

member otherwise; for he thought it was desirable to limit the possession by natives of unregistered dogs.

MR. STEERE said he agreed to a certain extent with what had fallen from the Colonial Secretary, that it would be rather an interference with the liberty of the subject to prevent a native registering his dogs. At the same time he would be inclined to go further than the hon. member for Geraldton. He would not let a native keep an unregistered dog at all; but he would allow him to register two dogs without payment of any fee, simply in order to enable the police to identify such dogs. If a native wanted to keep more dogs than these two, he should be made to pay the usual license fee in respect of such additional dogs.

MR. MARMION thought it would be unwise to alter the existing Act in the direction contemplated by this new clause. The Act had received the greatest attention when it passed through committee two years ago, and this question of natives and their dogs was discussed most thoroughly. If the suggestion now made by the hon. member Mr. Steere had been put forward when the Act was then amended, he thought he should have been inclined to accept it, for it appeared to him to be one that had much to commend it: but he hardly thought it was worth while altering the Act for the purpose of introducing the amendment.

MR. WITTENOOM said, as to its being any undue hardship to limit the number of registered dogs which a native might keep, when no limit was placed on the number of registered dogs which a white man might keep, he would point out that these natives had no settled place of abode nor visible means of subsistence, and it was obvious that their dogs, registered or unregistered, must be fed at somebody's expense. In South Australia, the Act now in force allowed two dogs for every aboriginal native. He rather approved, however, of the suggestion put forward by the hon. member Mr. Steere.

MR. SHENTON said no doubt it was desirable to do something to limit the number of dogs kept by natives. It was only the other day, and three miles from Perth, he came upon an old native woman with no less than twenty dogs about her. Mr. Steere's suggestion commended itself

to him, and he thought it would be desirable to act upon it.

MR. BROWN moved that the bill be referred to a select committee, consisting of the Colonial Secretary, Mr. Harper, Mr. Steere, Mr. Grant, Mr. Wittenoom, and the mover.

This was agreed to.

The House adjourned at a quarter to one o'clock, p.m.

## LEGISLATIVE COUNCIL,

*Friday, 31st July, 1885.*

Colonial Passengers Amendment Bill: first reading—  
Message (No. 10): Report of Commission on the  
Transfer of the Convict Establishment—Petition  
(No. 1): Proposed appointment of two Unofficial  
Members of the Executive—Consideration of His  
Excellency's Message (No. 1) re appointment of two  
Unofficial Members for the Executive Council—Bush  
Fires Bill: further considered in committee—Ad-  
journment.

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

PRAYERS.

### COLONIAL PASSENGERS AMEND- MENT BILL.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved the first reading of a bill to amend the Colonial Passengers Ordinances and Acts.

Motion agreed to.

Bill read a first time.

MESSAGE (No. 10): REPORT OF COMMISSION re TRANSFER OF IMPERIAL CONVICT ESTABLISHMENT.

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

"The Governor has the honor to transmit, herewith, for the consideration of the Honorable the Legislative Council, the report of the Commission appointed

"to inquire into the Transfer of the Imperial Convict Establishment to the Local Government.

"2. The Governor recommends the Report for the approval of the Council. Government House, Perth, 31st July, 1885."

The consideration of the Message was made an order of the day for August 4.

#### PETITION.

MR. RANDELL brought up a petition from the citizens of Perth and other inhabitants of the colony, adopted at a public meeting held in the Town Hall, Perth, relative to the proposal to add two unofficial members to the Executive Council; and moved that the petition be received and read.

Agreed to.

#### PROPOSED APPOINTMENT OF TWO UNOFFICIAL MEMBERS OF THE EXECUTIVE COUNCIL. (MESSAGE No. 1):

On the order of the day for the consideration of this Message,

THE COLONIAL SECRETARY (Hon. M. Fraser) said that His Excellency in submitting the matter for the consideration of the House was simply following the course which during the last two or three sessions had been adopted by the present Administration of taking the House into its confidence, and consulting the members of that Council in all matters of importance affecting the welfare of the colony. A good deal of feeling had been caused outside the House, and possibly inside the House, with reference to this particular matter, and it had been more than once referred to as a Government measure. On the contrary, His Excellency had distinctly told them in his message that he wished it to be understood that it was not regarded by him as a Government measure, which it was his duty to press upon the Legislature. The proposal had been sent down to the House simply in order to elicit an expression of opinion on the subject, on its merits, and for acceptance or rejection by hon. members as they thought fit. There was no desire on the part of the Governor to press it upon the House. Some misapprehension appeared to have existed as to whether the intention was to limit the selection of these

two members to the elected side of the House. That was not the intention. The members on the nominee benches were included in the proposal as well as the elected members. Some hon. members seemed to regard the proposal as an innovation, sought to be introduced now for the first time, whereas in fact the power to appoint two unofficial members of the Executive had been vested in the Governor of the colony since the time of Governor Weld, and it was at the desire of that enlightened and progressive administrator that the power was granted. The power had not been exercised, however, until it was exercised in part last year by the appointment of Mr. Steere, and the whole question now came before the House for its consideration. His Excellency had placed the question before them plainly, straight-forwardly, and without reserve; and the House might rely upon it that, in the event of the proposal being accepted and these appointments being made, the members so appointed would upon taking their seats in the Executive be treated in the same frank and liberal and open manner as that in which the constitution was now sought to be worked, as regards the relations between the Government and the members of that House. There need be no apprehension of coercion, or of the adoption of such tactics and practices as might have existed, and did exist, in that House ten or twelve years ago, when the constitution was really worked on party lines. He hoped hon. members of every shade of opinion would approach the consideration of the question simply upon its merits, viewing it from no party point of view, but as a measure put forward in the best interests of the colony. The hon. gentleman concluded by moving the following resolution:—"That this House approves of the proposal made by His Excellency the Governor for the appointment of two unofficial members of the Executive Council, as indicated by His Excellency in his message."

SIR T. COCKBURN-CAMPBELL suggested that the discussion upon His Excellency's Message might be postponed until hon. members had an opportunity of seeing the arguments that were put forward at the meeting of citizens

referred to in the petition which had just been presented by the hon. member Mr. Randell,—arguments which might possibly tend to modify the views of hon. members, who, in the meantime, would have an opportunity of perusing the reports of the public meeting referred to.

MR. BROWN said that when he and those who were acting with him proposed the other day that the consideration of His Excellency's Message on this important subject should be deferred until Monday, a majority of the House decided otherwise and fixed that evening for the discussion. He did not see the utility of now putting off the debate until Monday. That would not enable the people of the colony, throughout its length and breadth, to give an expression of opinion upon this proposal, which he would desire to see done; and unless the House was prepared to postpone the consideration of the question for three weeks or a month, so as to enable the voice of the people to be heard, in all parts of the colony, he should oppose the adjournment of the debate until Monday.

The consideration of His Excellency's Message was then proceeded with.

MR. STEERE said he wished to make a few observations with reference to what he had seen stated in the press. He had seen it stated—in what paper, he forgot now—that this proposal had been introduced by the Governor in consequence of pressure brought to bear upon him by those around him—he did not know who was meant. But he thought he might venture to say, without fear of contradiction, that no one ever heard of His Excellency's intention to make this proposal until he returned from England a short time ago; and he believed it emanated solely from the Governor himself. They had heard a great deal about the proposal being unconstitutional. He could not see himself how it was unconstitutional in any one point. It certainly did not alter the constitution of that Council. The Imperial Act said that the Legislative Council shall consist of so many elected members and so many nominated members, and it regulated the proportion in which these members shall be appointed. This proposal to appoint two members of the House to seats in the Executive did not in any way alter the due proportion of members

in that House, nor interfere with their independence, nor disturb the balance of power. If this proposal was one fraught with danger to the constitution, he should like to ask how it was that such an idea did not occur to the opponents of the measure, before the last general election. A member of that House had already been appointed an unofficial member of the Executive, but he was not aware that any reference was made to that appointment, during the late elections, as being unconstitutional. No single candidate that he was aware of—with the exception of the hon. member for Wellington, who, he believed, did mention the matter to his constituents and expressed his disapproval of the appointment—but on no other platform, so far as he could judge by the reports in the papers, was the matter even alluded to, much less was it regarded as an infringement of the constitutional rights of the people. No such idea seemed to have entered the heads of hon. members in that House last session, when he was appointed to a seat in the Executive. He thought he might appeal to all hon. members, and ask them in what manner his appointment was received? Was there any disapprobation expressed, by either word or deed, or in any way? He thought he might call upon hon. members to support him when he stated that his appointment was received with almost unanimous approval—he did not mean his own personal appointment, but the appointment of an elected member of that House to a seat in the Executive. After what had been stated at the Town Hall meeting, last night, with reference to that appointment—a statement that was not very complimentary to himself—he thought he would be justified now in publicly stating that, in order to ascertain the feeling of hon. members on the subject of his appointment, he conferred with them at the time as to whether they wished him still to continue to act as the leader of the elected side of the House; and it was unanimously agreed amongst hon. members last session that he should continue to hold that position. He thought that was strongly in favor of what he contended, that, in accepting a seat in the Executive, a member did not in the slightest degree forfeit his independence. If hon. members had

thought for a moment that in accepting the appointment he had forfeited his independence, they would not have given him that fresh proof of their confidence. If the appointment was not open to objection then, he failed to see why the same principle should be open to objection now. Nothing was then said about its being unconstitutional, and the appointment was never mentioned on the hustings at the general election which had since taken place. He was told at the Town Hall meeting that the reason why he had not been asked to come forward at the last election to represent the Swan was because he had accepted this appointment in the Executive. It was a very curious thing if that was the case, that no question was asked of the member who succeeded him as to his views on the subject, and that he was not requested to pledge himself from following so bad an example, in the event of a similar proposal being made to him. He did not believe there was a single word of truth in the statement that the reason he was not re-elected was because he had accepted a seat in the Executive. But that was one reason given to show that the country, as distinct from the town, disapproved of the step. The Swan electorate in this case was taken to represent the whole country, and he thought the Swan electors ought to be highly honored by the compliment—that as Perth represented the town, so did Swan represent the country. As to the proposal now under consideration, he was sure it had been made with the best intentions on the part of the Governor, who conceived that it would be a very gracious and liberal concession on his part, which he naturally thought would have been approved by the country at large, as well as by the hon. members of that House. The hon. member for Perth stated that when these two members were elected to seats in the Executive they would be responsible to nobody, that they would have no responsibilities at all, because they took an oath to keep secret the proceedings of the Executive. He should like to know whether the members of the British Cabinet were not responsible to any one? Cabinet meetings in England were as secret and private as the meetings of the Executive Council here, and were conducted in the same way, and the members of the

Cabinet took a similar oath not to divulge any of the proceedings of the Cabinet. But would the hon. member contend that Ministers in England were not responsible because they were pledged to secrecy? Everybody knew that these Ministers were responsible,—responsible to the House of Commons and responsible to the country; and he thought these two members here would be responsible to that House, although the hon. member for Perth disputed it. He had no wish, so far as he was concerned, and he hoped no one else would try to press this proposal upon the acceptance of the House unless the House desired it. He was sure the Governor himself did not wish to press it against the wish of the Council or of the country. He was sure it had been put forward by His Excellency simply in the belief that it was a proposal that would be graciously accepted. He should listen very carefully to the arguments of the opponents of the measure, and if they could adduce any argument to show that these two members must necessarily lose their independence by accepting a seat in the Executive, he should be prepared to vote against the proposal; otherwise, he should feel bound to support it.

MR. S. H. PARKER said he rose for the purpose of proposing an amendment upon the motion of the leader of the Government. It was to this effect: "The Legislative Council having considered His Excellency the Governor's Message (No. 1), while recognising that His Excellency, in asking the Council to give him the names of two of its members with a view to their appointment to the Executive Council, is actuated solely by a desire to promote the satisfactory working of the present constitution, and 'to make the short period yet to pass before West Australians can take over the whole management of their affairs as tolerable and acceptable to the people as possible,' regrets that it feels bound to refrain from nominating any of its members to His Excellency. Public opinion, so far as at present expressed, appears to be decidedly opposed to the proposed additions to the Executive, and the Council feels assured that His Excellency will recognise the duty of the members of the House to their constituents and the Country not to approve a measure apparently wholly unacceptable

"to the people. Until, therefore, the constitencies have had a full opportunity of expressing their views on the question, the Council humbly submits to His Excellency that it will be inadvisable for the Legislature to adopt His Excellency's suggestion." The hon. member said it would be seen from this amendment that the various questions in dispute, as to whether it was constitutional, as to whether it was expedient, as to whether it was advisable, as to whether these unofficial members would have any responsibility or not if appointed to seats in the Executive—all these disputed questions were thrown aside by this amendment. It simply said that the House did not deem it desirable to make any nominations to the Governor until the people of the colony had an opportunity of expressing an opinion on the subject. He did not know whether any hon. member of that House would be bold enough to say that the people ought not to have an opportunity of expressing an opinion upon this subject. He did not know whether any hon. member on the side of the House where the elected members sat would dare to say that his constituency ought not to have a voice in this matter. All he could say was, if there was such a member that member did not take the same view as he did of his responsibility to his constituency. This, certainly, say what they would, was a most important measure. The hon. member Mr. Steere said it was not unconstitutional, but the hon. member had not given them any reasons for saying so. It was very easy for any hon. member to say it was unconstitutional, but what they had to judge by was his reasons for saying so. The mere fact of an hon. member giving it as his opinion that it was quite a constitutional measure did not have much weight. He did not ask hon. members, simply because he said it was unconstitutional, to accept his bare word for it. He asked hon. members to give due weight to the arguments adduced, and then come to the conclusion whether it was unconstitutional or not. The Governor in his message had pointed out—to use His Excellency's own words—that it would be "a valuable amelioration" of the constitution. He could not help thinking that amelioration meant a change, that it contemplated some alteration: and he therefore submitted that if

this measure was put forward with a view to the "amelioration" of the constitution it must of necessity involve a change in the constitution, and, if it involved a change in the constitution, it would be unconstitutional to adopt that change without giving the people a voice in the matter. What he submitted was this: whether it was a small matter or whether it was a large matter, that in all questions involving a change or an "amelioration" of the constitution of the country, such questions ought in the first instance to be submitted to the country itself. He did not care by what name it was called, whether an amelioration of the constitution or a change of the constitution, or constitutional change: what he did say was—and in this he thought every hon. member would agree with him—that inasmuch as it affected the constitution under which we lived, the people of the colony had a right to have a voice in the matter. The members of that House had no right to join with the Government of the colony or with the Governor in bringing about a change in the constitution, however small that change might be, without first consulting their constituents upon the subject. But this was not a small change. He submitted it was a very great change. The Governor told them that he proposed to place two of their number in his Executive Council. His main object in doing so, His Excellency told them, was to place the Executive "in ready touch of the views of the Legislative Council and of the community at large." That being the Governor's object, he should imagine His Excellency intended paying great deference to the views of these two unofficial members. He should imagine from His Excellency's message that His Excellency thought that, at any time, by simply consulting these two members he could thereby ascertain infallibly the views of the Legislative Council. Now they all knew that the Legislative Council only sat for about two months in the year; and the Governor apparently thought that, say six months after the Legislative Council had been prorogued, all he would have to do in order to ascertain the views of the Council upon any given question, or to place himself in ready touch of the views of the community at large, was simply to

call these two gentlemen, take them into his counsel, and ask them what they considered the Legislative Council would have thought of it. He could not help thinking that if His Excellency was going to place such implicit reliance upon the oracular advice of these two unofficial members, and to give them credit as being the voice of the Legislative Council in all matters when that House was not in session, the change here contemplated was one of immense importance. Were they going to send two members of that House to the Executive—and the suggestion emanated from His Excellency himself—and leave the Governor to imagine that they were the accredited delegates of the Legislature, and that by obtaining their views His Excellency would be obtaining the views of that House? Was that House to be bound by the views expressed by these two delegates? Was the House to be bound by the advice tendered to the Governor by these two unofficial members? The hon. member, Mr. Steere, said that the members of the Cabinet were responsible to the House of Commons. No one doubted that the members of the Cabinet were responsible, but they were responsible as a body and not individually. A Cabinet was a responsible body, because it was a body that could be turned out of office if its policy was not in harmony with the views of the majority in Parliament; but here we could not remove our Executive, or turn them out of office, no matter what happened. We could judge them certainly as a body by their work, but how could we judge any individual member of that body, or how could we make any member of the Executive or any two members of the Executive responsible for the action of the Executive as a body? For all we knew to the contrary, these very two members, whom it might be proposed to make scapegoats of, may have acted precisely in a way that would be acceptable to the House. The only way a Ministry or a Cabinet could be made responsible was as a body. They could not single out one or two members, and let the rest go scot free. But here one could not bring the Executive into account at all, inasmuch as they were not responsible to that House in any way. Unless the House knew—and it never could know—what

advice these two unofficial members, its delegates, had given to the Executive, how could the House possibly hold them responsible for their words or their actions? The hon. member Mr. Steere, in referring to his own appointment, said that the House did not lose any confidence in him, but still accepted him as the leader of the elected members. The hon. member must surely be aware that however great the opposition or the objection may have been, it was not likely that the members of the House would have gone to him and told him what they thought of it. He could assure the hon. member that there was a strong feeling at the time with regard to his acceptance of the appointment; and, although it was true the hon. member was re-elected to the position of leader of the elected members, that was simply because it was the last session of the then existing Council, and it was on the clear understanding, among several of them at any rate, that they would never again have a member of the Executive to lead the representatives of the people in that House. He might assure the hon. member that it was owing to the great respect which members generally, not only on that side of the House but on all sides, entertained for the hon. member personally, that no more public demonstration against his appointment was made at the time. The hon. member must also bear in mind this,—that, at that time, the House was not consulted by the Governor with reference to his appointment. The Governor appointed him of his own mere motion, without consulting the House in any way. But now the Governor came down and asked them to be a party to these appointments, and a party to what most of them considered to be an unconstitutional proposal. Even supposing they did make no objection last year to the appointment of the hon. member (Mr. Steere), that did not affect the question of the appointment being unconstitutional; and, if unconstitutional last year, it did not make it the less so this year because the House had not openly protested against it last year. All they had to do now was to judge the question upon its merits. The reason why Mr. Steere's appointment was not protested against was, firstly, because they had no opportunity of protesting against it, and, secondly, because the hon. member himself was held in such very

great respect, and thirdly, because it was felt that the Council was a moribund Council, and was so to speak on its last legs. The hon. member might doubt himself that the reason why he was not re-elected for the Swan district at the last general election was because he had accepted a seat in the Executive; but he assured the hon. member that he made many inquiries at the time among the leading men among his old constituents, and he was told by them that this was the principal reason they did not ask him to come forward again as a candidate. (MR. HARPER: No.) He said Yes, and he was speaking from his own knowledge, acquired from some of the most influential electors of the district. That was the reason that was given to him—whether it was the only reason he did not know; but he knew the matter was the subject of comment even before the dissolution of the Council. What other reason could have induced the electors of the Swan to treat the hon. member as they did treat him? They could not possibly have obtained a better member, a more experienced member, a more influential member? He had represented them ably and well in the past, as he had another constituency for some years previously; and there could have been no possible reason for rejecting him except that he had accepted this seat in the Executive, and thereby, as the electors thought, forfeited his independence. They were in accord with the hon. member on the question of Responsible Government, and upon every other question apparently, yet they did not re-elect him, nor ask him to come forward to represent them again. The hon. gentleman said that the question of his appointment was not mentioned on the hustings during the general election. That was true; but no one dreamt at the time that the Governor would have come forward with the present proposal, and the question was never mooted. The elections turned wholly upon the question of Responsible Government. Every other question was put on one side. He was speaking, of course, of constituencies where the seats were contested. He thought every member who stood the brunt or who had the pleasure of contesting an election would bear him out that the sole question upon which

the electors were asked to decide was whether they would have Responsible Government or not. Moreover, the elections came upon the country very suddenly, and there was not much time for agitation of any kind, or upon any subject. The constituencies were taken quite unawares, and they were so excited about that one question, that the probability was they really forgot that the late hon. member for the Swan was also a member of the Executive. When this subject was mentioned in the House the other evening he then said that public opinion was opposed to the proposal, and that nine-tenths of the population, if polled tomorrow, would vote against it. So far as Perth was concerned, not only would nine-tenths vote against it, but, at a public meeting which had since been held to consider the question, tenths, or the whole, of them opposed it—and Perth, it must be borne in mind, represented about one-fifth of the entire population of the colony. This being the case, and seeing the strong feeling of opposition which existed against the proposal, would it not be wise, would it not be expedient to give the whole colony an opportunity of expressing an opinion upon the subject? There could be no immediate necessity for this change. There had been no outcry against the Executive as at present constituted. Why then seek to thrust this measure down their throats without giving the country an opportunity of having a voice in the matter? The amendment which he had submitted did not commit the House to any expression of opinion upon the subject one way or the other; it simply asked that the consideration of it may be postponed until such time as the various constituencies of the colony had an opportunity of saying what they thought about it.

SIR T. COCKBURN-CAMPBELL said he could not allow the matter to pass without saying something. It was an unfortunate thing, and what many of them did not expect, that there should be so much opposition in some quarters to this proposal; but he thought, whether they were in favor of it or opposed to it, they must all acknowledge that in putting it forward His Excellency the Governor was solely actuated by the belief that it was a movement that would

be agreeable to the people and advantageous to the colony. He believed that amongst the constituencies generally there was very little feeling one way or the other about it. The appointment of the late hon. member for the Swan created no stir whatever, and the appointment, so far as the elections were concerned, might never have been made. It was not even alluded to. It was a month or more now since the Governor publicly announced his intention of submitting this proposal for the consideration of the House, and all the colony was made aware of it, but not the slightest attempt had been made to protest against it; so that he thought they might fairly conclude there was no such strong feeling on the subject outside that it was necessary to refer the matter to the country before hon. members could vote upon it. He could not understand the opposition that had arisen so suddenly in certain quarters. What the under-current causes of this opposition were he could not pretend to say. All he had to deal with was the arguments advanced. It was contended that were elected members to accept seats in the Executive Council the "balance of power" in the Legislature would be disturbed. Now this idea, he believed, was founded upon erroneous impressions—in the first place as to the nature of the Executive Council, and in the second place as to the constitutional position of the nominated members of the Legislature. He had always felt that the position of these members had been misunderstood, and, if the House would permit him, he might state what were the views of Governor Weld on the subject. Governor Weld, as they were well aware, was the first to introduce the present constitution, and with it the nominee element into that House, and he certainly thoroughly understood the working of the constitutional machinery which he set in motion. He (the hon. baronet) had an idea himself, years ago, when this form of Government was first established, that the Governor was permitted to nominate members to seats in the House in order to give him a certain amount of voting power which he could always depend upon; but, hon. members might recollect that shortly after the constitution was introduced, Governor Weld dissolved the Council on

a question of policy, the question of Free Trade *v.* Protection. Of course, in nominating members to a seat in the House, His Excellency took care, as he thought, that their views coincided with his own on (what he considered) this important subject. Amongst those nominated was one who had expressed a very decided opinion upon the free introduction of flour, but, to Governor Weld's dismay, this same gentleman also entertained a very pronounced opinion in favor of protecting butter, cheese, and other things. He (the hon. baronet) asked Governor Weld whether he did not think it would be advisable to speak to this gentleman and represent to him how very inconsistent his action was; but His Excellency told him that, as a constitutional Governor, he always refrained from interfering with the actions of his nominees, and that the last thing he would think of doing was to try and influence their opinions or their votes. He then asked His Excellency what was the use of having nominee members, and the Governor told him he considered it would be degrading to the constitution to seek to convert them into mere voting machines. His Excellency said the object for which they were appointed was this: in the first place, to infuse a sort of Conservative element to counteract any possible Radical tendencies on the elected side of the House,—that was one reason; but he said the chief reason why the Governor was permitted to nominate these members was in order that he might secure the assistance of men whose services would be useful to the country but who had not been returned by any constituency, and in order that interests unrepresented on the elected side might obtain a fair hearing. Thus, for instance, when the education question came before the country, and one-third of their fellow-colonists were virtually unrepresented in the House, the Governor appointed the hon. member, Mr. Marmion, to a seat on the nominee benches. In the same way now they found the hon. member, Mr. Randell, representing what he might call municipal interests; Mr. Burges giving more weight and increased representation to Northern interests; and they were all pleased to find that His Excellency had been able to secure so useful and valuable a member as Mr.



Steere to represent Southern interests. It was for this object, Governor Weld told him, and for no other, that the Governor was allowed to nominate members to seats in the House. This view of the position of nominated members had been endorsed, they knew, by the Imperial authorities; and these gentlemen were as absolutely free to exercise independently their conscientious judgment as any elected member. The theory, therefore, of disturbance in the "balance of power" completely fell to the ground. Besides, an unofficial seat in the Executive Council carried with it no obligation to support the Government. The Executive Council was not a Cabinet. Its members were responsible merely for the advice they individually gave. It rested with the Governor to determine whether he followed that advice or not. If he acted on their opinions the unofficial members would no doubt support him in the House. If he did not they were perfectly free to criticise his policy. It appeared to him too obvious to require arguments in support of it, that were such of their number as for instance Mr. Brown, Mr. Parker, or Mr. Burt, in the Executive Council, many questions of administration would be more satisfactorily decided than at present, and moreover these leading members of the House would be gaining an experience and a training which would stand them in good stead when the country decided upon adopting Ministerial Government. Obvious, however, as were the advantages in the Governor's proposal, he did not consider it a matter of vital consequence. There were benefits which might be purchased at too dear a price, and he would be sorry to see this benefit secured at the expense of the introduction in their midst of an element of discord and strife. They would now, he presumed, record their votes upon the proposal generally. But before they proceeded to take another step he hoped an opportunity would be afforded His Excellency of making himself acquainted with the opinions of hon. members and with the balance of parties on this question, in order that His Excellency might determine whether, in the circumstances, he would not wish to make a further communication to the House upon the subject.

MR. HARPER said he had listened with great interest to the various objec-

tions raised by the hon. member for Perth—who appeared to have taken a brief for the Opposition in this case—to the Governor's proposal, and it had struck him that with the exception of one argument used by the hon. member, there was very little in his opposition. The hon. member told them that the proposal was unconstitutional: the Governor told them in effect that it was not unconstitutional,—and he presumed the Governor had the authority of the Secretary of State for saying so. The hon. member also told them that these two members would be responsible to no one, inasmuch as they could not be questioned as to their acts as members of the Executive, and that it was incompatible with the position of a free and independent member of that House to be called upon to give private advice to the administrator of the Government. Surely the Governor might call upon any member of that House to favor him with his advice or opinion upon any question that His Excellency might wish to bring forward; and, no doubt, it had often happened that the advice or opinion so given by members, in the course of private conversation with the Governor, had in some degree occasionally influenced the Governor's policy. The hon. member himself had probably in this way violated the very principle which he now enunciated. The hon. member, he believed, had made no secret of the fact that while on a political mission in England he called upon the Secretary of State, and he did not know but that the hon. member had boasted of the effect which his private interview with the Secretary of State had produced upon the policy of the then Government. He did not know whether the hon. member did not consider that a violation of the principle which he now laid down. Surely it could not be seriously argued that the mere fact of these two members being admitted to the Governor's Council board would necessarily result in their losing their independence. The Governor would exercise no more influence upon them in the Executive Council chamber than he would, in private, at Government House, or in that delightful marine residence at Rottneest. He was afraid that those who most strongly opposed this proposal held back some of the reasons which actuated them. If the

party representing the opposition to the present constitution felt that it would be competent for them, upon their own platform, to accept the positions in the Executive now offered by the Governor, there might not have been so much opposition to the proposal. (Mr. PARKER: Thank you.) As an illustration of the good influence that might be brought to bear upon the Government by the members of that House, he might refer to the good results brought about by the action of the members of the Audit Board in controlling unauthorised expenditure. Some few years ago, wherever one went, everybody talked and talked loudly of the reckless waste of public funds, principally in connection with the Public Works Department; but they all felt that there was no danger of its occurring again. And if, a few years ago, there had been unofficial members in the Executive, he had no doubt that very much of this reckless waste of public money might have been avoided. He quite agreed in one thing with the hon. member for Perth,—that this question might very well be reserved. He thought there was no particular hurry. Let the question be decided calmly and deliberately upon its merits. It certainly was not one that he would individually wish to see forced upon the House or upon the country unwillingly. He was sure His Excellency had no wish to do so; and in a matter of this kind he thought the interests of the country should be taken into consideration. A great deal had been said about the constitutional aspect of the question, but he thought they ought to think more of the country than of the constitution.

Mr. MARMION said that on a former occasion when this subject cropped up in the debate upon the Address in Reply he expressed an opinion, and a tolerably definite one, on the subject. He then said that he was in accord with the suggestion made by His Excellency the Governor that the House should proceed to nominate two of its members for appointment by His Excellency to seats in the Executive Council. He then stated a few of his reasons for agreeing with the suggestion. They had seen the subject discussed in print, and they had heard a great deal said about it by hon. members in that House, and by hon. members and others outside that House; but he must

say that nothing he had read or heard, either in the House or out of it, had in any way altered the opinion he had arrived at, after tolerably mature consideration, upon the subject. He was quite open to listen to argument, and he believed, if the arguments of the opponents of the measure had been good ones, it would have been quite possible for him to have changed his mind. But such had not been the case, and, to his mind, the arguments which had been made use of were the weakest of their kind. One of the great arguments made use of by the opponent—when he said the opponent, he alluded to the hon. member for Perth, as the representative of those who were most strongly opposed to the proposal—one of the great arguments used by that hon. member, indeed he might say the main argument used by the hon. member and those whom he represented, was an argument levelled at the present constitution rather than at anything else. They all knew that for a long time past the hon. member had had a strong leaning towards Responsible Government, to bring about which had been the main object of his political life for some years. Whether the hon. member be right or whether he be wrong in his desire for that change, he had no hesitation in saying that he was moved to his present course of action in a great measure by the belief that, if this proposal to popularise the Executive were to be carried out, the result would be that the present constitution would be granted a longer lease of life, that it would work more smoothly and with greater advantage to the colony, and be more in consonance with the wishes of its inhabitants. They were told by the hon. member that it was unconstitutional. He could not let the opportunity slip without reminding the hon. member that it was a very strange fact that when the Message was received from the Governor, last session of Council, notifying that Mr. Steere, who was then the leader of the elected members, had been nominated to a seat in the Executive, neither he nor the hon. member for the Gascoyne rose in his place in the House, in a fit of virtuous anger, to denounce such a proposal to interfere with the constitution. On the contrary, in common with other hon. members on every

side of the House, they found the hon. member for Perth and the hon. member for the Gascoyne receiving the announcement with a feeling of gratification. He was present at the private meeting of members at which the hon. member for the Swan, when the appointment was made, submitted himself in the most honorable manner to the verdict of his fellow-members, and asked them whether they thought it would be inconsistent with his position as their leader; and, to the best of his recollection, no opposition or objection whatever was raised, and he believed the hon. member for Perth and the hon. member for the Gascoyne were amongst those who congratulated him upon his appointment. More than that, he was also tolerably certain that at least one of them expressed an opinion that such an appointment would be for the benefit of the country and of the constitution. Strange that these hon. members should only just have discovered that the action of the Governor was unconstitutional. Another argument made use of by these hon. members was that the two unofficial members of the Executive would forfeit their independence, that they would be liable to be influenced by the Governor, and that they would be responsible to no one. As to forfeiting their independence, would hon. members listen quietly and calmly to such a reflection cast upon them by a member of their own House, that simply because for the time being they were admitted into the presence of the Governor and his official advisers they would thereby forfeit their independence, sacrifice their honor, and become lost altogether to that sense of right and that political virtue for which their constituents gave them credit when they sent them into that House. It was nonsense. It was an insult to hon. members that such a suggestion should be made. With regard to their liability to be influenced, that had been tolerably well answered by the last speaker. It could not be imagined for a moment that any two members deputed by that House, trusted by their fellow-members, to represent them in the Executive would so far forget themselves and forget what was due to that House as to allow themselves to be unduly influenced by the Governor, no matter

how arbitrarily a Governor might choose to bring influence to bear upon them. It was said these two members would be responsible to no one. He denied it. They would have the same responsibility as they now had as members of that House, and were they responsible to no one now? He said they were. They were responsible to their own conscience. They were responsible in the next place to their constituents; and, in the next place, they were responsible to the country at large. Would their position be in any way altered by the proposed change? Would the mere fact of their being elevated—if he might use the term—from that House to a seat in the Executive lessen their responsibility? Not in the slightest degree. They were at present responsible to their constituents, but what for? Simply for their actions in that House; and it was by their actions there that their constituents judged them. Was it to be supposed that these two members would adopt a different course of action in the Executive from what they did in that House? If not—and it would be an insult to suppose that they would—then surely their responsibility to their constituents and to the country at large would be the same. They had heard a great deal about a public meeting that had been held in the Town Hall. He was one of those who paid the greatest respect to the wishes of the public, and he respected the opinions of the citizens of Perth upon any public question; but he would remind hon. members of another public gathering that took place in the same building, not so long ago, a much more representative gathering than the public meeting held the other night. He alluded to the public banquet given to His Excellency the Governor on his return from England. It would be remembered it was on that occasion that His Excellency first publicly announced his intention of bringing this proposal before the House, and those who were present at that banquet would remember the storm of applause with which the announcement was greeted, by an assemblage representing almost every district in the colony. They were now told the matter ought to be submitted to the country. Had not the country been made aware of it, weeks ago, by the Governor himself, when he expressed

his intention of adopting this course? And what opposition had there been shown to it? None, absolutely none, except on the part of a section of the press, and the meeting referred to at Perth. The opposition was certainly not very powerful. So far as his own constituents were concerned, the majority of those with whom he had consulted—he had not sought their opinion, but, where it had been expressed, the majority of them considered it a very good move on the part of the Governor and one that would prove of advantage to the country. The hon. member for Perth said they had no right to depute two of their number to be looked upon as representing the views of that House in the councils of the Government. He would remind the hon. member that he was one of those who not so long ago countenanced and advocated the very thing which he now condemned, and that too with reference to a matter of vital importance to the country, namely, the expenditure of public money. The hon. member fought strongly for the Audit Act, and for the appointment of a certain number of members of that House to assist the Executive in controlling the public expenditure. The hon. member in that case was quite content for the House to delegate its functions to the members of the Finance Committee, and so far abrogate its functions in the matter of controlling public expenditure that the actions of this Committee were hardly ever questioned by that House. Did the members of that Committee—of whom the hon. member was one— forfeit their independence by accepting a seat upon it, and, with their counsel and advice, assist the Executive Government? The hon. member said the proposed change would be an immense change. No doubt it would be immense,—immensely beneficial to the country at large. The hon. member also said that we could not judge of the individual actions of these unofficial members in the Executive. There was a very easy method of arriving at that. If the hon. member thought he had any reason to find fault at any time with the action of the Executive, either during the session or during the recess, let him move a vote of censure with reference to any particular act of the Executive or any particular measure, and he would soon

find out the line of action which the two unofficial members had taken. Their constituents would then see how their representatives had acted, and if they were dissatisfied with them they could call upon them to resign their position as their representatives altogether, and, being no longer members of that House, they would lose their seats in the Executive. He ventured to say there was no individual member of the House who personally cared less whether the proposal was accepted than himself. He said that in all sincerity and in all truth. He did not personally care very much whether it was accepted or not, except that he believed it would be for the benefit of the public that the suggestion of the Governor should be carried out. He was sure of one thing, that, if it should be carried out, it would have the effect of making the present constitution work more smoothly, and probably more effectively for the good of the colony at large. It would bring the Executive, as the Governor said, more into touch with public opinion, and, in doing that, it would popularise it. He hoped no member of the present Executive would think for a moment that there was any intention on the part of any hon. member, in discussing this proposal, to cast any reflection upon that body, or to accuse them of lack of ability or of a desire to meet the wishes of the community, so far as it was possible for them to know what those wishes were. Everybody gave them credit with being actuated by an honest desire to advance the prosperity of the colony; but it must be apparent that the introduction amongst them of two men practically acquainted with the requirements of the colony would bring them into closer touch with public opinion, and go a great way to create a feeling of complete harmony between the Executive and the Legislative Councils, without reference to forms of Government. He cared not himself if three months hence we were to plunge into Responsible Government, except for the fact that he did not consider it would be a wise change at present. He thought we could afford to wait a little longer, and let the colony advance as smoothly and quietly as possible on the path of progress. The strides it had made in the path of progress during the last few years had been immense, and

he believed himself that the public generally did not care so much about the form of Government as about the colony going ahead. All they wanted was to be governed well, under liberal laws, and to have honest and liberal-minded men to represent them; and his only reason for advocating the present change was the fact that he considered it would conduce to harmony, that it would conduce to the progress and advancement of the colony, and that it would help it along on that path which he felt sure it was the honest desire, not only of the hon. member for Perth and of the hon. member for Gascoyne, but also of every member of that House to see it enter. Having said these few words, on the general question, he would only add that it would afford him much pleasure to support the original motion.

Mr. LOTON said the question before the House, so far as he was able to judge of it, was, he had no hesitation in saying, one of the most important that would come before them during the session. He thought it was most important for this reason, that it purported to trench upon the constitution; and any measure that did that must be a very important measure, for it was by the constitution that we were governed. In concert with many other hon. members who had spoken on the subject, he was sure that however much they might differ as to the merits of this proposal, they must all agree that the Governor had placed the matter before them in a very impartial way. It was open, he took it, for all members, whether elected or nominated, to judge the question according to their own light. A great deal had been said with regard to its being unconstitutional. He should not attempt to argue that point, as there were several legal members in the House very much better able to form a correct opinion upon it than he professed to be. But he thought the question had been looked at, so far as its constitutional aspect was concerned, in a wrong light. So far as His Excellency's action was concerned he thought it was quite constitutional. His Excellency had the power, under our present constitution, to appoint two unofficial members of the Executive—he believed it was not provided whether they should be members of that House or

not; but he took it that no one would deny that the Governor would be quite within the Constitution Act in appointing any two members of that House to seats in the Executive. Should he do so, he thought it would be the duty of those two members to resign their position as the representatives of a constituency. He did not think that a member who was the representative of a constituency could act as freely and independently if he took upon himself the dual position of a member of the Legislative Council and a member of the Executive Government. He had listened attentively to those who had spoken in favor of the proposal for some arguments in support of their position. Several of them had to a certain extent twitted those who were opposed to it with having brought no arguments to bear against it. He would state very briefly what his were. The House at present consisted of twenty members, exclusive of the official members, and he presumed he was right in saying that there was no difference, necessarily, in the individual influence of members, whether they sat on the elected side of the House or on the nominated side of the House,—except by reason of one member possibly possessing greater abilities than his fellow-members; otherwise they all had but one voice and one vote. But what was it now proposed to do? It was proposed to give two of their number, not one vote and one voice, but more than one vote and more than one voice—a voice in the Legislative Council and also a voice in the Executive Council. The hon. member for Murray and Williams once told them that he was a “double-barrelled” member. These two unofficial members of the Executive would be more than that,—they would be ten-barrelled members. The House consisted of twenty members, and these two members if appointed to the Executive were, between them, to represent all the members of that House in the Executive. So they were told by the Government. The object of appointing them to seats in the Executive was to place the Executive in ready touch with the views of the Legislative Council. They would go there to represent the collective wisdom of the twenty members of that House; and they would do so, he had no hesitation in saying, without responsibility,

without open responsibility. His own view of the matter was this: if any alteration was made in the Executive, by the appointment of two members of that House, let the seats of those two members, whether elected members or nominated members, become vacant. If they should be elected members let their constituencies elect two other members in their place, and if they should be nominee members let two other persons be nominated to fill the vacancy. Let these two members appointed to the Executive take their seats in that House on the Executive bench, and openly support the policy of the Governor, so long as they could conscientiously do so, and let them resign if they could no longer support it. He would simply add that he was opposed to the motion, and that he intended to support the amendment.

Mr. BROCKMAN said he simply rose to make a few remarks in justice to an hon. gentleman whose name had been rather prominently before the public during the last two days. He alluded to Mr. Steere, in whose shoes of last year he might be said to stand at present. It had been stated that the reason why Mr. Steere was not asked to come forward again for re-election was because he had accepted a seat in the Executive. That that reason may have actuated some of the electors, he could not deny; but it was not the main reason. The principal reason, he believed, for not asking Mr. Steere to come forward again was because the electors thought they ought to have a local man to represent them. There were also some private reasons, which of course he could not now enter upon; but it was not right to say that the appointment of Mr. Steere to a seat in the Executive was the reason why he was not asked to come forward again. With regard to the question before the House, he was not prepared to argue whether the proposal was constitutional or unconstitutional; as to that, he was rather inclined to accept the Governor's view, that it was constitutional. But the reason why he was not disposed to support it was, not because it was unconstitutional, but because in his opinion it was inexpedient.

Mr. BROWN said although he had already spoken on the subject the other evening, and although he felt that nothing

he might now say was likely to alter the views of hon. members, still some remarks that had been made in the course of the discussion rendered it necessary that he should say a few words, especially as his hon. friend on his left (Mr. Parker) had exhausted his right to speak on the subject. The hon. member for Fremantle said that the hon. member for Perth some few years ago had advocated the appointment of members of that House to seats on a Board to advise the Government in matters of finance, but that the hon. member was now opposed to any members of that House being appointed to seats in the Executive Council, and this was charged as an inconsistency against the hon. member. If the charge applied at all to the hon. member for Perth, it did not apply to him (Mr. Brown), for he was one of these who were most strongly opposed to the Audit Act. But he would point out that there was this distinction between the action of the Council in the appointment of members to serve under the Audit Act and the action which the Council was now asked to take. The House then had a bill before it dealing with the constitution of the Audit Board and defining its functions, and the representatives of the people were asked to take part in passing that bill into law. They were asked to pass a law under which that House was to be represented on this Finance Board. But they were not asked to pass a law now. They were not asked to consider a bill dealing with the appointment of these two members, and defining their functions and their responsibilities. They were simply told that the Governor was empowered to make these appointments under the Royal Instructions. With regard to those Royal Instructions,—which were not legal enactments—and the power under which His Excellency claimed to make these appointments, he wished to say how pleased he had been to find, whether inside the House or outside the House, that every person who had spoken on the subject, whether in favor of Responsible Government or not, had most fully and freely admitted that the proposal had been made above-board, honorably, and honestly, by the Governor, because His Excellency thought it would be looked upon as a concession to the Legislative Council, and through the Council to the people, and

also because he believed it would be an advantage to the colony. The hon. member for Plantagenet and several other hon. members had spoken of the great desirability of the existence and continuance of harmony in that House; but he would point out to those hon. members that it was their side alone which had in any way attempted to introduce the apple of discord into this debate. He should like to know whether he or any other member who was opposed to the proposal had imputed improper or dishonorable motives to the other side, such as were imputed by the hon. member for Greenough in the first place, by the hon. member for Murray and Williams in the second place, by the hon. member for York in the next place, and also by the hon. member for Fremantle—

MR. MARMION: I beg your pardon. I in no way imputed any dishonorable motives. What I said was that the opposition to the Governor's proposal was in a great degree the outcome of political antagonism to the present constitution. I referred to political motives only.

MR. BROWN said he accepted the hon. member's explanation. He understood now the distinction which the hon. member drew. A man might be honorable enough as a man, but as a politician nothing he could do was dishonorable. He knew the *West Australian* newspaper had complimented the hon. member upon having made a splendid hit the other evening when he said that he suspected the opposition to this proposal had emanated from the party of Reform—the party which he (Mr. Brown) was supposed to belong to. Where the suspicion came in he did not know. The hon. member went on to couple together the party of Reform, the hon. member for Perth and himself, with a certain newspaper, and stated that the real fact of the matter, in his opinion, was that they were opposed to it simply because they were determined to oppose anything which could possibly assist the present constitution to work well for the interests of the colony. If that was not imputing dishonorable motives to hon. members he did not know what was. It was a charge for which there was no foundation whatever. He would ask hon. members whether, since he had been a member of this party of Reform, he had ceased to assist the Government in that House in all proper feeling, or shown any factious op-

position in any way. It was his intention to continue to support the Government, so far as he could, whilst the constitution lasted, nor did he want any change in the constitution by a side wind. The hon. member for York stated that the reason why, in his opinion, certain members had opposed the Governor's proposal was because they felt they could not themselves accept a seat in the Executive. In other words that those who had been most prominent in their opposition to this proposal—the hon. member for Perth and himself—would have voted differently and supported it if they had thought they would themselves have been appointed. (MR. MARMION: Would have accepted.) That was his definition of what the hon. member said. Reference had been made to the Audit Act, under which he was sorry to say that House had appointed delegates by whose actions it was bound,—for, during the recess, the members of the Finance Committee were *de facto* the delegates of that House, and the House was bound by their actions,—they were bound to ratify them. That was the law of the land. But what were they asked to do now? They were asked to violate the law under which that Council was established, and they were asked to do it in this way,—by appointing two of their own members to seats in the Executive. They could not do that without adding to the strength of the Government in that House. He thought that was perfectly plain. But it was said it was constitutional because the Royal Instructions provided for it. The Royal Instructions did not provide that the unofficial members shall be appointed from amongst the members of that House, thereby destroying the balance of power in the Legislative Council by adding to the strength of the Government. There were already members of the Executive, who had no seats in that House, and could not be admitted to seats, because no provision was made for it either in the Constitution Act or in the Royal Instructions. Yet the Governor asked them to give him two of their own members. He (Mr. Brown) maintained that the constitution did not admit of it. In support of the proposal being a constitutional one, reference had been made to the Natal constitution. But he submitted there was no analogy whatever between Natal and this colony.

The Imperial Government never gave up its control over the constitution of Natal—that colony being, he believed, the only colony which the Imperial Government so controlled. It provided her with a constitution but reserved to itself the right to annul that constitution, and necessarily so, for State reasons. Therefore such a change as this in Natal would have been perfectly constitutional under the Royal Instructions; for, so far as the Imperial Government chose to exercise its rights over the constitution of that colony, Natal might be said to be a Crown colony. When Western Australia was a Crown colony, we were governed by Royal Instructions, but not so when the colony was granted a constitution of its own, and was conceded the right of popular representation. All must admit that under such a system of Government as we now possess no change should be made in the constitution without due reference to the people. If by virtue of the present Royal Instructions the Governor was empowered to place two of the members of that House in the Executive, those members still retaining their seats in the House, what was to prevent the Secretary of State, for State reasons or other reasons that might be given to him, sending out additional Royal Instructions authorising the Governor to take six of their number, or a dozen, and so snuff out that House altogether? So much had been said in the course of the debate about the action of hon. members last year in not protesting against the appointment of the hon. member for the Swan (Mr. Steere) to a seat in the Executive, that he felt bound, as one who was perfectly cognizant of what took place, to say a few words. He fully and freely admitted what had been stated by the hon. member for Fremantle, that hon. members, one and all, felt gratified that the hon. member Mr. Steere had been accorded such an honor—for he considered it was an honor, and he thought every member of the House would consider it an honor to be nominated by his fellow-members and appointed by the Governor to a seat in the Executive Council; he quite admitted that there was a general feeling of gratification when Mr. Steere was appointed, but he did not think it was quite fair to say, because hon. members were pleased, and because they congratulated Mr. Steere

on his appointment, that henceforth they must for ever hold their peace. He distinctly remembered, when Mr. Steere told them of his appointment, that he asked them whether they considered it compatible with his position as leader of the elected members. He himself had grave doubts about it, but so great was the confidence they had in the hon. member for the Swan that they felt he would act as independently as any man possibly could do in such a position. At the same time he distinctly remembered its being stated, in Mr. Steere's presence, that inasmuch as he could only hold his seat until the then Council was dissolved, which would only be for a few months at the utmost—in fact, they were then at the tail end of the session—that the matter was not one of great importance. He also remembered that it was distinctly stated—although perhaps not in Mr. Steere's own presence—at the meeting referred to, that it would never answer for the leader of the elected members in that House to occupy a seat in the Executive Council. After all, the appointment of Mr. Steere was an act of the Governor's own, and that House had nothing whatever to do with it. But this was quite a different affair, and he hoped a majority of hon. members would be found in favor of the amendment.

MR. GRANT said, as to the appointment of Mr. Steere, last year, to a seat in the Executive, he had openly objected to it, and expressed his feelings at the time pretty plainly. Further than that, he went to the Governor and told him point blank he did not think he had offered any compliment to Mr. Steere by giving him a seat in the Executive, especially as he knew Mr. Steere's proclivities were by no means favorable to the North. As to these unofficial members being in ready touch with the community at large, or their placing the Governor in ready touch with the community at large, these gentlemen would of course be gentlemen residing in Perth or Fremantle, and what did they know about the feelings of the people of the North, or what regard were they likely to have for those feelings? He felt he should be violating his duty to his constituency if he were to support this proposal, and he knew what the opinion of his hon. colleague Mr. McRae—who had not yet been able to



get down—he knew what Mr. McRae's opinion on the subject was, for he had heard him over and over again express his disapproval of the appointment of Mr. Steere to the Executive.

MR. VENN said, with regard to the public feeling in his own district, he might say that when he recently addressed his constituents he spoke very strongly on this subject, and expressed a decided opinion against the proposal; and, as a vote of entire confidence in him was passed at the conclusion of his remarks, he took it that he was representing the views of his constituents in opposing the present motion. He felt it would be altogether inexpedient at the present time to make this change. There was nothing that he was aware of calling for it; everything was working smoothly, and, so far from contributing to greater harmony between the Government and the Legislature, and between the members of that House, it seemed to him that the proposal was likely to introduce an element of discord amongst them, which he should be sorry to see introduced. He would say nothing as to the constitutional aspect of the question. It had been said that the strongest opposition to the proposal came from the Reform party. If that was so, it was a singular thing. The reformers in this case appeared to be constitutionalists, and the constitutionalists reformers. Everything seemed upside down. The amendment would have his support, and had it gone so far as to shelve the question altogether he should have supported it.

MR. CROWTHER said he would support the original motion, for he was convinced that the introduction into the Executive of two members, of business habits, practically acquainted with the requirements of the colony, could not fail to have a beneficial effect. Could it be supposed for a moment that if there were two business men, such as the hon. member Mr. Loton, or the hon. member for Toodyay for instance, in the Executive we should ever have had such a monstrous absurdity as the present railway tariff from York to Fremantle; or that there would have been that feeling of irritation at the North which now prevailed owing to the bungling policy of the Government. He meant no disrespect towards the present members of the Executive. These poor men were not so much to be blamed as

pitied. They had been Government officials all their life. Some of them were probably born in an office, most of them were bred in an office, and all of them were trained in an office; and when they were once taken out of the official groove they were lost. It stood to reason that if they had the advice and assistance of two or three men of business habits and of practical knowledge, it could not do them or anybody else any harm, but, on the contrary, was calculated to do a vast amount of good. The hon. member for the Gascoyne had taunted the supporters of this proposal with having been the first to throw the apple of discord into this debate, and the hon. member had accused him amongst others of having attributed dishonorable motives to himself and those who were opposed to the Governor's proposal. He should be very sorry indeed that any hon. member should think him capable of attributing dishonorable motives to the members of that House, individually or collectively. What struck him at the time, and what struck him still, was the fact that the strongest opposition to this proposal came from members of what he believed was called the Reform League. But he was glad to hear now, from the member's own lips, that he was perfectly satisfied with the present constitution, and that he intended to do all in his power to make it work smoothly. He felt it was useless to delay the House in speaking on this subject. If he were to talk from now until the day of judgment he did not suppose he would gain a single vote. For his own part he should vote for the proposal simply because he believed it was calculated to do a vast amount of good. He thought it was hardly fair to harp upon the Governor as having brought forward this proposal as a crotchet of his own. It was nothing of the kind. The Governor did not press it upon them at all, but simply left it to the House to say whether they wished it or not,—“If you like it say so; if you don't, I don't care a straw.” That was what the Governor said; and it was not fair that members should be eternally harping upon the name of the Governor in connection with the matter.

MR. WITTENOOM said he could not allow the question to pass without saying how grieved he was that he could not

agree with the hon. member for Perth, who had taken so much trouble to convince the House of the wrong it was committing in supporting this proposal. From his own point of view the hon. member had put forward a great many arguments, but there were none of them, with one or two exceptions, that you could not drive a bullock team or a coach-and-six through. [Mr. Brown: Do it, then.] He agreed with what had fallen from the hon. member for Fremantle and the hon. member Mr. Steere, both of whom, he thought, had set the case before them very plainly, leaving nothing for him to add. He came down to the House with his mind quite unsettled about the matter, and the arguments he had listened to certainly led him to support the motion of the Colonial Secretary. The feeling of annoyance shown and expressed by the hon. member for the Gascoyne was a clear proof that the arguments against the amendment were very telling arguments. But it was no use arguing who was passed all argument. It was said that the Governor had no power under the Royal Instructions to appoint two members of that House. But what did the 4th clause of the Royal Instructions say: "We do hereby authorise and empower our said Governor, from time to time, by instruments to be passed under the public seal of our said colony, to appoint such persons as he may think fit to be unofficial members of our said Executive Council." Such persons as he may think fit,—so that if His Excellency chose to appoint two of the members of that House he could do so, without reference to the House at all, if he liked. But guided by the same feeling as he had shown ever since he came to the colony, His Excellency was anxious to work hand in hand with the Legislative Council, and to consult them in all matters affecting the welfare of the colony, and thus give the people of the colony, through their representatives, as much voice as he could in the management of public affairs. The hon. member for Perth told them it would be impossible for these two members to represent the views of all that House. Why couldn't they? The hon. member himself told them the other day that he was sure that nine-tenths of the people of the colony

were opposed to this proposal. The hon. member, it appeared, when he took upon himself to make that assertion, considered that not only did he represent the feeling of his followers in that House, but that he also, in his own person, represented the views of nine-tenths of the whole colony. He assured the hon. member he was wrong, if he thought that nine-tenths of the inhabitants of the colony, if polled to-morrow, would oppose this proposal. As for his own constituency, he had been before them and had been catechised pretty closely some time after the Governor's speech at the Town Hall, and not a word was said in objection to the Governor's policy in this matter. Had there been any such objection it would certainly have been stated.

Mr. SHENTON, referring to the private meeting of members held last session, when Mr. Steere was appointed to a seat in the Executive, said, if his memory served him, only two members objected to the appointment, namely, Mr. Grant and Mr. Venn, who were strongly opposed to it. All other hon. members congratulated the hon. gentleman upon his appointment and seemed in favor of it; and it did appear strange that, if there was any feeling at all on the subject outside, no reference whatever was made to it during the late general election. He thought one of the reasons which had induced His Excellency to make this proposal to the Council was this: they knew that in times past great complaints used to be made against the Executive because they seemed to be so ignorant of the real wants of the colony, which was simply because, owing to their official position, they were not brought much in contact with the settlers; and he took it that the object of this proposal was to bring the Executive more into touch with the general public. As to these unofficial members having no responsibility, he considered that so long as they retained their seats in that House, they would be liable to have their actions very severely criticised by their fellow-members; and, in this way, a far greater responsibility would rest upon them than if they were selected from amongst colonists outside the House, who would be free from all such criticism. So far as his own constituents were concerned he had received no

representation one way or the other from them on the subject. It was some time now since the Governor made the announcement that he intended submitting this proposal to the House during the present session, and the statement was received at the time with the greatest applause, and nothing had been said against it until the present discussion came on, although the country had had ample opportunity of discussing the matter. It was his intention to vote for the original motion.

MR. RANDELL thought it was incumbent upon all hon. members to express their opinion upon the question now before the House. So far as he had listened to the debate and read the arguments put forward in the columns of the Press, it struck him that they were all on one side and that all the real arguments were against the proposal put forward by the Governor. He thought he might be credited with taking a calm and dispassionate and disinterested view of the matter. It was well known that he had been persistently opposed, from his first introduction to public life, to any change in the present constitution. Though personally in favor of free institutions, he thought that, until we had a larger population, it would be a false step to introduce any elaborate constitutional machinery; and, holding these views, he thought he might be credited with a freedom to regard this proposal from an independent point of view. A great deal had been said about His Excellency being animated, in putting forward the suggestion, solely by a desire to promote the interests of the colony and to bring the Executive Government more into harmony with public feeling. No one would deny the excellency and sincerity of the Governor's intentions for a moment; and, what he was afraid was, that the fact of the present Governor being so exceedingly popular with the Legislature was calculated to influence the bearing and the attitude of hon. members towards this proposal. Though putting forward no claim to a knowledge of constitutional law, he did claim for himself to be a student of history, and of constitutional history. The British constitution, and the constitution of every country governed on the same principle as England was governed, was framed very much with the view of preventing any sudden changes in the con-

stitution; and, no matter what might be said to the contrary, there certainly was a change intended here. The proposal was put forward as being likely to assist the Governor and his Executive in conducting the public business of the colony. He looked upon it that the Governor and his Executive were already so situated that they had within their reach the very best means of making themselves acquainted with the requirements of the colony. They were in constant communication with all parts of the colony; and the utmost he thought that any unofficial member could do in the way of assisting them would be to present a subject from an unofficial point of view. There might be some benefit in that, for the official mind was very apt to run in grooves. But if it was necessary to view public questions from other than an official point of view, had they not a public press, and had they not a representative body in that House, where the fullest and freest expression of opinion could be given on all public matters? That House was not always in session it was true, but should circumstances arrive at any time, of a difficult or delicate nature, with regard to which the Governor might feel it would be desirable to have the light of outside opinion thrown upon it, His Excellency could summon the Legislative Council at any moment he liked, and he would obtain from that House, in a constitutional way, through the accredited representatives of the people, a free and open expression of public opinion, upon any subject he wished. Some hon. members seemed to think that, if two of their number were introduced into the Executive, many what he might call departmental errors would be obviated; but did hon. members imagine for a moment that these two gentlemen would be called in to advise the Executive in departmental matters? That was not at all likely, when there were official members in the Executive, responsible for the working of their departments. As to these unofficial members losing their independence, he did not suppose for a moment that any direct attempt would be made to influence them in any way; but the danger lay in that constant communication with the Executive which sooner or later would be bound, gradually and imperceptibly perhaps but none the less surely,

to have its influence upon them. Then again there were the sweets of office. They knew how insidious those influences were in blinding people. He really did think that the Governor and the Executive would be able to obtain opinions as unbiassed and as valuable from the sources that were now open to them, as they would from two unofficial members. He could not conceive how any elected member could be guilty of what he might call an act of political suicide by consenting to accept one of these seats in the Executive,—and he was quite certain that that would be the result. He was convinced in his own mind that any member who, under the present constitution, accepted the position here offered would at once put a bar between himself and his future advancement as a politician. The proposal was in his opinion not only inadvisable but also inexpedient; it was an attempt to interfere with the constitutional machine when it was working smoothly and effectually; and, although not in favor of the present adoption of Responsible Government, he should very much prefer to see that organic change brought about than to see this new element introduced into the constitution.

MR. BURGESS said he rose merely to record his opinion that the proposal before the House was a very fair and reasonable proposal, and one which the country and the House might very well accept.

MR. PEARSE said he had listened very carefully to the debate, and he must confess that he had not heard a single argument brought forward by the mover of the amendment that would induce him to support him on this occasion. He thought that if the proposal were adopted, good would result. If in no other way, it would prove a good training for those whom they yet hoped to see occupying seats on the Treasury bench. Thoroughly believing as he did in the principles of self-Government, and viewing this proposal, as he did, as a step in that direction, it should have his support.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he had watched the progress of the debate, and the tone of the debate, with much interest. The hon. member who had moved the amendment had thrown himself into the occasion

with that enthusiasm which was his wont; and the hon. member for the Gascoyne had from his own point of view also placed the matter before the House in a very spirited manner. As he had said before, the proposal was placed before hon. members merely in order to take the sense of the House upon it, and to elicit a frank and open expression of opinion upon its merits. With that expression of opinion before him, His Excellency would decide whether any further action would be taken in the matter or not. The House, he presumed, would now divide upon the question, and he had only to add that neither he nor his official colleagues would take any part in the division.

The amendment submitted by Mr. Parker was then put, and, a division being called for, the numbers were—

Ayes	...	...	8
Noes	...	...	10
Majority against ...			2

AYES.		NOES.	
Mr. Brockman		Mr. Burgess	
Mr. Grant		Mr. Burt	
Mr. Layman		Sir T. C. Campbell	
Mr. Loton		Mr. Crowther	
Mr. Parker		Mr. Harper	
Mr. Randell		Mr. Marmion	
Mr. Venn		Mr. Pearse	
Mr. Brown (Teller.)		Mr. Steere	
		Mr. Wittenoom	
		Mr. Shenton (Teller.)	

The amendment was therefore negatived, and the original motion upon being put was affirmed.

#### BUSH FIRES BILL.

The House went into committee for the further consideration of this bill.

Clause 7 :

MR. WITTENOOM, with leave, withdrew the amendment he had moved in this clause, and now moved that the clause be struck out altogether, with the view of inserting a new clause.

This was agreed to, and progress reported.

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