

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

FIFTH SESSION OF THE THIRD PARLIAMENT.

OPENING OF PARLIAMENT.

The Fifth Session of the Third Parliament under Responsible Government was convened for the despatch of business on the 17th May, 1900.

Parliament was opened by His Excellency the Administrator.

Legislative Council,

Thursday, 17th May, 1900.

Opening of Special Session (Federation)—the Administrator's Speech—Papers presented—Game Act Amendment Bill, first reading—Address in Reply (moved)—Adjournment.

OPENING OF SPECIAL SESSION— FEDERATION.

The Legislative Council met at 3 o'clock p.m., pursuant to Proclamation by His Excellency the Administrator, which Proclamation was read by the Clerk of Parliaments.

THE ADMINISTRATOR'S SPEECH.

HIS EXCELLENCY, Sir Alexander Campbell Onslow, entered the Council Chamber, and the members of the Legislative Assembly having also attended in the Chamber obediently to summons, His Excellency delivered the following Speech:—

MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

1. I have summoned you specially in order that you may again consider the question of referring the Commonwealth

Bill to a vote of the electors of this Colony.

2. It has not been found possible to obtain the amendments suggested by the Joint Parliamentary Committee last session, as the Governments of the Eastern colonies felt unable to recommend any amendment of the Bill, which had been approved by the vote of the people of their respective colonies; and the Imperial Government has not felt justified, without such recommendation, to make any amendment of those portions of the Bill which affected Australian interests only.

3. All efforts to obtain the amendments having failed, my advisers are of opinion that the electors should now have the opportunity afforded them of deciding by their vote whether Western Australia should enter the Federal Union as an original State.

4. A Bill will be presented to you with that object, for your consideration and approval.

5. It is not proposed to submit any other business to you during this special session, inasmuch as the ordinary session of Parliament will be held in a few weeks.

6. I now declare this session open.

PAPERS PRESENTED.

By the PRESIDENT: Public Accounts for the year ended 30th June, 1899,

accompanied by the ninth Report of the Auditor General.

By the COLONIAL SECRETARY: 1, Copy of Instructions issued to Mr. S. H. Parker, Q.C., on his appointment as Representative of the Government in London in connection with the passage of the Commonwealth Bill through the Imperial Parliament, together with further correspondence respecting the position of Western Australia in regard to federation; 2, Report on the Manifesto of the Eastern Goldfields Reform League by the Government Actuary; 3, Petition to Her Majesty the Queen from Residents of the Eastern Goldfields, praying for the creation of a new colony in Western Australia, together with a Refutation of the Statements made in the Petition by the Premier, the Right Hon. Sir John Forrest; 4, Petition to Her Majesty the Queen from Residents of the Albany District, praying for the creation of a new colony in Western Australia, together with a Report on the Statements made in the Petition by the Premier, the Right Hon. Sir John Forrest; 5, Report of the Collector of Customs and Registrar of Shipping, for 1899.

Ordered to lie on the table.

GAME ACT AMENDMENT BILL.

Introduced by the COLONIAL SECRETARY, on leave given, and read a first time.

ADDRESS-IN-REPLY.

HON. H. BRIGGS (West Province): Sir,—Before entering on the immediate object of my rising, which is to propose an Address-in-reply to the opening Speech of His Excellency the Administrator, it will not be unseemly to congratulate the colony, this Council, and yourself, Mr. President, on the broad and liberal profession of political faith which led to such a successful issue in your recent re-election; because that election affords a proof that long and loyal services, high character, and popular respect are not to be lightly esteemed. In a few days we shall welcome new members to this Council; and I can assure those new members that they have a high standard of political conduct set before them in the example of some of their predecessors, who from choice or the verdict of the polls have relinquished

their connection with this Chamber. In this place "none are for a party, all are for the State"; and I hope this thought may be paramount in our consideration of the special matter which brings us here to-day. The opening Speech of His Excellency the Administrator succinctly states, in the first paragraph, the object of our early meeting:—

I have summoned you specially in order that you may again consider the question of referring the Commonwealth Bill to a vote of the electors of this Colony.

As one who has been an advocate, both in this Chamber and elsewhere, of this course, I need scarcely say the proposition has my sincere and unqualified support. One of the first lessons a politician learns is that he is a trustee bound to act for men whose opinions, aims, ideals, and wishes may be very different from his own; and it is also a fact that a Government cannot rule by looking simply to the interests of party. A Government is also a trustee for the whole people, and its duty is to ascertain and respect as far as possible the wishes as well as the interests of all sections; and the present occasion calls for a practical exposition of the stereotyped speech of a successful candidate, where he thanks his supporters and promises that his services will extend to the whole community. The question as to what amendments are desirable in the Commonwealth Bill, and as to the probability or possibility of such amendments being made, is not before us now. We are simply face to face with the question whether the people of West Australia shall, in regard to the Bill, be placed on an equality with their fellow-Australians in the other colonies. I believe that much of the soreness and fretting in the public mind arises not so much in a number of instances from a desire for federation, as from a feeling of inequality of opportunity, when contrasted with the freedom of choice given to our brethren across the borders. Without dwelling on the past, I think the Premier deserves thanks for his strenuous efforts up to the last moment to insure the entrance of Western Australia as an original State. And the Premier's selection of such an able advocate for the country of his birth as Mr. S. H. Parker, Q.C., an advocate so full of knowledge of the requirements and circumstances of the colony, is a very happy

choice; and I think this the more when I remember how Mr. Parker and the late President of this Council (Sir T. C. Campbell) worked so zealously as delegates when this colony was granted the boon of responsible government. Mr. Parker deserves thanks for his self-abnegation and disregard of private interests in giving loyal service to the State, service which will only be equalled by his son's gallantry on the battlefield. The reason for the special summons we have before us is that, in the light of the critical and rapid changes that are taking place in the Parliament of the mother country, it is imperatively necessary that this Commonwealth Bill shall be considered. Messages are flashing along the telegraph wires, communications are taking place, and all these point to the imperative and pressing urgency of the consideration of this matter. On this occasion I will only point out one or two of the disadvantages of delay which have already been placed before you. If this colony does not enter the Commonwealth as an original State, it can only enter later on the condition of intercolonial free-trade. We shall lose whatever benefit we may otherwise gain—I admit it to be only small—from Clause 95, which allows of the gradual reduction of the tariff.

HON. R. G. BURGESS: What good is that?

HON. D. K. CONGDON: None at all.

HON. H. BRIGGS: Another disadvantage is that our population will afterwards be so small that we shall not enter on such good terms as those now open to us, for I must remind you that, according to the population quota, Western Australia would be entitled to send only three members to the Lower House, whereas if we enter as an original State we shall have five members in that House to look after our interests. There are other great questions which indicate the disadvantage of not entering at this juncture. The agitation on the gold-fields for separation is no despicable factor to cause us to ponder and see whether we cannot enter as an original State. The Secretary for the Colonies, Mr. Chamberlain, does not look at the question in the light manner that some people do; and, as a member for the West Province, whose interests lie chiefly

in commercial pursuits, I may say the Fremantle Chamber of Commerce—a very live institution, which numbers amongst its members some hundred of the principal merchants of the port, whose business puts them in touch with every part of the colony—has not considered it unnecessary to debate the cause of the unrest and dissatisfaction that exist on the goldfields. As an old schoolmaster I should consider my school in a very unsound and unhealthy condition if about half of my boys were uneasy and restless and wished to go elsewhere. I will not pursue this question of disadvantages to its bitter end, because I do not wish to exasperate members. I do not desire to touch any sore place, but will simply put before the House in a few words the position of a colony which was situated somewhat like Western Australia is at the present time. In the early sixties, representatives of States in British North America were meeting together to form a great confederation. The State nearest to England, just as Western Australia is the nearest of the Australian group—I allude to Newfoundland, which is as large as Ireland, and to which the telegraphic cable was first laid—sent members to the Quebec Conference in 1864, yet by a vote taken in 1865 refused to enter the Canadian Commonwealth, and notwithstanding all the efforts of one of the finest colonial statesmen who have ever lived—I allude to Sir John Macdonald, the great Canadian statesman—and notwithstanding that in the British North America Act, passed in 1867, a clause was inserted to allow Newfoundland to enter at some future date, Newfoundland has kept out, and since that time Newfoundland has gradually declined. That country was never in a very happy state.

HON. F. WHITCOMBE: Why has it declined?

HON. H. BRIGGS: I will tell you why it declined, but I cannot do so in one sentence. Newfoundland refused to join the Commonwealth because the people did not wish to replace their revenue tariff by a protective tariff. That was the chief ground. Another reason was that the occupation of these Newfoundlanders consisted mainly of two things, these being the fishing industry and the timber industry. The fishing industry can only be carried on for some six or seven months

in the year, and the fishermen and their families who are out of employment are entirely in the hands of capitalists and merchants. It is the same with the timber industry. I must remind members that Newfoundland has a very inclement winter. So much were people under the capitalist class that ready money was rarely seen, the truck system being rampant throughout Newfoundland. Though the men at the head of the Commonwealth placed every inducement before the Newfoundlanders to come in, yet the Newfoundlanders never did so. I have in my hand a letter of Sir John Macdonald, wherein he says:—

The acquisition of the Island itself is of no importance to Canada, and the terms offered by us, and acceded to by the Government of the Island, were so liberal that in a pecuniary sense we made a bad bargain.

Sir John Macdonald thought a reaction would take place, and that Newfoundland would come in; but, as I have stated, Newfoundland remained out, and it has gradually sunk into general bankruptcy. The Anglican Bishop of Newfoundland, who was present at the Lambeth Conference, said he could describe his diocese as a land of "cods, dogs, and fogs."

HON. J. W. HACKETT: Will federation remove all these?

HON. F. WHITCOMBE: What has that to do with the subject?

HON. H. BRIGGS: I will show you what it has to do with the subject. Though the colony was in a bad state, it gradually retrograded. Some months ago I mentioned in this Chamber the great benefits that accrued to Canada from federation; and, using the words of Earl Dufferin, I now state that one-fourth of the total revenue of Newfoundland had to be expended in the relief of the poor in 1883, while the other colonies were thriving and progressing. Had the Newfoundlanders been willing to join the Commonwealth, the Canadian Dominion would have helped them to add to their 84 miles of railway, which would have brought the shore nearest Nova Scotia into communication with the other parts of the Dominion, and have been the means of opening up Newfoundland's mineral resources. Newfoundland has rich mineral resources, these including coal mines that lie entirely unused. There we have Newfoundland

with one-fourth of its revenue expended on the relief of the poor in 1883.

HON. F. WHITCOMBE: And if it had federated, it would have lived on the charity of Canada.

HON. H. BRIGGS: I will read now the words of the second Governor-General of Canada, the Marquis of Lorne, in reply to the farewell address of the Parliament of Canada. To show how different Canada was under federation, he said:—

A judicature above suspicion; self-governing communities entrusting to a strong central Government all national interests; the toleration of all faiths, with favour to none; franchise recognising the rights of labour, but the exclusion only of the idler; the maintenance of a Government not privileged to exist for any fixed term, but ever susceptible to the change of public opinion, and ever open through a responsible Ministry, to the scrutiny of the people—these are the features of your rising power.

Federation proved of immense advantage to Canada; but Newfoundland missed her opportunity, and is in a deplorable condition. I will not pursue this subject of Newfoundland further, but I use it as an object lesson to show that people who despised federation have been brought to ruin, and that in Canada federation has been a huge element of success. On another remark in the Speech of His Excellency the Administrator deserves mention, this being in reference to the manner in which the opinion of the people is to be taken. I have already explained at length in other places the advantages and disadvantages of the referendum. The present appears to be one of those times referred to by great authorities such as Professor Dicey and Dr. Lecky, who said that when two Houses disagree it seems to be a fit time for reference to the deliberate will of the people. We must remember that at every election, even the most vigorous, there are a vast number of quiet, close-thinking people, who will not vote. I do not say they are to be commended, but it is a fact that a huge mass among our voters look at two candidates, and see they are pretty much of the same opinion, and I am sorry to say those people do not think it worth while to vote. We have had an instance of this in the metropolitan election, at which not half the electors voted; and also at the chief port, Fremantle, where not half voted. Those who did not

vote hold an opinion on the subject, but they have their reasons for not voting. Perhaps they think neither of the candidates worthy of a vote. I must say that I would utilise the referendum not as an article of daily diet, but as a specific that should be used in great emergencies, and once or twice at the beginning of great eras. All our fellow Australians in other parts of the Continent have had this question of the Commonwealth Bill put before them by the system of referendum, and I think the Western Australian colonists also should be enabled to express their opinion by referendum. I do not think I am speaking wrongly when I say two-thirds of our people have relatives and friends in the other colonies; and if you want to see what proportion there is, I would point you to our four contingents who have gone to shed their blood for the mother country. You will see that the other colonies have answered manfully to the roll, colony after colony, and if men who have come here from the Eastern colonies stand and fight with us, they ought to be treated exactly in the same way as their brethren across the border. When the great United States Confederation was formed, the great motto before those able men who drew up the constitution was "Trust no man." They drew up a constitution with checks and balances, one power to act against the other; but this Australian constitution, which the Chief Secretary for the Colonies calls a monument of competent legislation—

HON. F. WHITCOMBE: Selfish legislation.

HON. H. BRIGGS: According to the telegram, Mr. Chamberlain called it a monument of competent legislation.

HON. F. WHITCOMBE: It is still selfish.

HON. H. BRIGGS: Our motto in this constitution is "Trust the people." Members may think I am harking back too much about Canada, but I will just point out that Sir John Macdonald said:

We have had an infinity of trouble with Nova Scotia, although both Government and Legislature agreed to the union, because the question was not submitted to the electors. We have at a large cost settled that difficulty.

We here are in a position to avoid that large cost and to avoid that difficulty. We have been called together for this

special matter, and it is with great pleasure I now propose this Address-in-reply:—

To His Excellency Sir Alexander Campbell Onslow, Knight, Administrator of the Government in and over the Colony of Western Australia and its Dependencies, etc., etc., etc.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the members of the Legislative Council beg to assure you of our loyalty and devotion to Her most gracious Majesty the Queen. We will carefully consider the special matter, as well as all others that may be submitted to us by Your Excellency, and it will be always our earnest endeavour to promote the best interests of this portion of Her Majesty's dominions.

HON. H. J. SAUNDERS (Metropolitan): I rise to second the motion just proposed by the hon. member, and the eloquent speech we have heard from him leaves me very little to say. I cannot take you as far as Canada and Newfoundland, for I have not studied constitutional history to the same extent as the hon. member; but there are one or two things I should like to mention in seconding this Address. After reading a copy of the instructions to Mr. Parker, and the further correspondence which has taken place between the Government and that gentleman, I think the Government have done the right thing in making up their minds to call Parliament together at the present time, so as to give the electors of this colony an opportunity of voting for or against federation. It will then be for the people, the electors of the colony, to decide whether we are to enter the Commonwealth as an original State; and I must say that after the plucky fight the Government have made in the interests of this colony to get certain amendments agreed to by the Conference of Premiers—their efforts being most ably seconded in London by Mr. Parker, as shown by the correspondence—I think it is "Hobson's choice" with us. We must either join as an original State, or else trust to Providence in the future to get in on better terms. I am of opinion that, if we do not join now, we shall probably enter in the future on much worse terms than those at present open to us—worse, at any rate, as far as representation is concerned.

HON. F. WHITCOMBE: We shall not go in.

HON. H. J. SAUNDERS: Last session this House in its wisdom threw out the amendments proposed by Mr. Hackett; and I think if the House had not done that, but had passed those amendments, and if the amendments had been submitted to the vote of the people, the hands of the Government would have been much strengthened, and we probably would have obtained certain concessions. But, as you know, there were two or three goldfields members who would not have the amendments at any price: it was either the whole Bill or no Bill. There is one matter I am very pleased to notice, with reference to the transcontinental railway. That subject was the great bugbear to my mind against federation. I did not see how we could obtain federation absolutely, unless we were assured we should get that line; but I am glad to see from the correspondence that Mr. Holder has absolutely promised that, as soon as federation is established, he will bring in a Bill for the construction of the line by the Federal Parliament, and pass it stage by stage simultaneously with the passage of a similar Bill in this colony. I consider that is really a very satisfactory arrangement, and I think it gets over my chief objections to federation. Of course, if we could get a five-years tariff to ourselves, that would also be a very good thing, but as far as I can gather, we shall have to trust to the generosity of the other colonies to see that Western Australia does not lose by having joined the federation.

A MEMBER: They were very generous over the mail contract, were they not!

HON. H. J. SAUNDERS: I have much pleasure in seconding the Address-in-reply.

On motion by **HON. R. S. HAYNES**, debate adjourned until the next sitting day.

ADJOURNMENT.

On motion by the **COLONIAL SECRETARY**, the House adjourned at 10 minutes to 4 o'clock, until 4 o'clock on the next Tuesday.

Legislative Assembly,

Thursday, 17th May, 1900.

Opening of Special Session (Federation) - Message
Opening Speech - Election Return - Papers presented - Leader of the Opposition - Address-in-Reply to opening Speech (moved) - Adjournment.

OPENING OF SPECIAL SESSION— FEDERATION.

The Legislative Assembly met at 10 o'clock, p.m., pursuant to Proclamation by His Excellency the Administrator, which Proclamation was read by the Clerk.

THE SPEAKER (Sir James G. Lee Steere, K.C.M.G.) took the Chair.

MESSAGE—OPENING SPEECH.

Black Rod having appeared at the Bar and delivered a summons from the Administrator,

MR. SPEAKER and hon. members repaired to the Legislative Council Chamber, where His Excellency delivered a Speech on the opening of the fifth session of the third Parliament. [*Vide p. ante.*] Mr. Speaker and hon. members returned to the Assembly Chamber, and the business of the special session was then proceeded with. Several notices of questions to Ministers, and two notices of motion, were given for the next sitting.

ELECTION RETURN.

THE SPEAKER announced that during the recess the member for the Ashburton (Hon. S. Burt, Q.C.) had resigned his seat (visiting England), and that the return of writ for an election showed that Mr. David Forrest had been duly elected to represent the Ashburton electoral district.

MR. D. FORREST, introduced by the Premier and Mr. Monger, then took the oath and signed the roll.

PAPERS PRESENTED.

By the **SPEAKER**: Public Accounts for financial year 1898-9, accompanied by Report of Auditor General.

By the **PREMIER**: 1, Report of Collector of Customs, 1899; 2, Report by Government Actuary on Manifesto of Eastern Goldfields Reform League; Petition to Her Majesty from Residents