

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

Legislative Council—Second Session of 1889.

Opened on Tuesday, 23rd July, 1889.

LEGISLATIVE COUNCIL,

Tuesday, 23rd July, 1889.

Opening of Council—Governor's Speech—Electoral Bill: first reading—Address-in-Reply—Adjournment.

OPENING OF COUNCIL.

The House was prorogued by His Excellency the Governor on April 30th, 1889, until the 11th day of June; it was further prorogued to the 16th day of July; and again prorogued until the 23rd of July, on which day it met for the despatch of business, at three o'clock, p.m.

THE GOVERNOR'S SPEECH.

HIS EXCELLENCY THE GOVERNOR entered the Council Chamber shortly after three o'clock, and, having taken the Chair, delivered the following Speech:

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

You have been specially called together, in accordance with the intimation given at the close of last Session, to consider a new Electoral Bill for the Colony, prepared by the Commission which I appointed to give effect to Your Address No. 3, of the 22nd of March.

A Bill to provide for certain matters connected with the safety of the public travelling by railway, and a Bill to

regularise a portion of the expenditure on the line of telegraph from Roebourne to Derby, will also be introduced.

Further correspondence with the Right Honorable the Secretary of State on the subject of the Constitution Bill will be laid before you, and other papers.

I have received official information, by telegraph, that the Bill to enable Her Majesty to assent to the Constitution Bill has passed the House of Lords. It would appear, from what is stated in the public press, that the measure will meet with opposition in the House of Commons. The question whether the Enabling Bill can be passed into law during this Session of the Imperial Parliament will very shortly be settled.

The time during which tenders for the new Loan of £100,000 can be sent in expires in London to-day, and I shall inform you of the result as soon as I learn it.

The Despatches to be laid before you include an important communication from the Secretary of State regarding the finances of the Colony.

The Revenue to the 30th of June has been £6,154 less, and the Expenditure has been £4,029 less, than the sums received and expended during the first six months of last year. It is still expected that the close of 1889 will show a surplus, due to the repayment of certain moneys to Revenue from Loan funds, and to the rigid economy now

"absolutely necessary. As the Revenue and Expenditure for 1890 will not be brought under your consideration at present, I postpone further reference to finance.

"Experienced persons continue to hold the highest opinion of our deposits of gold, of tin, and of coal. Active preparations for working various areas are completed or in progress, and I trust that in a short period the mines will be yielding a rich result. Traffic in shares has been exceedingly active, but this, until the real value of the discoveries has been practically demonstrated, is a source of danger, as to which a word of warning may not be unnecessary.

"On the 1st of June, I had the satisfaction of opening the Great Southern Railway. This trunk line renders the capital and central districts easily accessible from Albany and the outer world, and the growth of settlement and production due to it must soon be advantageously felt.

"Throughout its length and breadth, the Colony is being blessed with a magnificent season, and both pastoral and agricultural prospects are excellent.

MR. SPEAKER AND GENTLEMEN:—

"I again express my trust that your labours may, under Providence, continue to promote the welfare of Western Australia."

HIS EXCELLENCY, having handed a copy of the Speech to the Speaker, withdrew from the Council Chamber.

ELECTORAL LAW AMENDMENT BILL.

Read a first time.

THE ADDRESS-IN-REPLY.

MR. VENN: Sir, I rise to move, in a very formal way, an Address in reply to His Excellency's Speech. It is not two hours ago since I first had the privilege of seeing that Speech; therefore, even if I had the inclination, I certainly am not in a position at the present moment to make but a very few remarks upon the Speech. A few days ago, with others, I had shared in the expectation that the present session would have been the last under the existing Constitution, and that we would meet here on this occasion to put the finishing touch to the prepara-

tions for another form of Government; but events have happened, or are happening at the present moment, which have cast some considerable doubt as to the position in which we stand in connection with the question of a change of Constitution; and in these circumstances, it is not a very easy nor a very pleasant duty that has been cast upon the mover of the Address in reply to the Speech we have just listened to. I have no inclination, myself, to make any lengthened remarks upon the Speech; nor do I think the House would care to listen to any lengthened remarks at the present moment. With all who feel a keen and instant interest in the affairs of the colony, I feel that the present moments are moments of the gravest anxiety, because we are momentarily expecting to hear some definite information, of vital importance to this colony, and not only to this colony, but as affecting the great question of a Federal Australasia; and it behoves us to keep a watch upon ourselves, so that if circumstances demand it, we may rise equal to the occasion. It is impossible at the present moment to say what the next few hours may bring forth in the shape of intelligence from England as to the fate of the Constitution Bill; and, under the circumstances, I think it better to temper our comments with prudence, and to wait for further developments. There is one thing, however, which I will say: if further proofs had been wanting of the interest felt by His Excellency the Governor on the question of Responsible Government, or of his desire to further the interests of the colony, the events of the past few months have shown us that in Governor Broome we have a sincere friend; and, in supporting His Excellency's action, I feel that we are supporting the best interests of the colony. I will refrain from saying anything further at present on this subject. I share with His Excellency the hope that the prospects of the colony, which, from an agricultural and pastoral point of view are all that could be desired, may be realised. At present they are particularly bright, as bright as they possibly can be; and we can only hope that the colony will soon feel the advantages of a magnificent season. With these few remarks, I beg to move that an address be presented to

His Excellency in reply to the Speech he has just delivered to the House.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): Will the hon. member read the address?

MR. VENN read the address as follows:—

"To His Excellency Sir Frederick Napier Broome, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Territory of Western Australia and its Dependencies, &c., &c., &c."

"MAY IT PLEASE YOUR EXCELLENCY,

"We, the Members of the Legislative Council of Western Australia, desire to express to Your Excellency our thanks for the Speech with which you have been pleased to open the present Session of this Honorable Council, and to assure you of our earnest desire to cooperate with you in effecting the object for which we have been specially summoned at this date.

"The Bill to consolidate and amend the law relating to Elections to the Legislature, and the other Bills Your Excellency states are to be placed before us, will, of course, have our earnest consideration, and we trust that the important measures committed to our charge will be duly passed in a satisfactory form.

"It is satisfactory to know that active preparations are in progress for working our deposits of gold, of tin, and of coal, and we share in the hope that in a short time the mines will be yielding a rich result.

"The opening of the Great Southern Railway is a source of gratification to all, and must result in promoting settlement and the progress of the Colony.

"We rejoice in the prospect of a good season to the various interests of the Colony, and we trust with Your Excellency that our labors may, under Providence, promote the general welfare."

MR. RANDELL: Mr. Speaker—it has devolved upon me to second the Address in reply to His Excellency's Speech. The occasion which has called us together certainly seems not to be one to inspire one with much eloquence, even if one had it within him, still it may have a very

important influence upon the future of the colony. We have come together in consequence of a very generally expressed wish, I think, amongst writers in the public press and by members of this House, and from other sources, that a new Electoral Bill should be passed. A feeling of dissatisfaction has arisen with reference to the Act under which elections have been taking place during the last few years. Perhaps this dissatisfaction has not been with the Act alone, but also with the way in which the Act has been carried out by those entrusted with that duty. Of course I am unable to speak at present of the merits of the amending Act, which is not yet before us; but we may hope that the Commission appointed to frame it, consisting of gentlemen of experience and legal attainments, will have framed a bill that will be worthy of the careful consideration of the House, and that it will be a measure calculated to have a beneficial effect, and be productive of beneficial consequences upon future Legislatures in this colony. It is desirable that with the introduction of Responsible Government—which I still hope we are not debarred from getting, even this year—I think it is very desirable that with the introduction of Responsible Government we should also have a new Electoral Act brought into operation about the same time; therefore, I trust that the measure which has called us together on the present occasion will be found to be one that will meet the object in view, and have a beneficial effect upon our political life in the future. There is apparently not much other business likely to come before us this session. But though the session opens in this somewhat uninteresting and unimportant way, we do not know what it may yet bring forth, and it may be that the session may be a memorable one in the annals of the colony. Sometimes we hear it said that it is the unexpected that happens; and no one can say what the session we have just entered upon may have in store for this colony. At any rate, I feel quite sure that members will give their best attention to whatever measures are brought before us, and do all in their power to make them worthy of a place in our statute book, and to be incorporated with the

laws of the colony. His Excellency speaks in the fourth paragraph of his Speech of what has already appeared in the public press as to the Enabling Bill, and the opposition which it is said it is likely to encounter in the House of Commons. All of us have seen the telegram published this morning, and I am sure it has very much damped the hopes of a very large number of the people of the colony, and it will damp the hopes of all when they read it, and cause a feeling of wide disappointment throughout the colony. This question of Responsible Government has reached that point now that any serious delay in its adoption must be injurious. Members are aware that, personally, I have not been strongly in favor of the proposed change; yet I feel that the question has reached a stage now when any serious delay in its final settlement cannot fail to have a very injurious effect upon this colony; its rejection by the House of Commons during the present session of the Imperial Parliament would be fraught with very serious injury to the colony. I hope, however, that the disappointment experienced by members and by the public on reading the telegram appearing this morning will not lead them to any intemperate expressions, which may be calculated rather to damage than to help our cause. I take it that the occasion is one that should call forth our higher and better principles; that we can afford to wait and to patiently bear the rebuffs which may be in store for us; conscious of the justice and final triumph of our cause. I hope we shall show our ability to deal with the question in a right and proper spirit. We have right and justice on our side; and when we consider how much the English Government in the past conceded to the other Australian colonies, I cannot think that at this late hour it will refuse to grant to Western Australia the same political privileges as it has already granted to our sister colonies. One can quite understand the feeling that exists among politicians and philanthropists in the mother country, when they look at the dense population of that country and the necessity for some outlet for its surplus population; I can quite understand the anxiety which all thoughtful men must feel in considering that very serious problem; and it is not difficult to appre-

ciate the anxiety they feel, when they look on this colony as an available field for immigration, and imbued as they are with some very hazy and undefined notions as to the colony's resources—one can understand that they should feel some reluctance to have the colony alienated, as they conceive it would be, from the mother country as a field for planting some of that surplus population. No doubt this idea is at the bottom of that opposition which we are told is going to be shown to the Enabling Bill in the House of Commons. But I still have that confidence which I expressed last session in the sense of justice and right which I am sure animates the majority of the English House of Commons, and that we shall obtain from them that which we are seeking, and which has already been granted to other dependencies of the Crown in this and other parts of the world. If we do not obtain it in the exact form we wish, we shall get it with certain restrictions, which perhaps we would not find it difficult to bear. I think at any rate we are not to place too much reliance upon the telegram which we read this morning. It was only the other day that we saw another telegram, in which it was stated that our loan had been floated, and that the tenders sent in were largely in excess of the amount advertised. It now appears from His Excellency's Speech that the time during which tenders for this loan could be sent in only expires in London to-day. It appears, therefore, that the telegram announcing that the loan had been subscribed four times over some days ago was, to say the least, premature; and it is quite possible that this other telegram about the Enabling Bill may also be incorrect. I think the only danger we have to fear from that quarter is in the weakness of the English Ministry, and that they may not feel themselves strong enough to take up a firm attitude upon the bill, and be unwilling to risk a defeat, seeing that there is likely to be opposition to the bill from both sides of the House. Let us hope, however, that better counsels may prevail, and that the bill having passed through the House of Lords without a great deal of opposition may also pass through the more fierce ordeal of the House of Commons. We know that the Secretary of State is now

better informed than he was some time ago as to the position of the colony and the attitude we have taken up in regard to this question, and we also know that the able letter which His Excellency the Governor was pleased to write to the "Times" must have had the effect of removing a great deal of wrong impression that prevailed in England on the subject; and I think we may fairly hope that with these additional sources of information before them, the members of the House of Commons will be in a better position to realise the real position of affairs, and be more likely to do us justice. Let us hope for the best, at any rate. I see no reason why we should take any steps that we should afterwards regret, or do anything that may jeopardise our position in any way. When the proper times comes—I do not think it has yet come; but when it does, we shall no doubt have the assistance of the other colonies in enforcing our claims. When that time does come, if we find that our claims are still refused, then I think we may ask the other colonies to assist us; and I shall then be willing to ask them to do so. But I am still in hopes that we shall have justice done to us by the House of Commons; at any rate I do not yet despair. With reference to the paragraph in the Governor's Speech relating to a falling off in the revenue, I do not think it is necessary to say much, or that there is anything in it that need disturb us very much. The causes of it are not far to seek. A falling off in the revenue is of course to be regretted from whatever cause it may arise; but I have no doubt that members who are engaged in mercantile pursuits could give a very good reason why the revenue should have shown a diminution during the first six months of the current year as compared with the corresponding period last year. There is this to be said: the colony just now is certainly enjoying one of the finest seasons it has been blessed with for some years past; and with a bountiful season, both for the agriculturist and the pastoralist we may safely reckon upon an increase in the purchasing powers of the community, and that means an increase in the public revenue. I think, myself, that the diminution in the revenue during the last six months is attributable in a large measure

to importations having been largely beyond our means in the past, and that our merchants and others have been curtailing their orders, in consequence of which the revenue has correspondingly suffered. I quite agree, however, with the policy that is shadowed out in His Excellency's Speech as to the necessity for exercising the most rigid economy. At the same time, while I hope the Government will exercise every right and proper economy in dealing with the public finances, I hope they will have sufficient courage to be ready to foster and help any enterprises which may promise in the future to turn out for the welfare of the colony at large. I do heartily reciprocate what fell from the hon. member who moved the Address-in-reply, and the sentiments he has expressed with reference to the earnest, and hearty, and efficient, and I may say for the talented manner in which the Governor has advocated all matters connected with the Constitution Bill. I think His Excellency's actions throughout have been such as to entitle him to the gratitude and praise of all the inhabitants of the colony, and I am sure that every disinterested and every true and honest man will give him that meed of praise which His Excellency so richly deserves for his earnest efforts in our behalf. With these few remarks I second the Address-in-reply.

MR. BURT: Sir, the only paragraph in this Speech which, it strikes me, is of much interest is that in which we are told that the Constitution Bill now before the Imperial Parliament is likely to meet with opposition in the House of Commons. Now, that being so, it appears to me we have arrived at a period certainly of anxiety and a period of some grave importance; and I think the House should well consider what course would be the most dignified for it to take upon an occasion such as this, with the view of asserting that position which I maintain belongs to the people of this colony, represented as they are in this House; and also bearing in mind the object at which we are all aiming at, and attempting by smooth means, if possible, to attain. We are told that the Constitution Bill will meet with opposition in the House of Commons; and perhaps, possibly, thrown out altogether. Now I am not aware whether, that being so,

this House intends to proceed in the same humdrum way with the business as usual. It strikes me that we have as much right to urge our views on this subject as the members of the House of Commons who may be opposing it; and I may say at once that as to this alleged opposition, personally I do not believe in the telegrams that have been sent out to the press of this colony, and for this reason: I see it asserted in one of these telegrams—and from one we can pretty well judge the whole—that Lord Knutsford returned an evasive reply to a certain question put to him, a question upon which Lord Knutsford is incapable of any evasion. I submit that this telegram was sent out by an enemy of this colony, and that there is an enemy at the other end somewhere. I say that, because I am fully persuaded that Lord Knutsford has given no evasive reply to the question referred to; and, therefore, I say that telegram at any rate was not sent out by any friend of the colony; and it is more than possible that the remainder of the telegrams as to the increasing opposition in the House of Commons are as false as the other. I do not believe, myself, that what was called the Liberal party at one time in England, and with the present constitution of the House of Commons, would have for a moment denied the people of Western Australia the right of self-government, when they find staring them in the face an Imperial statute which gives us the right to demand self-government. Who gave us that right but the Imperial Parliament itself? Certainly the Imperial Parliament has a word to say, and is entitled to say it, as to the terms upon which that right of self-government should be granted. But the only point upon which any opposition was expected was eliminated from the bill before it was sent Home,—the question of the control of the lands; therefore, I say, personally, I do not believe in these telegrams. I do not think the House of Commons will oppose the bill when they know what it is. It is some person at the other end of the wire who is endeavoring, in my opinion, to frighten us. At the same time, this is mere speculation; there may be some truth in the telegram we have read this morning; and that being so, I think it is for this House to consider what is the

best method for it to proceed with on the present occasion. For my part, though possibly forming rather a more hasty judgment than I am given to form—so far as I can see, and so far as I can judge at the present moment, I think it would be better for this House to adjourn for a week, and let events disclose themselves. Let us wait further developments. Let it be telegraphed Home by His Excellency that the House refuses to do any business until it knows what is going to take place in the House of Commons with regard to this bill. I do not wish to detain the House any longer, on this occasion,—the opening of the Council; but, if my views are considered deserving of support, I trust hon. members will express their views, and give effect to them by their vote; therefore I beg to move an amendment: "That in view of the fact that the House is led to believe that the Constitution Bill will meet with opposition in the House of Commons, the House prefers to await the further progress of events, and to adjourn until Monday next." I do not think there is anything in that to put us in a wrong position; there is nothing derogatory to the honor of the House in passing such a resolution as that. There is nothing in it in the shape of flying in the face of the House of Commons or of the Secretary of State. It is respectful, as it ought to be. We simply say, we desire to adjourn for a week, until things are further advanced at Home than they are at the present moment. If this bill is not going to pass through the House of Commons, it appears to me that some means must be taken to resuscitate the affairs of the colony. We have come down to the lowest depths; we cannot go any lower; the Government have admitted that under the present Constitution they cannot carry on the Government as it ought to be carried on; and everything is hung up, just at the moment, too, when the public are looking to their representatives to give a helping hand to industries that are awaiting development in various parts of the colony. That is another cogent reason why we should adjourn for a week, and see what may take place in the meantime, and what is going to be done in the event of this bill being further delayed.

MR. MARMION: I have very much

pleasure in seconding and supporting that amendment. I think that under existing circumstances it is about the best step we could take. We know not what the next few days may bring forth, and we shall be in a better position to deal with the matter when we hear the result of what has taken place in the House of Commons. So far as I am personally concerned, though like the hon. member, Mr. Randell, I have not been a very strong advocate of Responsible Government, still I feel that a step has been taken by the people of this colony from which they cannot recede; and, having been a party to that step, I certainly shall do my level best to see Responsible Government carried through. The time, it seems to me, has arrived, when the people of this colony, and their representatives have a serious position to face. We are told that there is a growing opposition to our obtaining Responsible Government, and that it is possible the bill may be rejected altogether; and that is a very serious position of affairs for this colony to be confronted with at the present moment. I can hardly imagine, myself, that things are so bad as they have been represented in these telegrams. I should hardly imagine that the Liberal party could oppose the proposal to give the colony more liberal institutions; or that the Home Rule party, who are anxious for that form of Government for Ireland, would oppose a similar measure for this colony. If these parties are true to their traditions, and the Constitution Bill is supported by the Conservative Ministry of the day I can hardly imagine that it is likely to be rejected by a majority in the House of Commons. As to the best thing to be done in the circumstances, that is for the House to consider; so far as I am personally concerned I shall be prepared to take that course of action which I think best for the colony, and best for the constituency which I have the honor to represent. In the meantime it appears to me the best thing we can do is to adjourn, and wait until we see what action the Imperial Parliament is going to take in the matter.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): I think all will agree with me,—seeing that the days of the present session of the Imperial Parliament are drawing to a close, and that we

do not know what a day may bring forth—it would be very desirable that this House should be sitting and in touch with His Excellency the Governor, in the event of any communication being received from the Imperial Government relating to the Enabling Bill; and, for this reason, I hope the hon. member will not press his motion to adjourn the House for a week. I think it is very desirable, in the present circumstances, that the House should sit from day to day, and be in communication with His Excellency. There is another reason why I should wish the House to sit to-morrow, and that is, that there are some important papers, which are not yet printed, but which will be ready by to-morrow evening. In the meantime, there can be no reason for delaying the Address in reply to His Excellency's Speech; for, until that address is presented, it cannot be said that His Excellency is (properly speaking) in a position to communicate with the House by Message. I think, if I may be permitted to suggest the course that would best serve the interest of the colony, it would be that the House should proceed with the address, and sit again certainly at an early day, if not to-morrow; for there is no knowing what telegraphic information His Excellency may receive from the Colonial Office, and it may be desirable to reply to it without delay. If the House adjourns for a week, without even agreeing to an address-in-reply, which after all is a mere formal matter, I understand, from what Your Honor ruled on a former occasion, that we could not sit again until the week had expired, and in the meantime it might be desirable to take some immediate action. There may be important business to communicate to the House to-morrow evening, and I think it is very desirable that the House should be sitting to receive any communication which His Excellency may have to make.

THE ATTORNEY GENERAL (Hon. C. N. Warton): I would ask Your Honor to rule whether the amendment of the hon. member for the North is in order,—whether such an amendment can be moved upon the Address-in-reply. It does not touch any part of the Address, and I submit that the proper and constitutional course—if any member wishes to move

an amendment upon the address—is to move an amendment in some paragraph of the address, expressive of the views of the House. There is no precedent for such an amendment as this to an Address-in-reply—an amendment which merely says that the House prefers to adjourn for a week. Prefers it to what? I ask Your Honor to rule whether the amendment is in order.

SIR T. COCKBURN-CAMPBELL: There is scarcely any necessity for that, for this reason, the hon. member who moved the amendment informs me that he made a mistake in wording the amendment, and that it was not his intention to move an amendment that would preclude us from debating the Address-in-reply. I understand that what the hon. member wishes is that the House should adjourn, in order that some further information with reference to the Enabling Bill may be received and communicated to the House. I must say I am quite in accord with him in thinking that it would be undesirable to formulate our Address-in-reply at the present time, but I do not agree with him that we should adjourn for so long a time as he proposes; for it is not at all improbable that some communication may be received from the Secretary of State, and it may be necessary for the House to take immediate action upon it, with the view of bringing some pressure to bear upon the House of Commons to induce it to proceed with the bill this session, if possible. In any case, I think it is very desirable that there should be no long adjournment, and that the House should keep in touch with His Excellency, ready to take any action that the circumstances may suggest. If we find that things are going against us, it is within the limits of possibility that some steps may be taken by the House which would prevent the bill falling through this session. That being so, I think it would be foolish for the House to adjourn for a week, because it may then be too late to take any action, and we might possibly regret that we had missed the opportunity of doing so.

THE SPEAKER: I think it would be better if the hon. member were to withdraw his amendment, and move that the debate be adjourned, if he wishes it adjourned.

Amendment, by leave, withdrawn.

MR. BURT moved that the debate be adjourned until the following day.

Agreed to.

Debate adjourned.

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

LEGISLATIVE COUNCIL,

Wednesday, 24th July, 1889.

Message No. 1: Telegram from the Secretary of State as to the Constitution Bill—Message No. 2: Floating of the £100,000 Loan—Railways Act Amendment Bill: first reading—Address-in-Reply: adjourned debate—Adjournment.

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

PRAYERS.

MESSAGE (No. 1): THE CONSTITUTION BILL.

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

“The Governor has the honor, with reference to the third and fourth paragraphs of the Speech with which he opened the Session, to inform the Honorable the Legislative Council that he has this day received from the Right Honorable the Secretary of State the following telegraphic despatch respecting the Bill to enable Her Majesty to assent to the Constitution Bill:

“London, 23rd July, 1889.

“In view of opposition to Western Australian Responsible Government Bill on both sides of House, and period of Session as well as necessary work to be accomplished, much regret that impossible to pass Bill before prorogation, but still hope that second reading can be got later, so as to affirm principle of constitutional change.”
“Government House, 24th July, 1889.”