have been a little more politely worded, but he did not see what injury it could do. It simply asked the Imperial Government to make such representations to the French Government as it might deem expedient, and to use every means in its power—by which, he presumed, was meant such means as could be adopted between two great friendly Powers, by diplomatic representations and friendly pressure; it never contemplated war. In his opinion there was no reason why the paragraph should not go forward in its present form.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said that when he stated he was not aware of the existence of any document or of the publication of any statement by the French Government declaratory of its intention to pour further criminals into her possessions in the Pacific, he may have been misunderstood. He was fully aware that there were already a great number of habitual criminals in New Caledonia; but these words “declared intention” conveyed to his mind the idea that France had expressed her intention, whether we liked it or not, of continuing to send her convicts there. He was not aware that France had gone so far as that. Inasmuch as many hon. members were

opposed to the language of this resolution who at the same time were in favor of the next resolution, would it not be better to adopt that resolution without reservation.

Mr. STEERE thought the 7th resolution referred to a different matter. The resolution now before the committee dealt with the question of the French Government continuing to send out *récidivistes* to New Caledonia, and making it a permanent convict settlement. The Attorney General said he was not aware of any published papers in which France had declared its intention of continuing to send out convicts to New Caledonia, whether we liked it or not. He thought there were many published papers which went to show that such was its intention. A Bill had actually passed the Chamber of Deputies providing for the carrying out of the *récidiviste* scheme, and papers had been presented to parliament in which it was positively stated that the French Government had refused to listen to the representatives of the British Ambassador in Paris, and was determined to send out more criminals. He was rather surprised to hear the hon. member for the Gascoyne referring to France as the "ancient and valued ally" of England. He thought, so far from her being our "ancient and valued ally," she had shown herself most anxious on every possible occasion to trip up England; and he thought she had acted in a very unfriendly manner towards Australia in the matter which this resolution protested against. Under these circumstances he did not think they were at all called to be careful not to offend the susceptibilities of the French nation in this matter.

THE COLONIAL SECRETARY (Hon. M. Fraser) thought it would be gracious on our part if we showed our sympathy with the other colonies in this matter. There could be no doubt as to the intention of the French Government as regards deporting her criminals to New Caledonia, and, although the next resolution might cover, in the main, what was desired, still he thought it would be a useful precaution to adopt this resolution as well, and thus join with our neighbors in remonstrating against the proposed action of the French Government.

Mr. BURT said he should like to say a word on the subject before the debate closed. Some hon. members seemed to him to be under the belief that in this resolution they were addressing, not the English Government, but the French Government. It was merely a protest, and a request that the Imperial Government would use every means in its power to prevent the adoption by France of a course which unquestionably, if persisted in, must prove disastrous to the interests of the Australian colonies. They knew that France had lately adopted a most progressive, not to say aggressive colonial policy, in Madagascar, and in other parts of the world, and that hitherto it had paid little or no heed to the expressed wish of England and of these colonies, but proceeded to do what it had declared its intention of doing. The French Chamber had already passed the *Récidiviste* Bill, and he was not sure whether it had not passed both Houses and become law; at any rate it was on the eve of becoming law, and the declared intention of France was undoubtedly to send these relapsed criminals by the shipload,—not to New Caledonia, for that was a mere stepping-stone to the Australian colonies, which was their ultimate destination. We should find some of these French gentry some day applying for land, in the Kimberley District perhaps. New Caledonia would never hold them, and we should have the pick of the French rascaldom over-running these colonies. Even if they remained among the Pacific Islands they would be sure to interfere with the native populations, and these native populations would be applying to the British Government for protection, and thus bring us into conflict with our "ancient and valued ally." He thought himself we were only doing that which was right in recording this earnest protest, in common with our neighbors, against the adoption of this course by France, and, for this reason, it was his intention to vote for the retention of the clause.

The sub-section was then put, and passed on the voices.

Sub-section 7:

Agreed to *sub silentio*.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, "That an humble address be presented to His Excellency

"the Governor, informing him of the foregoing resolutions."

Agreed to.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, "That an Humble Address be presented to His Excellency the Governor, conveying the prayer of this House 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."

MR. RANDELL said that while in the main agreeing with the draft bill, and believing that the matters which it dealt with were matters of great importance, still he thought it was a mistake to suppose that the mere passing of this bill meant the adoption of Federal Government for these colonies. It could merely pave the way for the future, and he hoped the not far distant future. There were some provisions of the bill which he thought open to objection. It appeared to him it was a very small number of representatives who were to have seats in this Federal Council, which was to deal with matters of such great importance. It also seemed to him that the 18th clause involved a needlessly long delay for the exercise of Her Majesty's disallowance of an Act assented to by a Governor, and the same might be said with regard to the 19th clause, which involved a similar delay in assenting to a bill. This delay might entail very serious injury, and be productive of great inconvenience. There were objections, too, he thought, to the 22nd clause, which enacted that if in any case the provisions of any Act of the Federal Council shall be inconsistent with the law of any colony affected thereby, the former shall prevail. He could imagine circumstances arising in which this would be a source of very serious inconvenience.

The resolution was then put and passed.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, "That an Humble Address be presented to His Excellency the Governor, stating the willingness of this House to defray a share, apportioned on the basis of population,

"of the expense attending the immediate employment of an Imperial Commissioner on the coasts of New Guinea, as suggested in the Earl of Derby's despatch No. 47, of May 9th last."

Agreed to, without discussion.

MR. BROWN said he should like to see the following resolution also adopted. It was agreed to at the Conference: "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." He understood the Colonial Secretary to say that it was the intention of the Government to bring forward a bill during the present session to meet the object of this resolution, and, if such was the case, he would not occupy the time of the committee in arguing the question as to whether it was desirable for them to include this resolution in those already adopted. He certainly thought they ought to join heartily with the Convention and the other colonies in taking this step.

THE COLONIAL SECRETARY (Hon. M. Fraser) said that to his mind this was a subject entirely apart from the other resolutions, which were all closely connected, and which would have to be dealt with by the Imperial Government, whereas this was a matter entirely for the Government of our own colony to decide, and for the other Colonial Governments. It had been left out purposely, as it was a question purely for the various Australian Legislatures to deal with.

The House then resumed, and

THE CHAIRMAN OF COMMITTEES reported that the committee had considered certain resolutions, and had agreed to the same, with amendments.

The House adjourned at ten o'clock, p.m.