

exploit. At the same time we would express our gratification on learning that the Secretary of State has recognised the services of our own explorer Mr. Forrest.

The question of Immigration is one in which the future welfare of the Colony is deeply involved, and we are glad to perceive that Your Excellency is fully alive to its importance.

We agree with Your Excellency in thinking that the want of a high-class school in the Colony is largely felt; and the proposal to establish such a school at the public expense is well worthy the consideration of this Council.

The questions to which we have alluded, and the other questions referred to in Your Excellency's speech, are indeed intimately connected with the social welfare of the Colony, and we can assure you that we are fully prepared to consider them in the spirit indicated by Your Excellency.

We concur in the prayer that we may be guided by Divine Providence to the adoption of such measures as shall most conduce to the honour of the Crown and the happiness of the inhabitants of this portion of Her Majesty's Dominions.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy), in moving that the Address be adopted, said that it was a mere echo of the Vice-Regal Speech, and in moving its adoption the hon. member observed that while the majority had agreed to the reply in its entirety, two of the committee—the hon. member for Swan, and the hon. member for Wellington—had not given their personal adhesion to the second paragraph, relative to the postponement of the introduction of Responsible Government.

Mr. RANDELL seconded the motion for the adoption of the Address in Reply.

Mr. STEERE moved, as an amendment, that the question of the adoption of the reply be postponed until the following (this) evening.

Mr. BROWN, who saw no objection to the adjournment of the debate, seconded the amendment, which was adopted.

HOUSE COMMITTEE.

The SURVEYOR GENERAL (Hon. M. Fraser), with leave, without notice, moved that Mr. Steere, Mr. Shenton, and Mr. Burt be appointed members of the House Committee.

The Council adjourned at 5.15 p.m.

LEGISLATIVE COUNCIL, Wednesday, 1st December, 1875.

Election Petition—Address in Reply to the Governor's Speech.

The ACTING SPEAKER took the Chair at 7 p.m.

PRAYERS.

ELECTION PETITION.

The ACTING SPEAKER reported to the House the receipt from His Honor the Chief Justice of the following letter, announcing the action taken in the matter of the petition of Mr. S. S. Parker of York, against the return of Mr. Monger, presented to the Council on the 18th November, 1874, and referred to the Chief Justice on that date:—

Chief Justice's Chambers,
30th November, 1875.

To The Honorable the Speaker of the Honorable the Legislative Council.

Sir,—I have the honor to report, for the information of the Honorable the Legislative Council, that the Petition of Stephen Stanley Parker, presented to the Council on the 18th November, 1874, against the Return of John Henry Monger, the then sitting Member for the Electoral District of York, and referred to the Chief Justice agreeably to the provisions of the Ordinance 33rd Vict., No. 13, remained without action thereon until the 26th day of December, 1874.

On that day I was attended at Chambers by the Attorneys of the Petitioner and Respondent respectively, and an Order was made for the delivery of Particulars in writing to the Respondent's Attorney.

On the 1st day of February, 1875, a further Order was applied for and made, directing that the hearing of the Petition should be taken at the Common Court Hall in Perth, on Wednesday, the 17th day of February, then instant.

On the 17th day of February, the day so appointed for the hearing of the Petition, a motion was made by Counsel for the Petitioner for leave to withdraw the Petition, on terms alleged to be set forth in a written Agreement between the parties, dated the 15th day of February. The Respondent did not appear in person, by Counsel, or Attorney.

Conceiving that the reference to the Chief Justice to inquire into and determine respecting the matters alleged in a Petition addressed to the Legislative Council did not authorize him to grant leave to withdraw such Petition, the motion of the Petitioner's Counsel was refused.

The allegations in the Petition remain uninquired into and undetermined, no further action having been taken either by the Petitioner or the Respondent.

The Chief Justice is unable to make any further effectual Order in the premises. He cannot compel parties to proceed and to bring to his consideration matters alleged in a Petition the prosecution of which they have determined to relinquish.

I have, &c., Archd. Paull Burt,
Chief Justice.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

Resumed debate.

Mr. STEERE said that in moving the adjournment of the debate on the Address in Reply to His Excellency's Speech, on the previous day, he had not been actuated by any desire or intention to retard the business of the House, though there seemed to have been an impression on the part of the hon. members opposite that the course he was desirous of pursuing, and which was afterwards adopted, would have had that effect. It was the usual parliamentary practice in other deliberative assemblies, and it appeared to him that there was good cause for it in the present instance. He considered that the framers of the Address in Reply had been ill-advised in introducing into it the latter portion of the last sentence in the second paragraph, which he could not give his adhesion to, inasmuch as it appeared to him to deprecate any further agitation in the matter of constitutional change. No supporter of the proposal to introduce Responsible Government could conscientiously or consistently subscribe to such an admission, and it appeared to him that the framers of the Address had been very impolite in introducing into a mere formal Address any matter calculated to excite controversy. The paragraph in question appeared to him to be a sort of challenge to the advocates of Responsible Government to do battle on the subject at this early and inopportune stage of the session. He would move that the words "it is evident that further agitation at the present time, and under existing circumstances, would be undesirable" be expunged, and that in the

concluding portion of the sentence the word "considered" should be substituted for "accepted." With regard to the remaining portions of the reply, and with respect to the Vice-Regal Speech (which the hon. member briefly reviewed), they appeared to him deserving of the most attentive consideration, and he regarded them as very satisfactory.

Mr. MARMION expressed his concurrence with what had fallen from the hon. member for Wellington with regard to the paragraph relating to the question of Responsible Government, and would second the amendment. He then proceeded to review some portions of the Vice-Regal Speech, with the sentiments enumerated, in which, he confessed, he generally agreed. It afforded a copious bill of fare for the session.

Mr. BROWN said that, as seconder of the motion of the hon. member for Wellington for the adjournment of the debate, he was then, by virtue of the rules of the Council, in possession of the House, and he felt it his duty to offer some remarks on the question at issue. Before proceeding to refer to the amendment before the House he would express his sentiments with regard to some of the matters referred to in His Excellency's Speech. He would not do so at length, his sentiments being for the most part a mere reflex of the views already expressed by previous speakers. He congratulated the country on the comprehensive nature of the Speech, which displayed a large amount of statesmanlike qualities, and also showed that His Excellency is imbued with a high sense of the responsibility of his position as Governor, as well as of that which, under the existing Constitution, he holds as Prime Minister of the colony, a recognition of which could not fail to prove of immense benefit to the colony. Generally, he concurred in the sentiments embodied in the Speech, but it must not be understood that his views were entirely in accordance therewith, or that he would support the whole of the measures which it foreshadowed. For instance, he was not yet prepared to give his adhesion to the amalgamation of the offices of Surveyor General and Superintendent of Public Works. It was admitted on all sides that the time had arrived when we ought to have a competent person responsible for the direction of the public works of the colony, but he doubted whether the Surveyor General would be able to devote time enough to the efficient discharge of the duties of the two offices. It was to him (Mr. Brown) a matter of regret to observe that a subject which he, for one, as a member of that House—and he believed many people shared in the regret—would

have been pleased to have seen introduced into the Address and that was some further provision for the administration of the law in this colony. Some few years ago a proposition had been submitted to the House relating to the matter, and the Government then promised that it should receive their careful consideration, leading the Council and the country to believe that, as soon as the financial condition of the colony admitted of the increased expenditure, two puisne judges would be appointed as associates to the Chief Justice. The issues were now so great that it was not a fair position in which to place any one man that of sole Judge in a colony like this. Though it was true that by means of a cumbrous and expensive process an appeal was possible from the decision of our Supreme Court, practically there was no appeal. No one, he was sure, would be more pleased to see proper and more adequate provision made for the administration of the law than the learned Chief Justice himself. The promise of assistance had, he believed, been held out to him for years; and that the time had now arrived for carrying out that promise was fully shown in that paragraph of the Vice-Regal Speech which set forth that the financial position of the colony was highly satisfactory. He trusted, therefore, that at a later period of the session provisions would be made for the appointment of two assistant judges. Apart from the great importance of the matter to which he had alluded, there was a feeling abroad—there was no use in holding back anything—he must speak out his mind;—there was a strong feeling abroad, a most improper and unfounded feeling, with regard to the administration of justice in this colony. That feeling, although altogether unwarranted, nevertheless did exist, and the Government must be aware of it, and should lose no time in removing it. Every hon. member present must be aware that it had arisen from the simple fact that the Judge's son practised in his father's court. Now, he was sure that the gentleman to whom he referred agreed with him that the appointment of two puisne judges would be desirable, and he was in a position to state that he would cordially support him in any reasonable proposition he might make having that object in view. So much then for one of the sins of omission of the Vice-Regal Speech. He now came to what the hon. member for Wellington ranked among the sins of commission, not on the part of His Excellency, but on the part of the framers of the Address in Reply. The hon. member objected to the words, "it is evident that further agitation (with regard to Responsible Government) at the present time, and

under existing circumstances, would be undesirable." That paragraph he (Mr. Brown) had most cordially supported in select committee, because unlike the hon. member for Wellington he considered that before entering upon the business of the session the question which had agitated the colony during the last 18 months should be set at rest, and not be allowed to hang in the balance. Their deliberations must be influenced by the fact of the question remaining unsettled, and it appeared to him highly desirable that it should be got rid of at once. Let them look the position fairly in the face. If they were not going to adopt the change, let them decide so and be done with it. (Hear, hear.) This colony required legislation to be of a liberal character in order to advance its prosperity, but he would ask what liberal measure had ever been introduced into that House by the present advocates of Responsible Government? They could not put their finger on one. If hon. members sought for the promoters of liberal and progressive measures, they must look outside those ranks. Telegraphic communication with the outer world,—who proposed it? Did it emanate from the advocates of Responsible Government? Was it not opposed altogether by that party, with the hon. member for Wellington at their head? Who strenuously opposed the introduction of steam communication on our coast? Who but the champion of Responsible Government,—the hon. member for Wellington. Who said so many hard things about the granting of concessions to timber companies, which concessions alone had tended to develop languishing trade into a profitable and a well-established industry? The hon. member for Wellington, and others who join him in the cry for Responsible Government. Who was it who deprecated the construction of the northern railway, so calculated to develop the mineral resources of the colony? Who, but the hon. member for Wellington. (Hear, hear.) He would again ask the hon. member, or any other hon. member who advocated the adoption of Responsible Government, what liberal measure calculated to promote the welfare and prosperity of the colony his party had been the means of adding to the Statute book? Every progressive measure adopted up to the present time during the past five years, since the introduction of Representative Government, had been due to the liberal administration of Governor Weld, and under the existing Constitution. If they were going to have Responsible Government at all, they ought to have had it carried last year. Why keep the colony in a ferment of agitation? Hon. members were then in a position to carry their measure, as far as this

colony was concerned, but they did nothing of the kind. They exhibited indecision from first to last. There was no such thing as decisive action on their part. They entered into the question blindly; not one of them knew how much the proposed change would have cost the colony, nor had they even a conception of the approximate expense which the change would involve. They were told, on good authority—so they said—that the additional burthen on the colony would only be about £2,500; others thought it might be done for from £30,000 to £50,000. But none of them had anything like a correct conception of what Responsible Government would cost the colony, and he doubted if they had now. Yet the hon. member for Wellington, and other hon. members, said they would not have Responsible Government at any price. Last year the former declared that he would not accept it at an additional cost of £5,000 a year, but now the hon. member saw that the change would involve direct payments to vastly more than that amount, to say nothing of the additional expenses necessarily attendant on a system of parliamentary Government. He (Mr. Brown) therefore was not at all surprised at the indecision manifested by the advocates of Responsible Government. Instead of proving faith in their opinions, by adopting a bold and fearless policy, they hesitated and wavered. When they found that the Imperial Government did not look upon their scheme with favour, they succumbed;—they were cowed by a breath from Downing Street. In one of the series of resolutions which they framed and adopted, remonstrating with the Secretary of State because he manifested opposition to the adoption of the change which they sought, they—while claiming the power to introduce and pass a measure to amend or extend the present Constitution—said they refrained from doing so, because it was their desire to conduct their proceedings in accord, and not at variance with, the views of Her Majesty's Government. (Hear, hear.) From the despatches before the House it appeared that the views of Her Majesty's Government on the question had undergone no change since then. Had the advocates of Responsible Government changed their opinion? If they had not, and if they persisted in the present agitation, then their proceedings must be at variance with the views of Her Majesty's Government. On the other hand, if they had changed their opinion on the subject of Responsible Government, or still considered it their duty not to oppose the Secretary of State, let them say so frankly, and accept the paragraph in the Address in Reply as originally framed. The advocates of the proposed

change were, last year, led to suppose on good authority—were, in fact, told so in precise terms—that the question of the maintenance of convicts had been settled between the Imperial Government and our own; in fact, they went into the matter under that assumption. But they now find that the question has not been settled,—that, in fact, they were hoodwinked. They were also told that they could borrow no more money under the present form of Government, but that delusion had been exploded; and he firmly believed that, through the Imperial Government, we could borrow more money under the existing Constitution than if we severed the connection with the Mother Country and adopted a system of self-government. Nor, did it now appear, as they had then been told, that we could not deal with any degree of liberality with our lands; on the contrary, we were now told that the Home Government offered no opposition to a liberal interpretation of our Land Regulations, and a proof of the *bona fides* of their intention in that respect appeared in a paragraph in His Excellency's Speech. What, then, should we gain by the adoption of an expensive and cumbrous Constitution, unsuitable to our requirements and unworkable with the materials at hand for carrying it out? Let England, under our present form of Government, refuse us a single measure requisite for the material prosperity of the colony which we could obtain under Responsible Government, and let him but see a liberal and progressive spirit manifested by the advocates of constitutional change, and no one would be more heartily ready to join their ranks than himself. Until that time arrived, his adhesion would not be given to their cause, for he had full confidence in the powers invested in the Council under the existing Constitution, and full confidence in the integrity, ability, and patriotic spirit of the administration of the day. (Hear, hear.)

Mr. T. BURGESS, while recommending caution and prudence on the part of the advocates of Responsible Government, expressed his intention of supporting the amendment, which appeared to him unobjectionable. The hon. member in reviewing the Vice-Regal Speech dwelt forcibly, and at considerable length, on the strong claims of the remote, but important and prosperous district which he represented had upon the attention of the House, and expressed his satisfaction at the fact that, judging from His Excellency's Speech, those claims had not been overlooked by the Government during the recess.

Mr. BURT said that although the hon. member for Geraldton had sounded the tocsin

of war, and challenged his adversaries—the advocates of Responsible Government—to come out and do battle with him, he (Mr. Burt) had no intention of putting on his armour that evening. But he ventured to say that when the proper time did arrive for renewing the fight he would be fully prepared to break a lance with him. He thought the hon. member had been somewhat injudicious in throwing down his gauntlet in the face of his opponents, for there could be no doubt that if those opponents gathered together their forces the enemy would be utterly routed, even as it had been on the previous occasion when they battled together on the same field, and over the same *casus belli*. (Hear, hear.) With regard to the amendment before the House,—lest hon. members should be led astray—he would ask them to consider what the words were which it was proposed to strike out. He took it that the purport of the amendment of the hon. member for Wellington was, that unless the words he wished omitted were expunged he would be restrained from consistently taking any part in any further agitation, at all, upon the question of Responsible Government. But surely the original paragraph did not contemplate any such thing; what was deprecated was further agitation at the present time and under existing circumstances. He was not inclined to think that they would gain anything by taking any further steps at present towards the accomplishment of their wishes, and he thought the House might rest content with adhering to the opinion expressed on the subject in the resolutions adopted last year, and from which he had not swerved in the least. Nevertheless, in the face of the Secretary of State's despatch it did appear to him that further agitation, under existing circumstances, would be rather undesirable, and for this reason:—this question of constitutional reform was one that no doubt created, and always must create, vexatious dissension in and out of the House, and, unless hon. members worked together in a spirit of compromise and unity, for the public good, it would be vain and hopeless to depend upon any action of the Legislature to advance the interests of the country. (Hear, hear.) In saying that, he would have it understood that he had not changed or modified his views as to the desirability of Responsible Government; far from it. If the House were to divide there and then on the constitutional question he would be found on the same side as he was last year; but he did not think it at all wise, nor calculated to advance their cause, that any further agitation should take place just at present, for it was evident that the Imperial authorities were averse to the change,

and the colonists could hardly afford to adopt it in spite of them. It did not appear to him that, in affirming the sentiment expressed in the paragraph objected to by the hon. member for Wellington, he would not be precluded next session—if time and circumstances appeared more favourable to renew the agitation for a change—from taking part in such agitation. But, taking all things into consideration, he considered that he was acting for the best—best for the country and for all concerned—by giving his adherence to the reply as it then stood. (Hear, hear.) With regard to what had fallen from the hon. member for Geraldton relative to the suggested appointment of two puisne judges, the hon. member was quite justified in stating that any proposition emanating from him having that end in view would have his (Mr. Burt's) most cordial support. He believed that all who knew him would give him credit for sincerity in this matter. So far as he was personally concerned, he wished we had a dozen puisne judges; the more the merrier for the lawyers. (Laughter.) "In the absence of thrushes," the French proverb said, "it is necessary to be content with blackbirds;"—if we could not get Responsible Government let us have two puisne judges. (Renewed laughter.)

Mr. HAMERSLEY objected to the appointment of two puisne judges simply because it was alleged that such an addition to the judicial bench of the colony would remove an unpleasant feeling alleged to exist because Mr. Burt was a practitioner of the Supreme Court presided over by his father. It would be cheaper for the colony to provide a lucrative practice for the learned counsel in some other country. [Mr. Burt: Hear, hear.] (Laughter.)

The SURVEYOR GENERAL (Hon. M. Fraser) said: I have been rather at a loss to know whether hon. members have been addressing themselves to the amendment or to the main question, but I think that the proper position to take is to confine ourselves to the amendment before the House. Before entering upon the remarks which I shall have to submit to this honourable Council, I would call attention to the fact that the hon. member for Wellington and myself are the sole survivors—that is to say, holding the same position as we now do—of the first Council under the existing form of Government; and I think it would be as well to view retrospectively the course which events have taken since the introduction of the present Constitution. And in doing so, the more I look upon the attitude taken by the hon. member for Wellington and the supporters of his amendment, the more puzzled I am. This colony—and I say it after

15 years' experience in some of the most progressive colonies in the world—has during the past five years, and under the existing form of Government, advanced at a remarkable rate. I do not mean to say that this striking rate of progress is attributable to the Constitution under which we live; but I do say this, that this Council has had no mean share in contributing by its actions to the prosperity which the colony has attained during the past five years. Why the present Constitution, then, should have been so assailed, and continues to be assailed, does appear to me a puzzle, in the face of the unprecedented advancement the colony has made, and is making, under it. The hon. member for Wellington, to-day, after passing over the first paragraph of the Address speaks in laudatory terms of the remainder, and joins in the chorus of congratulations which has for its theme the flourishing financial condition of the colony. Two sessions ago the hon. member came down charged with a series of resolutions altogether condemnatory of the late administration and with him came down the hon. member for Greenough, whom he took, as Balak took Balaam, to curse his enemies, but, behold, he blessed them altogether. (Laughter.) They introduced, instead of a sweeping charge against the administration of the day, a series of resolutions highly flattering to that administration, which resolutions were carried almost unanimously. (Hear, hear.) I repeat, it cannot be denied that, under the existing form of Government, the colony has made rapid progress; why, then, any pressing necessity for immediate change? I do not deny that 12 months ago I myself was an advocate for a change. (Hear, hear.) I was a zealous advocate for the proposed change, believing as I did at the time that the change then contemplated was necessary for the well being and further progress of the colony. Since then I have been satisfied that such is not the case, and I will tell you why. I was then led to believe that, under our present Constitution, we had reached the limit of our powers in various directions which I now discover to be *de facto*, not limited. I was, for instance, impressed with the idea that our borrowing powers had been exhausted, and that we were not in a position to further liberalise our land laws. But that impression has subsequently been dispelled, and we are now told and assured by the representative here of Her Majesty's Government that there is no foundation for the belief that the Imperial Authorities are opposed either to a liberal interpretation of our Land Regulations, or to the policy of borrowing money for reproductive public works within the means of the

colony (Hear, hear.) The additional Land Regulations which are about to be submitted for the consideration of this House—unless we are going to gamble with our land and so squander it away—are as liberal as could be desired by any people. And when I find an administrator thus empowered, and willing, to offer such further inducements to settlers of all degrees to come here; when I find an administrator so thoroughly imbued with the desire to promote the best interests of the colony, and so readily prepared to recognise the proper constitutional privileges of the people and their representatives in this House, I fail to see the necessity for any present change, and I feel that I can conscientiously and consistently maintain the position which I now take. The time, the hour, has not come for adopting the change, and its adoption would, in my opinion, be only dropping the substance to grasp at a shadow. I have observed springing up in this colony an impression that an organised Opposition is necessary in this House. In Parliaments established on the principles of ministerial responsibility, I am well aware that the existence of an organised Opposition is a necessity; for, in addition to the manifold attractions of office, which are quite sufficient in the best regulated Assemblies to produce a strong feeling of rivalry, there are generally some well defined differences, arising from conflicting interests or party combinations, which inevitably divide the Assembly in a spirit of antagonism. But, under the modified form of a representative Constitution existing in this colony, the causes which contribute to the formation of a regular Opposition have no place whatever in this House. (Hear, hear.) There is not only no reason—there is no excuse for the existence of strong party feeling amongst us. This Council is not the governing power of the land, supreme over all other, but is called upon to advise the Governor in the administration of public affairs. Therefore, I trust that those cordial relations which His Excellency, in his opening Speech, said he sincerely hoped may be maintained between the different branches of the Legislature, will always remain uninterrupted and unimpaired. (Hear, hear.) There is another cause which has operated in inducing me to change my opinion with regard to the desirability of introducing a system of self-government into this colony, and that is, the feeling of listless apathy which the colonists themselves manifest in reference to this question. I mean to say that the majority of hon. members in this House who advocate a change in the Constitution do not express the feelings of the bulk of their constituents. I have travelled a great deal throughout the

colony, and have recently freely conversed with the inhabitants in the various districts which I visited, and I find that, collectively, they are utterly indifferent as to the proposed change. One very intelligent settler—just to show what the existing feeling is—told me, if we felt certain we should be all right. That is the idea—with Mr. Barlee at the head of affairs all would be well. Then, are we to be forced into a change in the Constitution in order to give Mr. Barlee, or any other gentleman, the sole power to conduct the affairs of the colony? No greater misfortune could happen to this country than that its destinies should be left to the uncontrolled power of one man, however able that man might be. No greater curse could happen to the colony than an autocracy like that. (Hear, hear.) With regard to the probable monetary loss to the colony which the adoption of the proposed change would involve, it appears now that there is no doubt that the grants from Imperial funds towards the maintenance of the magistracy, the police, and the military, would be greatly diminished, if not altogether withdrawn. Indeed, we could not, under the circumstances, expect them to be continued. A colony insisting upon assuming the responsibility of self-government could hardly ask for assistance in this respect from the Mother country. Indeed, it would be absurd to think that the Imperial Parliament would continue to pay large grants of money wrung out of the pockets of ratepayers at Home to keep up the dignity of a colony who insisted upon governing itself, and becoming an independent state, I may say, at any price. Looking again at His Excellency's despatch which traverses the despatch of the Secretary of State, and which was laid on the table of this House yesterday; looking at that portion of His Excellency's despatch dealing with the relative proportion of the different classes of the population of this colony—and the figures are to be relied on—it becomes an indisputable fact that we do not possess the necessary materials for the successful working of Responsible Government. The present Constitution can be worked in two ways—smoothly or roughly, beneficially or injuriously. The policy of our present Governor is evidently a policy of conciliation. And we have his assurance, in the Speech which he was pleased to deliver to this House yesterday, that the wishes of the people, as expressed through their representatives in this Council, will at all times receive at his hands the most respectful and impartial consideration. (Cheers.) In conclusion, I would express my conviction that the present is the proper time to have this

question of a change in the Constitution settled for the session we have now entered upon. I think it would be undesirable and unwise to enter upon any further business until this question is settled. At this time hon. members must agree with me that to endeavour to force upon the Imperial Government a matter which they will only accept conditionally if accepted at all would, in our circumstances, be a crime, worse than a crime—a blunder, and a ruinous blunder, too. Far better, by liberal and progressive legislation, to endeavour to advance the colony until it reaches that standard of prosperity which every other colony of this group has attained before the colonists adopt the course which it is now proposed we should adopt. I have no doubt that when in point of population, wealth, and intelligence, we equal the population, wealth, and intelligence of the other Australian colonies when they took upon themselves the responsibility of self-government, the same privilege cannot, will not, be refused to this country by the Imperial Government. I say that from a knowledge of facts. But we have not attained that position yet. True we are in a more prosperous condition than we ever were in before, but much remains to be done; there is much work before us before we can hope to arrive at the social status, or the advanced state of settlement, which other colonies had arrived at when the power of self-government was entrusted to them. We must remember that we cannot force this matter upon either the Governor or the Imperial Government. Whatever action this Council may take—and though I do not say it as a threat or in a spirit of defiance—it is to me perfectly clear that His Excellency is not bound to accept it. The tenor of the Secretary of State's despatch must leave no course open to His Excellency but to withhold his assent to any measure or proposition from this honorable House relative to the adoption of the contemplated change. Therefore, I hope that the Council will, on calm reflection, accept His Lordship's decision in the spirit in which it has been arrived at, and agree to the Address in Reply to the Vice-Regal Speech according to the strict letter in which it has been framed, rejecting as inexpedient and premature any proposition to agitate further, at the present time, and under existing circumstances, for a change in the Constitution. Let well alone. Join hand in hand; and, with unity of purpose and united action, let us endeavour our utmost to advance the colony until it shall attain that share of prosperity that will justify us in taking upon ourselves the responsibilities of self-government. If we

progress in the same ratio as we have progressed during the past five years, I have no hesitation in saying that the time is not so very far off when, not only shall we find no difficulty in obtaining Responsible Government, but the boon will be freely offered to us. (Cheers.)

Mr. PADBURY said there had been no intention on the part of the supporters of the amendment that it should have led to a renewal of the discussion of the whole question of Responsible Government. The hon. member for Geraldton was to blame for the turn the debate had taken; for, had he not thrown down the gauntlet, the question would not have been re-opened. The sole object of the amendment was to refute the idea that any further agitation on the subject would be undesirable. The advocates of Responsible Government had no wish to precipitate matters, but, in order to be consistent with their former profession of faith, it appeared to them that they could not give their adhesion to a paragraph which, to a certain extent, would preclude them from further agitating—with any show of consistency—in the matter. He saw no possible objection to the amendment; it was not put forward in a factious spirit, nor in a spirit of opposition (Hear, hear.) With regard to the charge brought against the advocates of Responsible Government by the hon. member for Geraldton, that was simply absurd. The hon. member must be perfectly well aware that the elected members were powerless to introduce any liberal measures into that Council. Moreover, the charge was an utterly inconsistent one, for the very party to whom the hon. member gave so much credit for the introduction of liberal measures—the Weld Administration—were latterly staunch advocates of Responsible Government. (Hear, hear.)

The ATTORNEY GENERAL (Hon. H. H. Hocking) said that the paragraph as it originally stood in the Address merely went to the extent of affirming that any present agitation was undesirable and inadvisable. The converse of the proposition must be that such agitation was desirable and advisable under existing circumstances. (Mr. Steere, and others, "No, no.") He was glad to find that such was not the case, though he failed to see how, by force of any logical deduction, it could be otherwise. He could not help concurring in the expression of regret that the hon. member for Geraldton should have thought it necessary at all to have introduced anything like discussion upon Responsible Government into the question before the House which was merely one of amending the construction of a paragraph in the Address in Reply. The real

question for consideration was whether, under existing circumstances, it were wise or expedient to agitate any further at present in the matter of constitutional reform, and whether such agitation would result in the accomplishment of their wishes, or advance the cause they had at heart. He feared not, and for that reason alone he could not support the amendment.

Mr. BICKLEY supported the amendment, and expressed surprise at the change of opinion manifested by some hon. members with regard to the constitutional question. Even his hon. friend on the right (Mr. Burt) seemed rather inclined to recant.

Mr. BURT: No, no!

Mr. BICKLEY said that what the existing circumstances were which operated on the minds of hon. members to change front he failed to see. As for his hon. friend on the left (the Surveyor General) his conversion had been of a most sudden order, and he was really afraid that the loaves and fishes had a great deal to do with his conversion. (Laughter.)

The SURVEYOR GENERAL (Hon. M. Fraser): Not a bit of it.

Mr. BICKLEY said that he was glad to hear the hon. gentleman say so. For himself he would say, that so far as Responsible Government was concerned he had not altered his opinion on the subject, but he would willingly see a liberal compromise in the matter, such a compromise as would invest the Council with real power,—and give us a truly representative Legislature instead of the *eidolon* of popular representation,—a grim parody on a representative Constitution. Under the existing Constitution the Governor and the Council must be antagonistic to each other. (Cries of, "No, no.") What was wanted was some system of Government which, when the Governor and the Council agreed upon a measure, they should be able to carry it out without reference to any other power. Under the existing Constitution, no matter how satisfied the colonial Legislature might be with the utility and desirability of a measure, there was the Colonial Office to persuade that it possessed those qualities. And when we convinced one Secretary of State, the probability was that ere we got what we wanted we must convince his successor. Now we happened to have my Lord Carnarvon to convince, and because he happened to think different from everybody else on this subject of constitutional change, we were to be deprived of the privileges which appertain to a system of self-Government. He could not conceive how those hon. members who last year expressed opinions in favour of constitutional Government could now rest satisfied with the present Council, and stand up as its champions. He

certainly would not do so. He would not so change his opinions, and he felt it an insult to be asked to do so in any shape.

Mr. **RANDELL**, in a temperate and argumentative speech, defended the Address in Reply as it stood, and the policy foreshadowed in the Vice-Regal Speech.

After some remarks from Mr. **MARMION**, Mr. **CROWTHER**, and Mr. **W. BURGESS**,

The **ACTING COLONIAL SECRETARY** (Hon. A. O'Grady Lefroy) said he had no intention of trespassing on the time of the House at that advanced hour, but he would endeavour, in the course of a few remarks, to bring the Council back to the real question before the House. He concurred in the general expression of regret that the amendment put forward by the hon. member for Wellington had been made the means of introducing discussion upon the abstract question of Responsible Government. It appeared to him that the present was not the proper, nor was it an opportune, time for discussing the merits or demerits of the Constitution. The framers of the Address in Reply, in introducing the paragraph to which the hon. member for Wellington had taken objection, had no intention whatever that it should have elicited anything in the shape of discussion. Nothing could have been farther from the minds of the framers, and he regretted that hon. members had not accepted it in the same spirit in which it had been inserted. It had been represented in the course of the debate that the framers of the reply had acted injudiciously in alluding in any way to the despatch of the Secretary of State; but he could not agree with that view of the matter, and for this reason:—the very first paragraph in the Vice-Regal Speech contained an intimation that His Excellency had forwarded to the Secretary of State the resolutions adopted by the Council last session relative to the proposed introduction of Responsible Government, and His Excellency in his Speech had acquainted the House with the result. Would it have been courteous on the part of the Council, would it have been courteous either towards the Governor or towards the Secretary of State to have passed over that paragraph in silence? The corresponding paragraph in the reply had been guardedly worded, so that no hon. member in the House should, in agreeing to it, have stultified himself, or rendered himself liable to be accused of inconsistency in any way. Let the House not be carried away with the idea that it had been introduced with any view of putting an end to any further consideration of the question of constitutional change hereafter. No such thing. It merely referred to the

immediate present, and in no way precluded future action in the matter. (Hear, hear). Standing before the House as he did, this session, for the first time, he deprecated the idea that a spirit of antagonism must necessarily exist between the two branches of the Legislature. (Hear, hear). He did not recognise party feeling in that House. There were no conflicting interests or party combinations to divide the Council in a spirit of antagonism. He believed that that assembly was actuated by one common feeling,—a desire to work together for one national object—the progress of the colony. He believed that, on the one hand, the representatives of the people were disposed to work together,—so far as they could conscientiously do so,—with the Government, in the interests of the country; and he assured the House that the Government were prepared to meet them in a spirit of conciliation, in the belief that a good understanding between the two branches of the Legislature, founded upon an ardent desire to work well together in the interests of the colony, and a mutual tendency to equitable compromise where difference of opinion should arise, were the only principles upon which the present form of Government could be made to succeed. (Hear, hear). With this explanation, he trusted that hon. members on either side of the House would agree without further objection to the Address in Reply, and agree to it in its integrity.

Mr. **MONGER** supported the amendment, and pointed out some of the abuses attendant upon the existing form of Government. If there was nothing in the paragraph to which objection had been taken precluding the House from consistently taking any further steps towards obtaining Responsible Government, why was there so much objection offered to its being modified in the way proposed in the amendment?

Amendment put, upon which a division was called for, the result being as follows:—

Ayes	10
Noes	9

Majority for 1

Ayes.	Noes.
Mr. Crowther	The Hon. H. H. Hocking
Mr. Gale	The Hon. M. Fraser
Mr. Paddy	Mr. Shenton
Mr. Marmion	Mr. Burt
Mr. Monger	Mr. W. Burgess
Mr. Pearce	Mr. Glyde
Mr. T. Burgess	Mr. Brown
Mr. Hamersley	Mr. Randell
Mr. Bickley	The Hon. A. O'Grady
Mr. Steere (Teller.)	Lefroy (Teller.)

Amendment thus passed.

Address, as amended, agreed to.

The Council adjourned at 10.15 p.m.