

able would take the jetty out a considerable distance, and, as to the rest, he hoped the House, whoever was in it, would be able hereafter to find the money to complete the work.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) did not suppose there would be any objection to this address being presented; but it was very certain that the funds available would not do what the hon. member proposed. With the amount at present at his disposal it would be utterly impossible to improve this jetty as suggested. There was only about £1,200 left, and that would not take the jetty out 120 or 130 feet. According to the soundings, it would not improve the approach to the jetty at all. Of course it might do as a commencement, but it would require a considerable sum more to make the extension of any practical value. He had said the same thing on previous occasions. If the House wished it, and the Geraldton people wished it, the funds now available might be made to go as far as possible; the money was now lying idle and it might as well be used. At the same time it was only right that he should say that it would not make any improvement, in his opinion, so far as approaching the jetty was concerned for berthing steamers.

MR. VENN: Will the hon. gentleman say what he thinks would be the probable cost of the work?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): It will have to be supplemented by another £3,000 or £4,000.

MR. SHOLL: I understand that some of this money has been reappropriated?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): No.

MR. SHOLL: It has been spent in paying Sir John Coode for examining the harbor,—which is not extending the jetty.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): The hon. member has been misinformed.

MR. SHOLL: Well, it is clear that some of it has been spent, and I think the original amount should be made up. When we take into consideration the importance of Champion Bay, I think it is only fair that the port should have decent jetty accommodation.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): When I

said just now that the hon. member had been misinformed, I meant that he had been misinformed as to any portion of this money having been misappropriated. Sir John Coode was asked to go up to Geraldton at the special request of the people of the town, and their then representative in this House, for the purpose of reporting upon the best site for this jetty, and the best method of spending the money; and, very properly, his expenses were charged to this sum. He made drawings and plans of the jetty as he purposed having it carried out; but the funds available would not admit of the work being undertaken.

MR. BURT said it appeared from what the Director of Public Works said that it would be no use extending this jetty unless they could do so to an extent that would enable the steamers to come alongside. He would suggest that the money be spent in dredging the approach to the jetty. He thought the time had come when the Government should seriously consider the desirability of obtaining a sea-going dredge for the use of these outlying ports; he believed it would be a saving in the end: the amounts spent on jetties and jetty extensions really were something alarming. He believed that the amounts spent in this way during the last fifteen years would have bought half a dozen dredges.

Motion put and passed.

The House adjourned at a quarter past five o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 17th April, 1889.

Petition from Rev. W. Tait—Messrs. Harper and Hackett's Petition: Personal Explanation—Message (No. 19): Constitution Bill—Karri Piles in South Jetty, Fremantle—Adjournment.

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

PRAYERS.

PETITION.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he had

had a petition forwarded to him by the Rev. W. Tait to present to the House. It appeared to be couched in terms that were not disrespectful to the House, and the prayer of the petitioner was that the House would afford him the only means he had to clear his character from certain cruel and unfounded allegations. He knew nothing of Mr. Tait or his allegations himself; but the terms of the petition seemed in no way disrespectful to the House.

The petition was laid on the table.

MESSRS. HARPER & HACKETT'S PETITION: PERSONAL EXPLANATION.

MR. A. FORREST: Sir—I wish to make a personal statement with reference to what the hon. member for Gascoyne said in the House yesterday,—that he was present when the conversation between Mr. Hackett and myself, as given by me in evidence before the Executive Council, took place. I desire to say that I have no recollection of the conversation referred to by the hon. member, and it certainly is not the one to which I refer in my evidence. That conversation took place outside my office, and shortly afterwards I informed the Commissioner of Crown Lands that it was a fortunate thing for the *West Australian* that I was not called, as my evidence would have been disastrous to them. I call upon the Commissioner of Crown Lands to say whether I did not some years ago, and at the time the statement was made to me, communicate the same to him. I make this statement as it may appear to hon. members that the whole affair was one of Mr. Hackett's jokes, backed up by the speech of the hon. member for Gascoyne, yesterday.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): Being appealed to, I may say that what the hon. member says is perfectly correct,—he did inform me of the conversation he refers to. I have often informed Mr. Hackett myself of this statement, and told him it was very lucky for him that the hon. member for Kimberley was not called as a witness at the trial; and Mr. Hackett never denied it.

MESSAGE (No. 19): CONSTITUTION BILL—FURTHER TELEGRAM FROM SECRETARY OF STATE AS TO AMENDMENTS.

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

"The Governor has the honor to inform the Honorable the Legislative Council that, on the 15th instant, he communicated further as follows, by telegraph, with the Right Honorable the Secretary of State respecting the Constitution Bill:—

"Referring to your telegram of '6th April, Legislative Council insist on amendments two, three, four. Prorogation 18th April 'unless business from you.'"

"The Governor has this day received the following reply, dated the 16th instant, from Lord Knutsford:—

"Amendments two, three, four. 'Must adhere to previous replies in these cases. In order to enable introduction Imperial Parliament this Session, better not prorogue till points at issue have been settled as required.'"

"In consequence of the above telegram, the Governor requests Your Honorable House to further consider the following amendments to the Constitution Bill contained in Message No. 13.

"(1.) *Clause 69, line 3*:—The words 'eight thousand four hundred' to be omitted, and the words 'nine thousand eight hundred and fifty' inserted in lieu thereof.
"(2.) *Clause 76, line 11*:—All the words after the word 'repealed' to be omitted.

"(3.) *Schedule B*:—The sums named to be altered as follows:—

"£3,000 to £4,000
"£200 to £250
"£1,000 to £1,200
"£700 to £900
"£8,400 to £9,850

"(4.) *Schedule D*:—The sums named to be altered as follows:—

"£300 to £400
"£2,050 to £2,150

"If amendment No. 2 be made in the Bill, amendment No. 9 proposed in the Governor's Message No. 18, of the 15th instant, is of course unnecessary.

"The Governor is of opinion that the

"Colony will gain much more than it will lose by accepting the Secretary of State's amendments.

"As regards the Crown lands South of Latitude 26, the Legislature practically has the control of them already, and circumstances render it quite impossible, in the Governor's opinion, that any retrograde policy should be initiated under Responsible Government.

"Added to this, the Secretary of State has declared that the intention is that the Legislature shall completely control these lands.

"The general interests of the Colony seem to render it highly advisable that Lord Knutsford's decision should now be accepted, in order that Responsible Government may be established without delay.

"The Governor expresses this opinion with the greater freedom, as he has hitherto supported to the Secretary of State the views of the Legislature.

"Government House, 17th April, 1889."

KARRI PILES USED IN SOUTH JETTY, FREMANTLE.

MR. PATERSON asked the Director of Public Works whether he had caused any inspection or examination to be made of the karri piles used in the construction and erection of the South Jetty at Fremantle, with a view of ascertaining whether such piles had suffered from the ravages of the *teredo navalis*; and, if so, what had been the result of such inspection or examination? He noticed from *Hansard* that when the vote was taken for extending the jetty last year the question of employing karri in building the jetty was discussed; and the attention of the Director of Public Works was called to the doubtful character of karri for such work. He noticed that the Director of Public Works said that "in order to test the question he was having experiments and notes taken in all new works that were undertaken; and, in the last extension of the jetty at Fremantle, both karri and jarrah piles were driven side by side, and they had been carefully marked and recorded, so that here we should be able immediately to have a reliable comparison." He now wished to know what the result of this test ex-

periment had been. He felt sure, himself, from his knowledge of karri, that it was a mistake to employ it in works like these; and he felt convinced in his own mind that in the course of seven years these piles would have to be renewed.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) replied that a periodical examination was made of all the piles used in the jetties at Fremantle, and there were no signs reported of their having suffered from the ravages of the *teredo navalis*.

CONSTITUTION BILL: MESSAGES (No. 18 and No. 19.)

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): In rising to move the consideration of these two Messages, I am not aware that it is necessary for me to detain the House at any length, as the same questions have already been before the House on two or three previous occasions this session. I would ask members, however, to reflect upon this fact: the bill that was before the country at the late general election—the bill upon which members went to their constituents and upon which they were returned to this House—contained no provision for vesting the control of the lands in the Legislature. The bill was silent on that point, and the schedules were in the form they are now brought forward again by the Government at the request of the Secretary of State; therefore, it cannot be said that members are fettered in any way in their action so far as these questions are concerned by any pledges they may have given their constituents. I hope members will bear that in mind. The bill upon which the country has expressed an opinion had no proviso in it as to the control of the land, nor was that question touched upon that I am aware of at the late election. It is a new idea which has been introduced in the course of the passage of the bill through the House. I hope members will ponder over that fact, and also over the fact that the amounts which appeared in these schedules were on the scale which the House is still asked to vote them. It cannot, therefore, be said that the country has in any way taken exception to these schedules or to the fact that the bill contained no provision vesting the lands in the

Legislature. I hope the House upon a careful reconsideration of the whole subject and in view of these latter telegrams from the Secretary of State will be prepared to agree to the amendments which I am again directed to bring before it. The latest of these communications only reached the Governor to-day, and it will be seen that the Secretary of State says very plainly that his intention is to give the colonial Legislature full control of the lands south of Latitude 26°. The question now is whether members are prepared to accept this assurance and to agree to these amendments so that the bill may go Home, and the new Constitution brought into a safe and peaceful haven; or whether members are prepared to send the bill Home to be tossed about on the troubled waters of the House of Commons, with no one to guide it to a safe harbor,—for we may rest assured that if we persist in alienating the sympathies of the Secretary of State, the bill will enter upon very troublous times when it gets exposed to the attacks of the Imperial Parliament and of the Home press. I ask the House to ponder well before rejecting these amendments.

Amendments 1 to 8, in Message No. 18 (*vide p. 299 ante*) were agreed to *sub silentio*.

MR. PARKER: The next amendment we have to consider is that relating to the Civil List. In Message No. 19, just received, we are asked again to increase the amount specified in Clause 69 from £8,400 to £9,850; or, in other words, to increase the Governor's salary to £4,000, the salary of the Clerk of the Executive from £200 to £250, the salary of the Chief Justice from £1,000 to £1,200, and the salary of the Puisne Judge from £700 to £900. So far as I am concerned, if we had any assurance that we should have our own way as regards the control of the land, I should be very glad to give way in the matter of these schedules. But what we have to look at is this: whether by giving way on these points we should not weaken our position as regards the main point of all. The Secretary of State might be led to believe that as we had given way on these points, he had only to persist a little longer to induce us to give way on all. I feel that if the Crown is prepared to give us the entire control of the lands,

we might give in on the question of the Civil List, and accept the amendments now suggested, as to the salaries. I think the Crown has a perfect right to look to us to grant Her Majesty such a Civil List as she may fairly expect, if on the other hand the Crown consents to give us the lands. If we were certain of obtaining the right to control the waste lands south of the 26th parallel, I do not think we need offer any strenuous opposition to the proposal now before us, or to the small increase in the Attorney General's pension. But what I am very sorry to observe in this last telegraphic despatch from the Secretary of State is that Lord Knutsford apparently places all these amendments on the same footing. He does not make any distinction between the Attorney General's £100 and the question of the control of the Crown lands. He says: "Amendments 2, 3, 4,—must adhere to previous replies in these cases." No. 2 deals with the land; No. 3 with the Civil List; and No. 4 with the Attorney General's pension. If he had said "I cannot consent to 3 and 4, but I will ask Her Majesty to consider No. 2," I should not have thought so much about it; but he lumps them all together, and insists on adhering to his previous decision in respect to the three. Why should we give way on all these points when the Secretary of State declines to give way on any of them? If we were to give in on the question of the Civil List, the Secretary of State would still adhere to his decision as to the lands. I think the telegram which the Governor received last week, in reply to his question whether the Secretary of State intended to give us complete control of the lands south of Latitude 26° did place a somewhat different complexion on the position of the colony as regards the land question. It will be remembered that the Secretary of State first proposed to vest the land in the Legislature by an Act in the usual way. Then, apparently, he changed his mind, and said he proposed to leave in force the statute 18th and 19th Vict., cap. 56, and to delegate to us his powers over the lands by regulation. To my mind the Secretary of State would have no power to do that, no power to delegate to another a power which Her Majesty had delegated to him, as one of Her Principal Secretaries of

State. We all know, or at any rate we lawyers know, that a delegate cannot delegate his authority; there is a very old Latin maxim which teaches us that. Therefore, when I found that the Secretary of State proposed to give us the control of the lands in that way, I saw at once that it would be necessary to have an Act of Parliament before he could do it; he would require statutory authority. That was the reason why this proviso was inserted in the Constitution Bill. But it appears from this telegram of the 13th April that the Secretary of State is not in a position to undertake that he will be able to get the Imperial Parliament to pass such an Act. He is not prepared to pledge himself to anything; he does not know, he says, what modifications Parliament may make. So that virtually we have come to this: if we pass this bill without the proviso in the 76th Clause, and trusting simply to the assurance of the Secretary of State, or rather his good intentions, we may find ourselves with a Constitution under which we should have no more control over the Crown lands than we have at the present moment. No doubt the intentions of the Secretary of State are good enough; but he tells us plainly in this telegram that he cannot undertake to say that the House of Commons will allow him to carry out his intentions. In fact we have nothing definite about the subject at all now. Such being the case, it is very doubtful to my mind whether we would be justified in giving way on any of these points, and whether by doing so we should not be weakening our position very much. At the same time, I feel that in all negotiations between parties it is advisable, if possible, to come to some compromise. In all diplomatic negotiations compromise is an element usually resorted to, in order to arrive at a settlement of a question that will be mutually acceptable; and I have made up my mind in this case to act on that diplomatic principle. While I am not prepared to give way at all on the question of the control of the lands, I am prepared to agree to these other amendments, as regards the Civil List and the Attorney General's pension. I feel that in doing that we shall be in this position; we shall reduce the points in dispute between the

Secretary of State and ourselves to one point, and to one point only, namely, the question of the land. We shall, in effect, tell the Secretary of State that we do not regard these other points of such paramount importance as we do the land question, and, sooner than persist in declining to give way to him on those points, we will show him that we are prepared to sacrifice all minor points for the sake of securing the point which we regard of supreme importance. Having done that I think we may fairly expect the Secretary of State to yield to our wishes on that point. I cannot help thinking that if the matter goes Home in that light it will strengthen our position very much in regard to the land. On the other hand if the bill goes Home as it stands, and we refuse to amend these schedules any more than amend the clause relating to the land, the Secretary of State will say "These people seem to care as much about a few hundred pounds as they do about the lands; they can't be very earnest in their desire to have the control of the lands, when they won't agree to increase the Civil List by a few hundred pounds, or would sooner go without their Constitution than give their Attorney General an extra £100 a year retiring allowance." That is the view which the Secretary of State may take of the matter if we refuse to give way on any of these points. I cannot help thinking we would be in a far better position to fight for our rights as regards the land, if, in deference to the Secretary of State's desire, we consented to accept these other amendments of his. Members on this side of the House have not had an opportunity of discussing this matter in the light of this last Message, and I am speaking now without any means of arriving at what may be the general feeling amongst members, and of course I am speaking without any authority and simply expressing my own individual opinion. But having carefully considered this matter, the light I look at it in is this: if we class these questions, the question of the land, the question of increasing these salaries, and the question of an extra £100 to the Attorney General,—if we class these questions in the same category, and refuse to yield on any of them, the Secretary of State may come to the conclusion that we really

think as much of a paltry £100 as we do of the waste lands, and that we really do not deserve to get the control of our lands. Therefore, I am prepared, rather than that, to give way as to the schedules and to firmly adhere to the land; and let the Secretary of State clearly understand that we are not prepared to accept Responsible Government at all unless the sole control of the land is vested in the Legislature of the colony. Of course I do not mean the lands of the whole colony, but the lands south of the 26th parallel. I think it would be wise to give way as to that boundary, and substitute the 26th parallel in lieu of the tropic of Capricorn. I know it may be said we are hastening over this matter, and perhaps it may be said that we are a little inconsistent in altering a decision that we only arrived at a few days ago. But I ask members to bear in mind that I look upon this as a compromise; and I think it would be unwise on our part to place all these matters in the same category, and treat them as if we regarded them of equal importance. I think that would be a mistake, a tactical mistake.

MR. A. FORREST: I think it is a pity that the hon. member for Sussex did not make this speech the other night. I think we ought to have given way on this question a week ago. I understood that a majority agreed to do so, but afterwards they agreed to stick out for the whole lot, or none. If the hon. member had made the speech he did to-night a week ago this question would have been reduced to this one point, which is the only point we really care about—the land. If we expect to get the land we must be prepared to give something in return for it, and the least we can do is to give way on this Civil List question. I think it would show very bad feeling on our part, and cause a very bad impression to go abroad, if it went forth that we refused to take Responsible Government, for the sake of £1,500. It is impossible for the colony to go on as it has been. Every man in the colony will have to leave it, for we shall not be able to carry on at all, if things go on as they have done during the last year or two; not a single public work going on, and everything at a standstill. A colony like this, with resources like ours, cannot possibly get along with-

out borrowing money. I appeal to members around me whether the depression of the past twelve months has not been something that never was known in the history of the colony. [MR. RICHARDSON: Nonsense.] I think if the hon. member were to ask those connected with our financial institutions they would tell him a different tale. [MR. RICHARDSON: Over-speculation.] Not at all. People have had nothing to speculate with. I hope the House will agree to grant this Civil List, and let the Secretary of State see that we are not an unreasonable lot of people; but that we expect him to give way on the land question. If we stick out any longer the Secretary of State may get tired of arguing with us, and we may have to wait a long time before we get Responsible Government at all. I don't know what we are going to do then; I know the Government cannot be carried on any longer under this Constitution. The Governor himself has told us that.

MR. SCOTT: I would gladly accede to what the hon. member for Sussex has said, and give in on these schedules, if I thought there was the slightest chance of its having the desired effect. But when I read this telegram placed before us to-day, it seems to me that it will make no difference whether we give way on this point or not. The Secretary of State tells us plainly that anything he may do for us is subject to any modification that the Imperial Parliament may make in the bill; and it appears to me that the very point in which they are likely to make any modification will be as regards the land. They will not trouble themselves about these salaries or pensions. It appears to me perfectly useless to appeal to the Secretary of State and say to him, we have given in on these points and we expect you to give in on the land question. He will say at once that it did not rest with him, and that he was quite willing to give us what we wanted, but that it must rest with the Imperial Parliament. It seems to me that our only course is to treat this matter in a business-like way; let the bill go Home, and let the Secretary of State understand what we really want, instead of trying to settle an important measure like this by telegrams. If we cannot do it any other way I think our proper course

would be to send delegates Home to represent our case, and to explain our position. If I thought for a moment that we could get our way as to the lands by agreeing to this schedule, I would do so at once; but I am afraid there is not the slightest probability of that. I think this telegram of the 13th April precludes us from harboring any such idea. Therefore, I intend to stand by my colors, and I hope the House will adhere to its decision.

MR. VENN: Those members who have been fighting this Responsible Government question for the last twelve or fourteen years must feel that they have arrived now at a very critical stage in the progress of events. Of course it is beyond the question to think or to dream that we are going to accept Responsible Government without the control of the lands. There is no occasion to labor that question to-night. What we have to consider now is whether it is wise or not to withdraw from the position we took up the other day, in the face of these Messages and the telegrams which have been placed before us, one of which only reached us a few minutes ago. I think it is due to this House and to His Excellency that we should take some time to consider this question; I do not think it is absolutely necessary that we should come to a decision on the subject this very night. We have consulted and deliberated over this question before, and decided upon a certain course of action, which we agreed to in a spirit of compromise among ourselves. We showed a unanimous front on that occasion, and I think that unanimity of purpose and united action must carry great weight in a case like this. I feel satisfied if we proceed with this debate to-night, without any opportunity of conferring together, we shall come to no unanimous decision, nor anything like unanimity; and, in my opinion, that would weaken our position and not serve the object the whole of us have in view. It may be desirable that the House should be prorogued to-morrow, but it strikes me it would be far better for the House to adjourn over the Easter holidays, and meet again to settle this very vital question, rather than that we should come to any hasty decision this evening. I am in accord with a great deal that the

hon. member for the Vasse has said: I agree with him in this: that in all matters of diplomacy there must be some compromises; and we must not expect to gain our own point without being prepared to concede something in return. But the difficulty here is that we have no assurance that by conceding these points we shall gain our object, the object we have most at heart. If I thought that by giving way on the question of the Civil List we should get a *quid pro quo* in the shape of the control of the lands, I should have no hesitation at all; and I do not think there would be any divided opinion on the subject. But we cannot feel, in the face of the telegram of the Secretary of State, that there is any assurance at all on the subject. Therefore, I think it would not be sound policy on our part to yield on these points when we have no guarantee that in doing so we shall in any way strengthen our position as to the main question of all. It appears to me that we should rather weaken our position if we yielded up the only weapons we have left.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): The question really before the House at the present moment is not the land question, but the Civil List, and I think it would be as well if hon. members would first deal with the amendment that is before them. Later on they will have an opportunity of dealing with this other question. I may say, however, that in my opinion there is no possibility of the Secretary of State receding from the position he has taken up; I say so in the face of the two latest telegrams. Therefore, it seems to me that if members wish to have this bill brought before the British Parliament this session, it can only be by agreeing to these amendments which the Secretary of State has now twice told us within the last few days he feels compelled to adhere to. Surely members cannot think that the Secretary of State is only playing with us.

MR. LOTON: With regard to the immediate question before us, the increase of this schedule, I don't think it is at all necessary to labor that question. The Colonial Secretary has just told us in plain words that the Secretary of State intends to hold out as regards these points; but I think the only point the House of Commons is likely to insist

upon at all is the land question, and I do not think that these schedules will trouble the Imperial Parliament at all. I cannot think that even the Secretary of State would refuse to grant us Responsible Government for the sake of a few hundred pounds more or less added to the Civil List, or for the sake of an extra £100 to the Attorney General. Therefore, I think we need not waste much time over these two points. The only point upon which the Imperial Parliament will set any store will be the control of the land. I think if we look at this matter of the Civil List from one point of view the mother country will be rather inclined to applaud our action in being as economical as possible, now that we are about to take upon ourselves the management of our own affairs. Any parent seeing his offspring exercising a little care and economy on first launching out on its own account in the world would be rather pleased than otherwise. There is another point to be borne in mind: we have not attempted in any way to reduce present salaries; we simply say that at the present moment we do not see our way clear to increase them. No doubt we shall have to do so before long after entering upon Responsible Government; but we do not wish to pledge ourselves at this time. But, as I said, I do not think that this matter will affect the Secretary of State much, and I think the best thing we can do is to address ourselves to this other question, the land question. I have no intention, myself, and I believe that in saying so I am representing the views of those who sent me here—I have no intention, myself, to be a party to accepting Responsible Government for this colony unless we also have the control of the Crown lands. Unless we can get the two together, for my part I should prefer to go without either. I do not believe in having a Constitution rammed down my throat, whether I like it or not. I am prepared now to vote on this question exactly in the same way as I voted a few days ago, unless I hear very strong arguments to show me that I was wrong in voting as I did. I mean to swallow the whole bill, holus bolus, like the hon. member for Kimberley, or none at all.

THE ATTORNEY GENERAL (Hon. C. N. Warton): The hon. member who

has just sat down seems to be utterly regardless of consequences; he is prepared to swallow the whole bill as it stands, whatever result may happen. Of course the hon. member is at liberty to swallow what he likes; but as to the particular form in which this land question should be swallowed, I think the House would be safe in accepting what the Secretary of State offers. We have it on the word of a gentleman that it is his intention to give us the control of the land, and we also have it that he will not be able to introduce this bill this session into the Imperial Parliament unless it is sent Home at once, and in the form already approved by Her Majesty's Government. In his last telegram he says so, in so many words: "In order to enable introduction Imperial Parliament this session, better not prorogue till points at issue have been settled as required." Even without that telegram those of us who are acquainted with the usual duration of the sessions of the Imperial Parliament, and with the business of the House of Commons, know very well that there is no time to spare if this bill is to go Home in time for introduction during the present session. If this House were to send this bill Home a fortnight hence, and a delegate to represent it—if we sent fifty delegates, each with a copy of the bill in his hand—they would arrive too late to get the bill passed this session. Time is the very essence of the contract. The House may take my word for it—I dare say I shall not be believed by some members, though I have said many things that have come true afterwards, and it will come true about this bill—if members delay the passing of the bill another week, if they do not agree to what Lord Knutsford now says for the third time, this bill will not reach the House of Commons in time to be dealt with this session. [Mr. BURT: Boo-oo!] Inarticulate sound is not argument. It may be with the lower animals, but it does not impress my mind at all. It is not an argument to a sentient being. If the Secretary of State had wished to be tricky, or disingenuous—if anyone could imagine it—if Lord Knutsford had wished to deceive this House, would he have answered this telegram sent to him by the Governor, in the way he

did? The Governor asks him: "Will Legislature completely control lands south Latitude 26°?" If the Secretary of State had wished to mislead us in any way, he would have simply answered, "Yes, certainly." But he does not do that; he says, in effect, "Such is my intention, but I cannot control Parliament; no one can say what Parliament may do, but my intentions are as stated." My own opinion is this: members may rest satisfied, they are as perfectly sure of having the control of the lands south of Latitude 26°, as of anything that can possibly happen. I agree with the principle of law referred to by the hon. and learned member for the Vasse, that a delegate cannot delegate his authority; and if this was an action at law it might have to be decided upon that principle. No doubt it is a nice technical point, but who is going to raise it? Who is going to challenge the right of the Secretary of State to do what he proposes to do? Both parties to the contract agreeing, who is going to say to the Secretary of State, "You have not that power?" There is no other party before the court, no other person who has a right to dispute the power, or who is entitled to complain. To argue that any contract made by virtue of this authority would be set aside by any Secretary of State who may succeed the present one is merely to fight a shadow. The question of how Lord Knutsford proposes to redeem his promise need not trouble this House, —whether he will do it by means of a bill which would afford an opportunity for a number of chatter-boxes in the House of Commons to air their pet theories, or whether he does it in what he may consider a more prudent way, by means of a regulation (whether strictly right or not), —who is to complain, so long as the thing is done? The Secretary of State is simply anxious to do what we want in the way that is most likely to succeed. There must be some compromise in negotiations of this nature; we must give and take. Has not Lord Knutsford given way already?

MR. BURT: In nothing.

MR. MARMION: Nothing at all.

THE ATTORNEY GENERAL (Hon. C. N. Warton): Was he not in favor of a nominated Upper House, and did he not give way on that? Has he not

agreed to other amendments we have made, the widening of the franchise and the duration of Parliament. But there are members who will persist in mistrusting him, and to embitter, if they possibly can, the feelings of this colony against the Home Government, and of the Home Government against this colony. They may possibly succeed; but it is not loyal; it is not a patriotic course to take. I am speaking now as a settler, as one taking an interest in the colony. I have no constituents to fear. I have no interest to serve in this matter; my advice, humble as it is, is disinterested.

MR. MARMION: With regard to which question?

THE ATTORNEY GENERAL (Hon. C. N. Warton): With regard to the whole question. If this bill does not go Home at once it will not pass this session. Even if it is sent Home at once, it will not have a day to spare. We know the congested state of the work in the House of Commons; we know there are financial questions to settle; the question of the naval defences; the ever recurring Irish question; the Scotch Local Government Bill, and a lot of other questions pressing for settlement; so that it will be a great struggle to get the Royal assent to this bill, do what we will, before August.

MR. MARMION: I agree with the hon. and learned gentleman as to the desirability of early action, and, if members are of my opinion they will not hesitate in the slightest degree as to their action in regard to the land question, simply because of a telegram, —

THE ATTORNEY GENERAL (Hon. C. N. Warton): Not one telegram.

MR. MARMION: I don't care how many telegrams. We are bound, I take it, unless we acquiesce, to adhere to our previous decision, and stick to our colors, on this land question. We are bound to see that within the four corners of this bill we shall state exactly what we want in regard to the land. I cannot understand such sophistry, such ridiculous argument, as is put forward from the Government benches on this subject; including the arguments of the Commissioner of Crown Lands. They talk of the desire of the Secretary of State to do everything he has promised. If he has

the desire to do so, why does he not do it in this bill? What does it matter to him whether it is done in this bill or in any other way, if he is anxious to have the thing done at all? It seems to me all nonsense to talk about the bill not passing because of this proviso as to the land, or because the Civil List is not increased. It is simply a bogie set up to try and frighten us. The Government has done all it can to frighten us into passing this bill as they want to see it passed. The Attorney General says he has no constituents to be frightened of. No. The hon. gentleman and his confrères occupy a different position from that occupied by those on this side of the House. As he says, they have no constituents to serve, they have not the interests of the country to consider in this matter. They are simply answerable to the Secretary of State. We are answerable to the country. We are answerable to the people of the colony, as their representatives; and we are not going to sell their patrimony for a mess of pottage. With reference to the paltry pension question, and the Civil List, I don't care that much (a snap of the finger) for them: I never did. I have simply been constrained by force of circumstances to go with the majority on that question, so as to obtain a strong majority, a unanimous vote, on the great question of the land. Personally, I never thought anything about these two schedules, as compared with the other question. I have always been in favor of giving a liberal pension to old public officers, and a liberal Civil List; I'm not afraid of a few paltry hundred pounds when put in the balance against the rights and privileges of self-government. At the same time we must be consistent to a certain extent, so far as it is possible to be so in the interests of the colony. In this case my inclination would be to fight the Secretary of State tooth and nail; and the only reason why I hesitate at all about it is, whether it would be in the interest of the colony to do so. If I thought for a moment that by giving way on this Civil List question we should gain our point as regards the land, I should do so without hesitation; and I believe that is the feeling of the majority, if not all, of the members on this side of the House. I believe, myself, that the best thing we can do is to

adjourn this debate until next week, so as to give ample time to members to consider the position, and for the Executive to consider their position, and ample time for the Governor to communicate with the Secretary of State concerning the position. Let it be thoroughly understood that this House intends to adhere to the position it has taken up as to the land, and that there are no signs of wavering or hesitancy on our part, and I venture to say that even so strong-backed a gentleman as the Secretary of State for the Colonies may think it in the interest—I won't say of the Empire, but of this part of the Empire—that he should give way. I think the members of the Executive in this House might assist the Governor in strengthening our position; I think they might assist the colony that is inclined to deal liberally with them at the end of their official career, assist it by strengthening the hands of the Governor in bringing pressure to bear upon the Secretary of State, so as to induce him to give us what all the other colonies obtained when they adopted Responsible Government,—the power to deal with their lands. As to the boundary line, if the Secretary of State insists on the 26th parallel of latitude I should be inclined to give way on that point, though I still think the tropic of Capricorn is the more scientific and most desirable division line. At the same time I do not think the question is of sufficient importance to fight about it. What we want to secure is the control of our lands, and to have it provided for within the four corners of this bill. It is all very well to say that the House of Commons will not be able to deal with this bill unless we pass it to-night. What have we to do with that? If they won't pass the bill this session, let them pass it next session, rather than we should sacrifice the interests of the colony by accepting these amendments, in order that the House may be prorogued to-morrow.

POINT OF ORDER.

MR. BURT: I wish to ask the Speaker's ruling on a point of order. A similar amendment to this was sent down by the Governor a few days ago, and the House came to a decision upon it; I wish to ask

whether it is competent for the Governor to send down twice, I won't say in one week, but in the same session, an amendment upon which the House has already pronounced an opinion?

MR. SPEAKER: I have considered this point, but there is nothing very much to guide one as to what the Governor can do in the way of sending Messages for the consideration of the House. The Imperial Act says it is competent for the Governor to send for the consideration of the Council any such laws as it may appear to him desirable to introduce, or any amendments, but it does not say whether he may send the same bill down twice for the same amendment.

MR. BURT: I should say that if he can send it down twice he can send it down five hundred times; and are we to stop here while the Governor is bandying telegrams backward and forward with the Secretary of State? It is not to be tolerated. We might be kept here for months over the same question.

MR. SPEAKER: There is a great deal of force in the hon. member's argument as to the number of times a Message may be sent down, and, no doubt, it would be very inconvenient, as he says. Still I am not aware that there is anything to guide me in ruling to the contrary.

MR. BURT: To me it appears nothing else but laughable to have the same amendment twice within a week, without any fresh argument brought to bear. What is the reason that we are asked to go back from a decision twice arrived at already? We are asked simply to turn round, day after day, without any reason assigned. I suppose some of us are proceeding on some principle; and, if no fresh arguments are brought forward, why should we retire from a position we have twice taken up? What does this telegram say?

THE ATTORNEY GENERAL (Hon. C. N. Warton): That is the new argument.

MR. BURT: What does it say? "Must adhere to previous replies." Is that any argument?

THE ATTORNEY GENERAL (Hon. C. N. Warton): Read on. "In order to enable introduction Imperial Parliament this session, better not prorogue." A fresh argument.

MR. BURT: Really it is amusing to hear the arguments of the Attorney General. The Secretary of State says, "Better not prorogue till points at issue have been settled as required." As required by whom? What does it mean? Does the Secretary of State mean to tell us that we are not to prorogue until we assent to the points he requires? I say, no. The Secretary of State is not the man to say that; the Secretary of State would not say that to any deliberative Assembly. And certainly he would not telegraph out to say that we are not to prorogue until we settle these points as we ourselves require. That would be nonsense. Here we have another unintelligible telegram. I challenge the Government bench again, as I did the other night, to explain what the Secretary of State means. What is our position? We passed this bill after a great deal of debate and a great deal of thought; and these amendments were introduced after serious deliberation. We passed the bill through all its stages, and we all thought it would go to England in the usual constitutional way, there to be dealt with by the Imperial authorities, as other Constitution Bills, from other colonies, had been dealt with. Instead of that the Governor commences what I venture to say nobody in this House at the time thought of. His Excellency, apparently, having the right to telegraph freely, by favor of Sir John Pender, sends a long telegram to the Secretary of State, jubilant at the idea that the bill had passed, with so few amendments, and praising the House for its loyalty, and saying that all that was now required was the assent of the Imperial Parliament. Then came the Secretary of State's turn, and we get into a vortex of telegrams, the burden of which is that the Secretary of State adheres to his previous decision. Instead of the bill being well on its way Home, as we thought it would have been, we are confronted day after day with unintelligible telegrams from the Secretary of State. The bill, I say, ought to be on its way Home now, for the Imperial Parliament to deal with it. If they won't give us the land, we shall know where we are. We know nothing now. If they insist upon a larger Civil List, or consider that we have not dealt equitably with anybody, they will tell us so; but now

we know nothing about it. The same with the land question. It is said that the Secretary of State has promised to let us have the land, and the Commissioner of Crown Lands is never tired of telling us that the Secretary of State will perform his promise. What do we say? We say that the Secretary of State cannot fulfil his promise in the way it has been suggested. We say it is for the Imperial Parliament to give us this power over the lands. We say that it rests with the Imperial Parliament. And now we find the Secretary of State, himself, saying exactly the same thing. He says his intentions are as stated, but that he cannot undertake that Parliament will not make some modifications. He says, 'I intend to do all I can to carry out my promise, but, mind you, there is the Imperial Parliament to be reckoned with.'

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): What more do you want?

MR. BURT: I don't know whether the hon. gentleman thinks we are a set of fools, or not. He says, "What more do you want;" when the Secretary of State, himself, tells us that he cannot say what the Imperial Parliament may do; they may give us the land, or they may not. But the Commissioner asks, "What more do you want?" The Governor never asked anything about the Imperial Parliament. He simply asked the Secretary of State, "Will the Legislature completely control lands south of Latitude 26°." The Secretary of State says that so far as he is concerned, it will; but, he adds, it is for Parliament and not for me to say. That is what I say. The question of the land is bound to go to the Imperial Parliament. What is the use of going on telegraphing backwards and forwards, day after day, when we know that the question will have to be settled by Parliament? That is the reason this proviso was put in the bill. What is the use of dividing this House over and over again on these questions? Not a word of additional argument is used. I think, myself, that this Civil List is the smallest question of all, and I believe the Secretary of State would give way on this in a moment. Why then should we be so eager to increase this schedule, when we may find afterwards

that the Secretary of State thought nothing of it, comparatively? We offer a Civil List equal to existing salaries; surely that is fair and equitable, and just to all parties. Why should we be called upon to increase the Governor's salary and the Judges' salaries simply because we are to have another form of Government? What is the sudden necessity for increasing these salaries at this particular moment? I voted for increasing the salary of the Governor myself; but the House decided otherwise twice, and it does seem to me puerile to go to another division on the same subject, when no fresh argument is suggested for reversing our decision. The same with the pension schedule, or rather the Attorney General's pension,—for that is what it means; what is the use of asking us to go to a division again on that question? It seems to me childish. If we give way on the schedules, what assurance have we that the Secretary of State will yield one iota about the land? Further than that,—he can't. Let us go honestly and openly and boldly to Parliament; and, if they say they are not prepared to give us what we want, we shall know where we are; we shall know whether to accept the compromise or not. At present we have no grounds at all to go upon except these unintelligible telegrams. I want to see the bill itself go Home, to be considered by the Cabinet and by Parliament; and if we cannot get all we want, we shall know the reason why, and it will be time enough then to give way. What is the use of going to another division this evening?

MR. MARMION: Move the adjournment.

MR. BURT: No; I am against any adjournment. We are well seized of this matter, and may as well decide it this evening. We have already given way to the Secretary of State on several points, and one would have expected he would have met us in the same spirit of compromise. But we get no thanks nor recognition from him whatever. As soon as we give in on one point, up comes another; and so we go on. It is perfectly laughable. One day the Executive bench try to jockey us out of our position; another day they try to terrify us. But it is always the same question; the same old Civil List question;

the same old pension question; and the same old land question. I have no hesitation, myself, in following the opinions I have already expressed, and in recording the same vote. I am sure I would be the last member in this House who would shut his ears to argument. If any new phase of the question, or any fresh argument were put forward, I would not quarrel with our being asked to reconsider these points. But when we are asked to divide and divide, and divide again, with positively no new ground for doing so, it does seem perfectly ridiculous. A great deal is said about the bill not going through Parliament this year. Supposing it didn't? We are not all going to die this year, I hope. Who said it was going to pass this session? I have said, myself, all along, it never had a chance of passing through the Imperial Parliament this session. Is it not notorious that at the end of the session bills are thrown out right and left by the process known as the "slaughter of the innocents?" Even those bills mentioned in the Queen's Speech at the opening of the session have to be abandoned; and no attempt is made to pass anything except the bills that are not likely to be opposed. Even then, great difficulty is sometimes experienced in getting them through. If this Constitution Bill of ours is going to create all the opposition that we are told it is from this wonderful party in the House of Commons that is on the look out for it, what chance is it likely to have of getting through the House of Commons this session? But even if there was a chance, are we going to sacrifice an important principle for the sake of getting this bill through Parliament this session at any cost? I hope not. We have not even been told that it is likely to pass, except by the Attorney General, who says unless we agree to this pension schedule at once the bill won't get through the House of Commons before August. The Attorney General is only speculating; he has nothing to guide him to make that statement.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): What does the Secretary of State's telegram say?

MR. BURT: The telegram does not say it will pass; it simply says it may not be introduced. In my opinion, it

won't even get a hearing this session. But are we, for the sake of a mere chance of getting the bill introduced before August, to go back from the decision we have recorded on two divisions already? I hope not. While on this point I cannot help noticing the views expressed and reiterated by the hon. member for Kimberley. The hon. member thinks, apparently—I have come to that conclusion from what I have heard him say in this House—that if we only give way to the Secretary of State in all these matters, and get Responsible Government in any form, the depression in trade, and all the evils we are said to be suffering from now, will vanish. That seems to be the idea. Let us only get Responsible Government and a big loan, and there will be no more depression. The Midland Railway, I suppose, will go on at once; and Responsible Government will set us all on our feet. Give us a loan and plenty of money, and the hon. member for Kimberley would be the happiest man living. All his arguments amount to that. Do away with the present Government, raise a loan, and the colony will go ahead at once. A loan is at the bottom of everything with the hon. member. But I would remind the hon. member that if he got Responsible Government to-morrow, there are many things to be considered before any Ministry would rush in for a loan. The circumstances of the colony, I suppose, would have to be considered for one thing, and its financial position, and its ability just at the present moment, before things begin to settle down, to bear any further strain; also what scheme of public works ought to be undertaken. All these things would have to be considered by any Ministry; and the hon. member must not think that if this bill becomes law this session he is going to have a loan next day, and the depression in trade, that he is always talking about, removed.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): The hon. and learned member for the North spoke rather disparagingly of the Government the other evening; but to-night he appears to have a little higher opinion of it. The hon. member to-night is not prepared to sacrifice the bill for the sake of getting it passed this session, and so get rid of

the present Government; the hon. member is quite content to let things go on as they are for some time to come, at any rate. For my part, I cannot agree with those who say that the present Government is incapable of any further good; I believe the present form of Government is capable of doing a lot of work yet, if it had the chance. If things were in the same state as they were a year or two ago, before this agitation for a change of Government came on, and the colony drifted into its present transition state, members would find that there was plenty of work yet in the present Government. But since this agitation for a change of Constitution, and everything has become unsettled, of course the Government is to a certain extent paralysed in its actions, and there has been a disinclination on the part of the Home Government to allow us the same latitude as before, in the way of borrowing money for public works, and consequently things are at a standstill. That is the reason, I think, why His Excellency has been so urgent, as we must admit he has, in pressing upon the Home Government the desirability of putting an end to this state of uncertainty, this interregnum, this intermediate stage between the abandonment of one form of Government and the adoption of another. The hon. member for the North seems to blame the Governor for hastening the end of the present state of affairs; he blames the Governor for sending these telegrams to the Secretary of State.

MR. BURT: I blamed nobody at all; I simply said it was done.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I think the only inference to be drawn from the hon. member's remarks was that His Excellency ought to have sent the bill Home as it was. I think, myself, His Excellency exercised a very wise discretion in making use of the telegraph, and ascertaining, before sending the bill Home, whether the alterations we had made in it were likely to be approved by Her Majesty's Government. I think His Excellency would not have shown that wise discretion and that anxiety, which members give him credit for, if he had refrained from using the telegraph to ascertain the views of the Imperial Government before this House was pro-

rogued. The hon. member is always twitting us with sending or receiving unintelligible telegrams, which, with that legal ingenuity for which he is known, he twists into no meaning. I, for my part, looking at these telegrams simply from a common sense point of view, have no difficulty in understanding them.

MR. SHOLL: The hon. member had better explain them.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): They are plain enough to those who wish to understand them. The hon. member for the North says the Secretary of State cannot of his own accord give us the control of the land. If so, I do not see the use of opposing these amendments. The Secretary of State is prepared to do his best for us; and if he does that what more can we ask? The hon. member says he wants this bill to be placed as it is before the Imperial Parliament. But I presume it will not be placed before the Imperial Parliament unless it is in a form that the Home Government approve? The Secretary of State will not submit it to Parliament unless it is a bill he can, himself, support. Therefore, if it goes Home as it stands, and the Secretary of State, as we know he will, objects to these portions of the bill, does the hon. member think the bill will ever see the House of Commons, until it is modified to meet the views of Her Majesty's Government? The hon. member for Fremantle says we have no constituents to please on this bench; does the hon. member think he will be doing what will please his constituents by delaying and imperilling the passage of this bill through the Imperial Parliament? The country at large was perfectly satisfied with this bill as it was sent to them last session; and this question of the land was hardly ever mentioned. There was not a word about the land in the bill then; yet the country was quite satisfied; and so were members too, until the hon. member for the North brought forward this proviso. The hon. member for Fremantle also tells us that he is not going to sell his country's heritage for a mess of pottage. Who has asked him to sell it? Will the country be in a worse position under Responsible Government than it is now if it only gets the same control of the lands? I think not.

The hon. member says the members of the Executive ought to assist the Governor to bring pressure upon the Secretary of State in this matter. Why should he suppose that His Excellency has not been supported? We know the Governor has done all that could possibly be done to carry out the wishes of this House; and what thanks does he get for it? He is told that he ought to have sent this bill Home as soon as it was passed, and not telegraphed to the Secretary of State. What does the Governor say in this Message? He says this, "The Governor is of opinion that the colony will gain much more than it will lose by accepting the Secretary of State's amendments." The hon. member talks about supporting the Governor; why does he not follow the Governor's advice? Why does he not do what the Governor recommends the House to do? The hon. member and other hon. members seem to treat the Governor's advice with, I may almost say, contempt. [Cries of "No, no!"] Let me again read what His Excellency says on this subject in the Message we are now considering. He says, "As regards the Crown lands south of Latitude 26, the Legislature practically has the control of them already, and circumstances render it quite impossible, in the Governor's opinion, that any retrograde policy should be initiated under Responsible Government. Added to this, the Secretary of State has declared that the intention is that the Legislature shall completely control these lands. The general interests of the colony seem to render it highly desirable that Lord Knutsford's decision should now be accepted, in order that Responsible Government may be established without delay. The Governor expresses this opinion with the greater freedom, as he has hitherto supported to the Secretary of State the views of the Legislature." That is the opinion of the Governor; why does not the hon. member accept it? I think, myself, if we agree to these views and accept what Her Majesty's Government are offering us we are far more likely to get what we require than we will by sticking out for what I call a mere sentiment. I think the Secretary of State has told us, as plainly as any words can do, that he intends to give us the control of the land south of the 26th parallel of

latitude, and I think we might allow him to do so the way he thinks best. I ask members to reflect what our position would be if we sent this bill Home in a shape that the Secretary of State could not give his support to it. Is it likely that he is going to assist us in getting a bill passed that in his opinion ought not to be passed? Is it likely that the Secretary of State, or Her Majesty's Government, will make any effort to get this bill through the House of Commons if they do not approve of its provisions? The hon. member for the North is very anxious to get the bill into the House of Commons; but I do not think he would gain much by that, unless it went there with the full weight of the support of Her Majesty's Government. In fact, we know it will never reach the House of Commons unless it is in accord with the views of Her Majesty's Government. It will simply be sent back here for amendment. We shall have this debate all over again another session. What better position will we be in then than we are in now? The Governor has done all he can in the matter. I think there is a limit even to His Excellency's desire to serve us, and a limit, too, to the Secretary of State's patience. After all that has recently passed between them, I don't think we have any right to expect that they will go on like this for ever. Members say the bill will have to be fought out in the House of Commons, and not in the Colonial Office. Anyone would imagine that the House of Commons was going to devote a whole night to the consideration of this bill; that there was going to be a regular field-night over it, crowded galleries, and a breathless audience; and that we shall come off with flying colors, and get everything in the world that we require. I must ask hon. members to bear in mind that there are two parties in the House of Commons, and that we have to reckon with a considerable amount of opposition, and shall want all the support we can get from Her Majesty's Government before this bill will be allowed to become law. I think we shall find that our safest course will be to have the Secretary of State on our side. It is all very well to say that unless we get what we want in the way we want it, we won't take the bill at all. I am not one of those who go so far as

to say that unless we get all we will not take anything. I do not think that a wise policy. I believe in accepting what we can get, and relying upon future efforts to get more. I believe if we get what the Secretary of State will be able to obtain for us, we shall, at any rate, be a step nearer to getting what we want ourselves. Every inch of ground that we gain is so much nearer the goal of our desire. It is a step in advance. If this were an ordinary business transaction, I do not think members would go on in this way. If they expected the other party to the negotiation to concede an advantage, they would be prepared to concede something in return. If they really wished to conclude the bargain and were anxious to come to terms, they would not say we must have all or nothing. Why should we act on a different principle in dealing with the affairs of the colony? Members have not shown this obstinate disposition before. They have shown their readiness to compromise, and I think shown a wise discretion in doing so. We are all agreed that the Secretary of State intends to give us the control of the land; why should we insist upon his doing so in the way we like, and not in his own way? The hon. member for Fremantle, when the Attorney General was speaking on this question, seemed to insinuate that members on this bench were anxious to have this bill passed for the sake of the paltry pension it will give them. I dare say the hon. member thought he was very sarcastic; but my belief is that the hon. member himself really does think more of this paltry—I do not say paltry in an offensive way; I consider the House has behaved very handsomely in the matter of these pensions, on the whole—but I really do think some hon. members think more about these schedules than they do of all the other clauses in the bill; I believe the hon. member for Fremantle is one of them. It is quite in accord with his generally narrow views. If members would be guided by me in this matter—though I don't suppose they will—I would ask them to accept these amendments and to agree to this bill in the way the Secretary of State offers it to us. The result would be that in a very few months we should have Responsible Government; and, with it,

the control of our lands in the way suggested by the Secretary of State; and if that did not suit us, it would, at any rate, be a step in advance. There would be nothing to prevent us asking for more, if we were not satisfied with what we had. We should then ask for more, not as a Crown colony, but as a self-governing colony with free institutions. We should be in a position to put forward our claims with greater likelihood of their being recognised, and with the cordial support of our sister colonies. Let members pass the bill as Her Majesty's Government wish them to pass it; and if they deem it necessary, let them adopt the course proposed by the hon. member, Sir Thomas Campbell, and address a memorial to the Secretary of State expressing their views on this land question. Let them do that, and they will have Responsible Government in the course of a few months.

MR. SHOLL: The Commissioner of Crown Lands seems to me to advise us to take Responsible Government at any price. The hon. member, it seems to me, wants to get all he can for himself, and then retire comfortably.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I said nothing of the kind.

THE SPEAKER: I did not understand the hon. member to say so.

MR. SHOLL: I think the hon. member is anxious to retire as gracefully as he can, with the liberal pension provided for him by this House. With regard to these amendments which are before us now a third time I may say it appears to me that there is a great deal in what the hon. member for the North said, that it is not right we should be asked to express an opinion on the same question over and over again. I did not understand Your Honor to rule that it was in accordance with parliamentary practice, or that the Governor had the power to send the same amendments down to the House over and over again; and, if another division is going to be called for, this evening, I would draw attention to the fact that there are four members away at the present time.

MR. A. FORREST: Why didn't you use the same argument yesterday when the House divided on another question?

MR. SHOLL: If the hon. member wishes to address the House I will sit down?

MR. A. FORREST: I only asked the hon. member a question.

MR. SHOLL: Perhaps the hon. member will give notice of it? With regard to the Civil List, I do not think the Secretary of State cares twopence whether we vote the amount we are now asked to vote, or not; or whether the Attorney General gets another £100 a year pension, or not. The great point is the vesting of the land in the Legislature; and, so far as I am concerned, I would stick to the Civil List and give way on the land. I am expressing my own personal predilections now; and I am not going to desert my colors. That is my own private opinion; but I am going to vote, as agreed upon, for the bill as it stands. My reason for saying that I would stick out on the Civil List, and give way on the land, is because I think, once we get Responsible Government, there will be no difficulty in our getting all we want as to the land; but we cannot very well go and alter the Civil List; and I do not think that if we increase the Civil List now, as we are asked to do, it will in any way assist us in the matter of the land.

MR. MORRISON: I did not speak on this question before the House divided upon it the last time: but I feel bound to say a word or two now that it has come before us once more. The Attorney General says that time is the essence of the contract, and that time is everything if we want to get this bill passed. It is all very well for the Attorney General, or for Lord Knutsford, to say that; but we have to look at it in this light: this is not a question of the present time alone, it is a question of the future, it is a question that will affect those who come after us, it is a question that will affect posterity. Constitutions are not made every day, nor for a day. It is our duty, I take it, while setting about to build a new Constitution, to see that it is properly fixed. I should like to know who in England knows as much about this country, or what will suit the country, as those who represent it in this House. I do not understand why poor Western Australia should at once come to be looked upon

as of so much value in the eyes of the English people and the English Government. When I was at Home, not long ago, everyone said it was no good; but now, when we want to manage our own affairs, it seems to be looked upon as a country of great importance, and every obstacle is to be thrown in our way of getting the control of our lands. My idea is that it is our duty in this matter to vote as we voted the other day; and, having done so, that we should request the Ministries of all the other Australian colonies to use their influence in England, through their Agents General, to see that we are properly treated in this matter. I do not mean to say for a moment that Lord Knutsford has the slightest intention to get us to take Responsible Government without giving us the land; but I think we ought to make it a certainty. I do not think it would be a prudent thing for any man to go and build a house, on a piece of ground, unless he had something to show that the ground was his own; no man with any sense would go and put up a house on the mere chance of getting the title deed afterwards. On the same principle I do not see why we should take on ourselves the responsibility of governing the colony, until we are sure of getting the land, and a clear title to it. A Constitution without the land would be a mere scarecrow of a Constitution. We should be the laughing-stock of the whole world, in my opinion. I always look forward to the day when all these colonies shall be federated, and Western Australia shall take her proper place with the rest of them; but I don't see how she is to do this unless she is to have the same control over her waste lands as the other colonies have. I feel very strongly on this question; and, although I am a nominee member, I am in no way fettered in my actions, and I am here to give my vote as I think best in the interest of the colony at large. I have no particular constituency to serve, or to haul me over the coals; I am free to vote as I think best for the whole colony. If I thought I was expected to support the Government in a case like this, when I considered the interests of the colony pointed another way; if I thought the Governor treated his nominees as we have heard some Governors before him have done,

and expected them to support him through thick and thin—I know the present Governor does not do so, but if he did, I should feel it my duty to resign my position before I agreed to sell my country.

THE ATTORNEY GENERAL (Hon. C. N. Warton): By auction?

MR. MORRISON: No, but by accepting Responsible Government without the control of our lands. I believe if we did so, that, two years hence, the colony would be in a worse plight than it is in now. How are we going to undertake any public works, or do anything to develop the industries and resources of the colony, if we are not in a position to offer the same security as the other colonies for our loans? One is no good without the other. The Commissioner of Crown Lands says we would not be in a worse position than we are in now. I think we should. The only people who would be in a better position would be those mentioned in Schedule D. I don't think there would be another soul in the colony who would benefit by the change.

MR. RASON: The question we are called upon to decide is undoubtedly one of the very gravest importance, and, as there seems to be a disposition on the part of some members to compromise the matter, but not until we are sure that the compromise would be accepted by the other high contracting party, I think it would be wise to adjourn this debate, for a few days, so that the Governor may, in the meantime, telegraph once more to the Secretary of State, telling him that the House, while prepared to give way as regards the schedules, is firm on the question of the land. Probably the Secretary of State might be induced to give way when he found the questions at issue between us narrowed down to that one point. With that object in view, I beg to move that the debate be adjourned.

Question put—that the debate be adjourned.

The House divided, with the following result—

Ayes ...	...	...	11
Noes ...	...	...	8

Majority for ... 3

AYES.
Mr. Congdon
Hon. J. Forrest
Mr. Harper
Mr. Marmion
Mr. Morrison
Mr. Randell
Mr. Rason
Mr. Venn
Hon. C. N. Warton
Hon. J. A. Wright
Hon. Sir M. Fraser, s.c.m.o.
(Teller.)

NOES.
Mr. Burt
Mr. A. Forrest
Mr. Loton
Mr. Parker
Mr. Paterson
Mr. Pearce
Mr. Sholl
Mr. Scott (Teller.)

Debate adjourned.

ADJOURNMENT OF THE HOUSE.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) moved that the House do now adjourn.

MR. MARMION moved, as an amendment, that the House at its rising adjourn for a week, during the Easter Holidays. In the meantime an opportunity would be afforded for His Excellency to communicate again with the Secretary of State with reference to the Constitution Bill; and members would have an opportunity of considering the report of the select committee.

The House divided on the motion—

Ayes ...	...	...	6
Noes ...	...	...	11

Majority against ... 5

AYES.
Hon. J. Forrest
Mr. A. Forrest
Mr. Paterson
Hon. C. N. Warton
Hon. J. A. Wright
Hon. Sir M. Fraser, s.c.m.o.
(Teller.)

NOES.
Mr. Congdon
Mr. Harper
Mr. Morrison
Mr. Parker
Mr. Pearce
Mr. Randell
Mr. Rason
Mr. Scott
Mr. Sholl
Mr. Venn
Mr. Marmion (Teller.)

The House adjourned at twenty minutes to ten o'clock, p.m., until the 25th April.