

Official Record of the Proceedings and Debates of the Australasian Federation Conference, Melbourne 1890.

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Melbourne

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The Proceedings of the Federation Conference, 1890.

Held in the Parliament House, Melbourne.

No. 1: Thursday, 6th February, 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Thursday, 6th February, 1890.

Present:

New South Wales The Honorable Sir HENRY PARKES, G.C.M.G., Premier, and Member of the Legislative Assembly.

The Honorable WILLIAM MCMILLAN, Colonial Treasurer, and Member of the Legislative Assembly.

New Zealand The Honorable Captain WILLIAM RUSSELL RUSSELL, Colonial Secretary, and Member of the House of Representatives.

The Honorable Sir JOHN HALL, K.C.M.G., Member of the House of Representatives.

Queensland The Honorable Sir SAMUEL WALKER GRIFFITH, K.C.M.G., Member of the Legislative Assembly.

The Honorable JOHN MURTAGH MACROSSAN, Colonial Secretary, and Member of the Legislative Assembly.

South Australia The Honorable JOHN ALEXANDER COCKBURN, M.D. Lond., Premier, and Member of the Legislative Assembly.

The Honorable THOMAS PLAYFORD, Member of the Legislative Assembly.

Tasmania The Honorable ANDREW INGLIS CLARK, Attorney-General; and Member of the House of Assembly.

The Honorable BOLTON STAFFORD BIRD, Treasurer, and Member of the House of Assembly.

Victoria The Honorable DUNCAN GILLIES, Premier,
and Member of the Legislative Assembly.

The Honorable ALFRED DEAKIN, Chief
Secretary, and Member of the Legislative
Assembly.

Western The Honorable Sir JAMES GEORGE LEE
Australia STEERE, Speaker of the Legislative Council, and
Member of the Executive Council.

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Election of President

Sir HENRY PARKES.

— I beg to propose, and I have much pleasure in proposing, that the Honorable Duncan Gillies do take the chair as President of this Conference. Mr. Gillies is not only the Premier of one of the largest Colonies, but he has held that distinguished position with the assent of the inhabitants for a number of years. He is not only that, but one of the oldest and most deservedly respected public men in Australia, and, seeing that this Conference assembles in the capital of the Colony which he so well represents in the councils of this country, I think it is not only an act becoming in ourselves but an honour, and it is really a great honour, which is his just due. I am sure I need say nothing more to commend my motion to your acceptance.

Dr. COCKBURN

— I beg to second the motion. I feel that not only is the honour of presiding over such a Conference due to Mr. Gillies, as the Premier of the Colony in which the Conference is held, but also owing to the very important part he has hitherto played in the momentous question of the Federation of the Australian Colonies. As far as the general question is concerned, and as far as federating in

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every possible matter of detail, from the first Mr. Gillies has taken a most prominent position, and I feel that this Conference is doing no more than is due to place him in the chair.

Sir HENRY PARKES put the question, which was carried unanimously.

The Honorable D. GILLIES took the chair.

The PRESIDENT

— In taking the chair I can only say I thank you very much indeed for the honour you have done me in placing

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me in this position, and I thank Sir Henry Parkes and Dr. Cockburn for the agreeable way in which they have proposed that I should take this position. I am sure the duties of the position will be very simple, and I can only trust that during my presidency we will be in a position to arrive at conclusions, not only satisfactory to ourselves, but for the advancement and prosperity of the whole of the Colonies of Australasia.

Sir HENRY PARKES

— It seems a step consequent on the course I have taken that the President of the Conference have the same rights and privileges, both as to expressing his opinions and voting, as other members of the Conference, and in any case of equality of votes that he have in addition a casting vote. I therefore move to that effect.

Dr. COCKBURN

— I second the motion. I think it is a very proper resolution, and that the conclusions of the Conference will be advanced by the President having a voice in the deliberations as well as in the decisions.

The PRESIDENT

— Of course I should have anticipated, under any circumstances, the President would have some little allowance somewhat different from what is usually allowed in a Legislative Chamber. In this case, we are met to do very important work, and no gentlemen would like to occupy the chair unless he had more latitude than that usually allowed in the chair.

The question was put and carried.

Appointment of Secretary

Mr. DEAKIN moved, That Mr. George Henry Jenkins be appointed Secretary to the Conference.

Mr. PLAYFORD seconded the motion.

The question was put and carried.

Rules of Procedure

The PRESIDENT suggested that a little more latitude than usual in the Legislative Chamber should be permitted to the members of the Conference in dealing with the matters before it. He suggested the ordinary latitude in committee for gentlemen to speak several times should be permitted without any formal question being put.

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Members of the Conference

Sir HENRY PARKES

— Might I say I think there should be entered on our Record of the Proceedings the names and the representative character of the several gentlemen who represent the respective Colonies. I think it would be a mistake if our Proceedings were silent on that point. I should imagine it will be sufficient if those gentlemen present themselves and say they are duly authorized to represent their Colonies, without presenting any particular commission.

The PRESIDENT read the names of the representatives present, who thereupon rose and announced that they were duly accredited to attend this Conference by their respective Governments.

Admission of the Press

Sir HENRY PARKES

— Mr. President: Under ordinary circumstances I should be indisposed to depart from what has usually been the practice of not admitting the public to the proceedings of a body of this kind. But this is unlike any other Conference that has assembled in these Colonies. All Conferences, and I believe I am correct in so speaking, have assembled under very general powers, and they have, in point of fact, actually transacted a variety of matters of business. This Conference however, has assembled through unusual circumstances to consider one question alone, and that is a question which more directly interests the inhabitants of all the Colonies than most questions considered by bodies of this kind. Independently of all that, I think the Conference must partake of a character unlike that of other bodies. Most of the Conferences, speaking from some personal experiences, have been more of a consultative character than of a deliberative one. That is, in their proceedings men have said things which naturally enough they have desired to modify, entirely alter, or withdraw. They have spoken sometimes under a misapprehension, which they have to correct, and altogether the proceedings have been, to a large extent, of a conversational character, and exercised by those influences which enter into a private conversation; but this Conference, if I

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understand the object of its assembling will have to fully consider-which we can only do by debating-questions submitted in stated resolutions, and considering that it will be to a large extent a deliberative body to debate questions rather than enter into minute consultation as to the particular form which matters are to take, and also considering the vast importance to the populations of these Colonies which the proceedings will present, I

should think that the circumstances would be met if we came to the conclusion that for some time at the opening of every sitting we should be considered as in committee, while any matter of a disputatious character, admitting of new views and explanations, and all that kind of thing which arises in committee, should be considered with closed doors; but when the business of which the Conference was seized by a stated resolution from the chair, that the public should be admitted. That is the view of the case which seems to meet, I believe, the general desire of the public, and would give this body confidence in transacting its real consultative business in the ordinary way of a private committee.

I therefore move,

1. That whenever the Conference is in committee the public be not admitted.

2. That when the Conference is engaged in debating matters formally submitted by resolution the public be admitted.

Dr. COCKBURN

— I think the question depends on what the proceedings of the Conference are to be. If the proceedings are to be more of a deliberative character, and to touch the question more in the general bearings than in the details, then I can very freely second the resolution. If, however, the Conference intends to go into details, I think the resolution might act to the detriment of the business of the Conference. If the intention is that we should deal with the question generally, without attempting to enter into the closest details, then I think there can be no objection, but, on the contrary, there would be every advantage in having the Press present.

Sir JAMES LEE STEERE

— A resolution might be submitted when we are not in committee.

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The PRESIDENT

— Of course in that case notice would have been given, and the members would have an opportunity of discussing it, but if it were thought desirable before concluding the matter to consider it in committee, that might be done, and then we could have an opportunity of free discussion while the Press was not present.

Sir SAMUEL GRIFFITH

— I apprehend we are met here principally for the purpose of exchange of ideas amongst ourselves, as representing the public opinions of the different Colonies, as to how far Federation is practicable at the present time, and to that extent we should be witnesses giving our own opinion as to the state of public opinion. We shall be exchanging ideas. Some members of the Conference believe that a perfect Federation is possible

now, others that it is not practicable, and they may feel it their duty to point out the difficulties. And those difficulties will have to be met. We cannot shut our eyes to them, and they will be the real difficulties that will meet us when we go to our respective Parliaments, and the doubt I entertain is how far it is desirable those objections should be stated and combated in public. We might possibly give handles to our opponents, or, on the other hand, furnish excellent ans

Mr. PLAYFORD

— Without disapproving of the admission of the Press, we have no precedent for it in Conferences, either in the Colonies or in America. The Americans never admitted the Press when they made their Constitution; the Canadians at Quebec did not admit the Press; and you cannot point out, I believe, one single precedent for admitting the Press to deliberations of this sort. At the same time, I am willing that the Press should be admitted, and that we should state our case, so that the public may thoroughly understand the grounds on which we have come to certain conclusions. It is utterly impossible that the question of detail can be kept absolutely in the background — the whole subject is based on detail. The Conference

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we are asked to attend, according to the Commission drawn out by the Governor, and signed by the Acting Administrator of the Government, is that we are met here for the purpose of considering whether an additional forward step with regard to Federation is possible at the present time or not, and in the very nature of things we ought to be able to go back to our Parliament and say that we considered this question along with the other representatives from the other Colonies, and we are prepared to say to what extent the Federation shall go. If we just pass a bald resolution to the effect that we are ripe for Federation, one may think that by Federation we will be going on the lines of the United States, another that we are going on the lines of the Dominion of Canada, another the Swiss Republic, another on the lines of the States of Holland. Nobody would know what we meant. We should talk a lot of platitudes, and the people throughout the Colonies would not understand what we were driving at. We must consider this point—is the time ripe for the further extension of Federation? If so, to what extent? And unless you answer those two questions, we shall fail in our duty to those who have appointed us and sent us here. I speak for the two Houses of Parliament in South Australia. It will be impossible to discuss these questions without going in some cases into very close details, and giving reasons why we want the extension or limitation of powers and so on. I shall be quite prepared to do my part publicly, and prepared that the Press should take it down, and that the people of the Australian Colonies

should know my views on the matter. We are not met for the purpose of building a Constitution, or drafting a Bill for the approval of the Legislatures, and to go on to the Imperial Parliament; but I contend that the people of these Colonies expect us to do more than pass a bald resolution. We must show the limits within which we can go in regard to Federation.

Mr. McMILLAN

— The remarks of the last speaker lead me to ask what is really the intention of this Conference, and I think we should understand that at the very onset. It seems to me if there is one thing we have not to discuss it is details. It seems to me that the Conference has met together to frame certain

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resolutions, the outcome of which will be a Convention under the sanction of the different Parliaments. We are here because we believe that a large wave of public opinion has that over the Australasian Colonies, and no man can judge absolutely to what extent that wave has permeated the masses. No man can say that in his Colony there is a large and overwhelming majority in favour of Federation. He cannot say it with certainty. Now the whole object of all our controversy here will be to decide as to the form of that Convention. We are here not to say what particular kind of Federation shall take place in the future, but what is the limit of that Federation, but we are here to decide whether there is such a wave of public opinion throughout these Colonies that it has removed the question from the mere sentimental airiness in which it has existed for some years past and has brought it into the region of practical politics; therefore our resolutions, I take it, will, to a great extent, declare that the time is ripe when this matter should be discussed by all the different Colonies, and the outcome of this, I should hope, would be that all the delegates here will decide that the Colonies should be asked through their Parliaments to send representative men, absolutely untrammelled, to a Convention to discuss the whole of this great question in all its bearings, both generally and in detail. But it seems to me that for us to enter into details in a discussion of this question in this Conference will lead to a great deal of difficulty, insuperable difficulty among ourselves, an great difficulties when we meet our Parliaments when we come into session again. The great reason for admitting the Press is that the discussion is to be, on broad and public lines, on the question whether public opinion has advanced so far that we proceed to the formation of a Convention.

Sir JOHN HALL

— I think it is premature to discuss now how far we should go into detail. The proper time for that will be when the resolutions are before us.

The only question now is how far our proceedings should be open to the public, and I submit that Sir Henry Parkes' proposition is a very practical one. If honorable members look at it they will see that it is very elastic. Whenever, either at the commencement of or

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during our sittings, the time arrives when we think the Press should be excluded, we can declare ourselves in committee. If we wish to discuss details giving rise to differences of opinion which it may not be wise to give to the world, we have only to do so in committee. On the other hand, if we are giving reasons why an earnest attempt should be made to form a grand Federation of the Colonies, which reasons it is desirable that the public should know, then the Press will be admitted. I support the resolution, and leave for consideration hereafter how far we shall go into detail.

Sir JAMES LEE STEERE

— I agree that we should be departing from the question before the Conference in saying what shall be our future deliberations. The question is whether the Press shall be admitted; I am entirely in favour of it. Mr. Playford says it is without precedent. I think one of the great reasons why these Conventions have to a certain extent failed has been because the Press has not been present. They have not received the support in the Colonies and been so successful as they would if the Press had been admitted. I think the balance is all in favour of the proceedings being public; I shall therefore support the motion.

Mr. BIRD

— It appears to me that we can hardly compare ourselves in this Conference with the Conventions that were appointed and that met to draft a Constitution, either for Canada or for the United States, both of which Conventions, as we well know, met in secret, and all their deliberations were kept secret, unless it was our intention to frame a Constitution here, as was done by those bodies, for recommendation to the several Parliaments of the States or Provinces. It appears to me that the case with us is very different from theirs. I am certainly in favour of the Conference being open to the public when we are discussing those broad questions of a general character which do not, if I may use the term, descend to detail; but it appears to me that, before we shall be prepared to discuss generally such leading resolutions as we are prepared to discuss in public, it will be almost necessary to spend a considerable time in discussion in committee, and those discussions must necessarily involve a good deal of talk about the details which at times must

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be considered before the resolutions of a general character can be properly

debated. I am in doubt whether the resolution submitted exactly and fully meets what is desired, for, according to the second portion of this resolution, it would be open to any member of this Conference to submit a resolution which would involve a considerable amount of detail, and yet as the resolution stands, being submitted as a resolution at the Conference, it must be discussed in the presence of the public or the Press. I think, instead of this, we should have something which would help us when a question which involves very debatable details is introduced by a resolution — there should be a power of referring that to a committee, otherwise, according to this, any member might insist on the discussion being carried on before the public, even though the resolution as submitted formally was of a character involving many details which we would all like to have discussed in private. I suggest a little alteration in that direction, in order to make the Conference open to the public in regard to the more general resolutions, and exclude the public on those occasions when we want to go into details, arranging that those should be discussed in committee, and not take place in connection with the discussion of the resolutions to be formally submitted when the Press is present.

Sir SAMUEL GRIFFITH

— Suppose any member of the Conference proposes a resolution with details in, that can be referred to the committee at once for discussion.

Sir HENRY PARKES

— If any notice whatever is given, the Conference, before it proceeds to its business in its own Possession, can discuss that motion, whether it is a motion that should be proceeded with in committee. I apprehend the Conference will be in committee when it first meets every day; and no resolution could be proceeded with until there is an opportunity of deciding it in committee. Suppose I give notice of a resolution full of details as to how a Federal Constitution should be constructed, I could not, by any possibility, proceed with that until the Conference had had an opportunity of considering it in committee.

The question was put and carried.

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NOTICES OF MOTION.

It was agreed, on the suggestion of the President, that all notices of motion must be given on the day preceding the next meeting or that if any honorable member desired to bring on suddenly any important motion it must be with the leave of the whole of the members of the Conference present.

Days And Hours Of Meeting

The Conference agreed to sit from day to day as the Conference might determine. It was agreed that the hour of meeting each day should be eleven o'clock.

Business for Next Meeting

The PRESIDENT asked if members of the Conference desired to give any notices of motion for the next day of meeting.

Sir HENRY PARKES said he desired to give notice of the following motion, to test what he thought must be tested, viz., as to the feeling of the Conference as to the time being ripe for federation:—

That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by an early union under the Crown, and, while fully recognising the valuable services of the Members of the Convention of 1883 in founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self-governing capacity, to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government on principles just to the several Colonies.

Mr. DEAKIN

— I will not give notice of the following resolutions to-day, desiring that they first be considered in committee. As the framing of these resolutions is a matter of some importance, I now only suggest in the rough what seems to me to be

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the necessary supplement of the resolution to be moved by Sir Henry Parkes: —

1. That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective Colonies to appoint delegates to a National Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution.

2. The Convention should consist of seven members from each of the self-governing Colonies and four members from each of the Crown Colonies.

3. As some time must elapse before a Federal Constitution can be adopted, and as it is desirable that the colonies should at once take united action to provide for military defence and for effective co-operation in other matters of common concern, it is advisable that the Federal Council

should be employed for such purposes so far as its powers will permit, and with such an extension of its powers as may be decided upon, and that all the Colonies should be represented on the Council.

Reporting the Proceedings of the Conference

On the suggestion of Mr. DEAKIN, it was agreed that the Conference should from time to time give directions when the Conference was open to the Press and public, and that Hansard should give the usual fall report.

Adjournment

Mr DEAKIN moved, — That the Conference do now adjourn until tomorrow.

The question was put and carried.

And then the Conference, at twenty minutes past four o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

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No. 2: Friday, 7th February 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Friday, 7th February 1890.

Present:

New South Wales

The Honorable WILLIAM
MCMILLAN.

New Zealand

The Honorable Captain
WILLIAM RUSSELL
RUSSELL,

Sir JOHN HALL, K. C. M.
G.

Queensland

The Honorable Sir SAMUEL
WALKER GRIFFITH,
K.C.M.G.,

JOHN MURTAGH
MACROSSAN.

South Australia The Honorable
JOHN ALEXANDER
COCKBURN, M.D.,

THOMAS PLAYFORD.

Tasmania The Honorable
ANDREW INGLIS CLARK,

BOLTON STAFFORD
BIRD.

Victoria The Honorable
DUNCAN GILLIES,

ALFRED DEAKIN.

Western Australia

The Honorable Sir JAMES
GEORGE LEE STEERE.

The PRESIDENT took the Chair.

The PRESIDENT expressed his regret that Sir Henry Parkes was not

well enough to be present, and it was agreed that the Conference should adjourn until two o'clock.

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On the PRESIDENT taking the Chair at two o'clock, Mr. McMillan announced that the indisposition of his colleague, still continued, and that Sir Henry Parkes asked the favour of an adjournment till Monday next, when he hoped to be able to attend.

Adjournment

Mr. DEAKIN moved, That the Conference do now adjourn until Monday next.

The question was put and carried.

And then the Conference, at fifteen minutes past two o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

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No. 3: Monday 10th February 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Monday, 10th February 1890.

Present:

New South Wales	The Honorable Sir HENRY PARKES, G.C.M.G., WILLIAM MCMILLAN.
New Zealand	The Honorable Captain WILLIAM RUSSELL RUSSELL, Sir JOHN HALL, K.C.M.G.
Queensland	The Honorable Sir SAMUEL WALKER GRIFFITH, K.C.M.G., JOHN MURTAGH MACROSSAN.
South Australia	The Honorable JOHN ALEXANDER COCKBURN, M.D., THOMAS PLAYFORD.
Tasmania	The Honorable ANDREW INGLIS CLARK, BOLTON STAFFORD BIRD.
Victoria	The Honorable DUNCAN GILLIES, ALFRED DEAKIN.
Western Australia	The Honorable Sir JAMES GEORGE LEE STEERE.

The PRESIDENT took the Chair.

Federation of the Colonies

Sir HENRY PARKES moved, That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by an early union

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under the Crown, and, while fully recognising the valuable services of the Members of the Convention of 1883 in founding the Federal Council, it

declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self governing capacity to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies.

Mr. DEAKIN seconded the motion.

Sir SAMUEL GRIFFITH addressed the Conference.

Mr. PLAYFORD addressed the Conference.

Mr. DEAKIN addressed the Conference.

Mr. CLARK moved, That the debate be now adjourned.

The question was put and carried.

Adjournment

Mr. DEAKIN moved, That the Conference do now adjourn until to-morrow.

The question was put and carried.

And then the Conference, at forty-five minutes past five o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

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No. 4: Tuesday 11th February 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Tuesday, 11th February 1890.

Present:

New South Wales	The Honorable Sir HENRY PARKES, G.C.M.G., WILLIAM MCMILLAN.
New Zealand	The Honorable Captain WILLIAM RUSSELL RUSSELL, Sir JOHN HALL, K.C.M.G.
Queensland	The Honorable Sir SAMUEL WALKER GRIFFITH, K.C.M.G., JOHN MURTAGH MACROSSAN.
South Australia	The Honorable JOHN ALEXANDER COCKBURN, M.D., THOMAS PLAYFORD.
Tasmania	The Honorable ANDREW INGLIS CLARK, BOLTON STAFFORD BIRD.
Victoria	The Honorable DUNCAN GILLIES, ALFRED DEAKIN.
Western Australia	The Honorable Sir JAMES GEORGE LEE STEERE.

The PRESIDENT took the Chair.

Federation of the Colonies

The debate was resumed on the question — That, in the opinion of this Conference, the best interests; and the present and future prosperity of the Australasian Colonies will be promoted by an early union under the Crown, and, while fully recognising the

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valuable services of the Members of the Convention of 1883 in founding

the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self-governing capacity to all extent which justifies the higher act, at all times contemplated, of the union of these Colonies under one legislative and executive Government, on principles just to the several Colonies.

Mr. CLARK addressed the Conference.

Sir JAMES LEE STEERE addressed the Conference.

Captain RUSSELL addressed the Conference.

Dr. COCKBURN addressed the Conference.

Mr. MCMILLAN moved, That the debate be now adjourned.

The question was put and carried.

Adjournment

Mr. DEAKIN Moved, That the Conference do now adjourn until tomorrow.

The question was put and carried.

And then the Conference, at twenty minutes past four o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

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No. 5: Wednesday 12th February 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Wednesday, 12th February 1890.

Present:

New South Wales	The Honorable Sir HENRY PARKES, G.C.M.G., WILLIAM MCMILLAN.
New Zealand	The Honorable Captain WILLIAM RUSSELL RUSSELL, Sir JOHN HALL, K.C.M.G.
Queensland	The Honorable Sir SAMUEL WALKER GRIFFITH, K.C.M.G., JOHN MURTAGH MACROSSAN.
South Australia	The Honorable JOHN ALEXANDER COCKBURN, M.D., THOMAS PLAYFORD.
Tasmania	The Honorable ANDREW INGLIS CLARK, BOLTON STAFFORD BIRD.
Victoria	The Honorable DUNCAN GILLIES, ALFRED DEAKIN.
Western Australia	The Honorable Sir JAMES GEORGE LEE STEERE.

The PRESIDENT took the Chair.

Federation of the Colonies

The debate was resumed on the question — That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by an early union under the Crown, and, while fully recognising

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the valuable services of the Members of the Convention of 1883 in

founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self-governing capacity to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies.

Mr. MCMILLAN addressed the Conference.

Mr. BIRD addressed the Conference.

Sir JOHN HALL addressed the Conference.

Mr. MACROSSAN addressed the Conference.

Sir HENRY PARKES moved, That the debate be now adjourned.

The question was put and carried.

Adjournment

Mr. DEAKIN moved, That tile Conference do now adjourn until tomorrow.

The question was put and carried.

And then the Conference, at twenty minutes past four o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

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No. 6: Thursday 13th February 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Thursday, 13th February 1890.

Present:

New South Wales	The Honorable Sir HENRY PARKES, G.C.M.G., WILLIAM MCMILLAN.
New Zealand	The Honorable Captain WILLIAM RUSSELL RUSSELL, Sir JOHN HALL, K.C.M.G.
Queensland	The Honorable Sir SAMUEL WALKER GRIFFITH, K.C.M.G., JOHN MURTAGH MACROSSAN.
South Australia	The Honorable JOHN ALEXANDER COCKBURN, M.D., THOMAS PLAYFORD.
Tasmania	The Honorable ANDREW INGLIS CLARK, BOLTON STAFFORD BIRD.
Victoria	The Honorable DUNGAN GILLIES, ALFRED DEAKIN.
Western Australia	The Honorable Sir JAMES GEORGE LEE STEERE.

The PRESIDENT took the Chair.

Federation of the Colonies

The debate was resumed on the question — That in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by an early union under the Crown, and, while fully recognising the valuable services of the Members of the Convention of 1883 in

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founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self-governing capacity to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies.

Sir HENRY PARKES again addressed the Conference.

The PRESIDENT addressed the Conference.

On the motion of Sir HENRY PARKER, the question was amended by omitting the word "Australasian" in the second line, and inserting in place thereof the word "Australian;" and by omitting the word "Australasia" in the sixth line, and inserting in place thereof the word "Australia."

The PRESIDENT then put the question — That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australian Colonies will be promoted by an early union under the Crown, and while fully recognising the valuable services of the Members of the Convention of 1883 in founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australia in population, in wealth, in the discovery or resources, and in self-governing capacity to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies — which was carried unanimously.

Admission of the Remoter Australian Colonies

Captain RUSSELL moved, That to the Union of the Australian Colonies contemplated by the foregoing resolution, the remoter Australasian Colonies shall be entitled to admission at such times and on such conditions as may be hereafter agreed upon.

Sir JOHN HALL seconded the motion.

The question was put and carried unanimously.

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National Australasian Convention

Mr. DEAKIN moved, That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective Colonies to appoint delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution.

Sir JOHN HALL Seconded the motion, and addressed the Conference.

Mr. PLAYFORD addressed the Conference, and moved, as an amendment, That the words “to meet in Hobart some time early in 1891” be added after the word “Constitution.”

Mr. BIRD seconded the amendment, and addressed the Conference.

Sir JOHN HALL addressed the Conference.

Sir HENRY PARKES addressed the Conference.

Sir SAMUEL GRIFFITH addressed the Conference.

The PRESIDENT addressed the Conference.

Mr. CLARK addressed the Conference.

Mr. PLAYFORD, by leave, withdrew the amendment.

Mr. CLARK Moved, is an amendment, That the words “during the present year” be inserted after tile word “appoint.”

The amendment was put and carried.

The PRESIDENT then put the question — That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective Colonies to appoint, during the present year, delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution — which was carried unanimously.

Constitution of the Convention

Mr. DEAKIN moved, That the Convention should consist of not more than seven members from each of the self-governing Colonies, and not more than four members from each of the Crown colonies.

Mr. MCMILLAN seconded the motion.

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Sir JOHN HALL addressed the Conference.

Sir SAMUEL GRIFFITH addressed the Conference.

The question was put and carried unanimously.

Extension of Powers of Federal Council

Mr. DEAKIN moved, That as some time must elapse before a Federal Constitution can be adopted, and as it is desirable that the Colonies should at once take united action to provide for military defence and for effective co-operation in other matters of common concern, it is advisable that the Federal Council should be employed for such purposes so far as its powers will permit, and with such an extension of its powers as may be decided upon, and that all the Colonies should be represented on the Council.

Dr. COCKBURN seconded the motion.

Mr. MCMILLAN addressed the Conference.

Captain RUSSELL addressed the Conference.
Mr. MACROSSAN addressed the Conference.
Mr. CLARK addressed the Conference.
Sir HENRY PARKES addressed the Conference.
Mr. DEAKIN, by leave, withdrew the motion.

Adjournment

Mr. DEAKIN moved, That the Conference do now adjourn until tomorrow.

The question was put and carried.

And then the Conference, at forty minutes past five o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

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No. 7: Friday 14th February 1890.

The Proceedings of the Federation Conference, 1890. Held in the Parliament House, Melbourne.

Friday, 14th February 1890.

Present:

New South Wales	The Honorable Sir HENRY PARKES, G.C.M.G., WILLIAM MCMILLAN.
New Zealand	The Honorable Captain WILLIAM RUSSELL RUSSELL, Sir JOHN HALL, K.C.M.G.
Queensland	The Honorable Sir SAMUEL WALKER GRIFFITH, K.C.M.G., JOHN MURTAGH MACROSSAN.
South Australia	The Honorable JOHN ALEXANDER COCKBURN, M.D., THOMAS PLAYFORD.
Tasmania	The Honorable ANDREW INGLIS CLARK, BOLTON STAFFORD BIRD.
Victoria	The Honorable DUNCAN GILLIES, ALFRED DEAKIN.
Western Australia	The Honorable Sir JAMES GEORGE LEE STEERS.

The PRESIDENT took the Chair.

Address to the Queen

Sir JOHN HALL moved, That the following Address to Her Majesty the Queen be agreed to by the Conference:—

To the Queen's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY —

We Your Majesty's loyal and dutiful subjects, the Members of the Conference assembled in Melbourne to consider the question of creating

for Australasia one Federal Government,

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and representing the Australasian Colonies, desire to approach Your Most Gracious Majesty with renewed expressions of our devoted attachment to Your Majesty's Throne and Person.

On behalf of Your Majesty's subjects throughout Australasia, we beg to express the fervent hope that Your Majesty's life may be long spared to reign over a prosperous and happy people.

We most respectfully inform Your Majesty that, after mature deliberation, we have unanimously agreed to the following resolutions:—

1. That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australian Colonies will be promoted by an early union under the Crown, and, while fully recognising the valuable services of the Members of the Convention of 1883 in founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australia in population, in wealth, in the discovery of resources, and in self-governing capacity to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies.

2. That to the union of the Australian Colonies contemplated by the foregoing resolution, the remoter Australasian Colonies shall be entitled to admission at such times and on such conditions its may be hereafter agreed upon.

3. That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective Colonies to appoint, during the present year, delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution.

4. That the Convention should consist of not more than seven members from each of the self-governing Colonies, and not more than four members from each of the Crown Colonies.

Dr. COCKBURN seconded the notion, and addressed the Conference. The question was put and carried unanimously.

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Signing and Forwarding Address

Sir JOHN HALL moved, — That the President do sign the foregoing Address on behalf of the Conference, and present the same to His Excellency the Governor of Victoria, with a respectful request that he will be pleased to transmit such Address to Her Majesty's Principal Secretary of

State for the Colonies for presentation to Her Most Gracious Majesty.

Dr. COCKBURN seconded the motion.

The question was put and carried unanimously.

Forwarding Proceedings and Debates to Secretary of State

Sir SAMUEL GRIFFITH moved, That the President forward copies of the Report of the Proceedings and Debates of the Conference to His Excellency the Governor of Victoria for transmission to the Right Honorable the Principal Secretary of State for the Colonies.

Mr. DEAKIN seconded the motion.

The question was put and carried unanimously.

Forwarding Proceedings and Debates to Other Colonies

Mr. DEAKIN moved, — That the President forward copies of the Report of the Proceedings and Debates of the Conference to the Representatives of the Colonies at this Conference, for presentation to their respective Parliaments, and for general distribution.

Mr. PLAYFORD seconded the motion.

The question was put and carried unanimously.

Official Record of Proceedings to be Signed

The Conference directed that the Official Record of its Proceedings should be signed by the President and the Secretary to the Conference.

Communications Addressed to the Conference

The PRESIDENT announced that he had received communications from various persons and public bodies addressed to the Conference.

After deliberation, it was resolved that, as the Conference could not deal with these communications, the Secretary return them to the persons or public bodies who had forwarded them.

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Convenor of the Convention

Mr. CLARK moved, — That the Premier of Victoria be requested to act as Convenor of the National Australasian Convention of Delegates to be appointed by the several Legislatures of the Australasian Colonies, and to arrange, upon consultation with the Premiers of the other Colonies, the time and place of the meeting of the Convention.

Mr. PLAYFORD seconded the motion.
The question was put and carried unanimously.

Vote of Thanks to the President

Sir HENRY PARKES moved, That the thanks of the Conference be given to the Honorable Duncan Gillies for the services rendered by him as President of the Conference.

Mr. MACROSSAN seconded the motion.
The PRESIDENT addressed the Conference.
The question was put and carried unanimously.

Vote of Thanks to Secretary

Dr. COCKBURN moved, That the thanks of the Conference be given to Mr. George Henry Jenkins for the services rendered by him as Secretary to the Conference.

Sir JAMES LEE STEERE seconded the motion, and addressed the Conference.

The question was put and carried unanimously.

The PRESIDENT thanked the members of the Conference on behalf of Mr. Jenkins.

Adjournment

Mr. DEAKIN moved, That the Conference do now adjourn.

The question was put and carried.

And then the Conference, at thirty-five minutes past twelve o'clock, adjourned.

D. GILLIES,

President.

GEORGE H. JENKINS,

Secretary to the Federation Conference.

Debates of the Conferences
(OFFICIAL RECORD.)

Monday, February 10, 1890

Debates of the Federation Conference, 1890. Held in the Parliament House, Melbourne 1890.

Monday, February 10, 1890

The Public were admitted to the Conference Chamber at a quarter to Noon, the PRESIDENT (Mr. D. GILLIES) being in the Chair.

Union of the Colonies

Sir HENRY PARKES moved —

“That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by an early union under the Crown, and, while fully recognising the valuable services of the Members of the Convention of 1883 in founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self-governing capacity, to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one legislative and executive Government, on principles just to the several Colonies.”

He (Sir HENRY PARKES) said

— Mr. President, I have to tender my deep regret that I have been the unwilling cause of any delay in the proceedings of this Conference. I am very sensible, indeed, of the goodness and consideration of yourself and my other co-representatives in so readily excusing me on Friday last, and I beg you to feel assured that no cause of my absence then which I could have removed would have allowed me to be away on so important an occasion. In submitting the motion which I have just proposed, I will endeavour to steer clear of what may be called sectional politics. I will strive to avoid any reference, or any epithet, that could possibly give offence to any of the colonies represented here. I will try to put my case before the Conference as

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quietly, as clearly, and as forcibly as my powers will permit, trusting to avoid any half speech, or any holding back of the sentiments of the colony I represent. The first thing that occurs to me is that most of us have little thought how old a question this subject of federation really is amongst us. I have been really surprised myself, in going back to the earlier records, to

find that it was the child — the fondled child — of the greatest men we ever had in any of the colonies. In my own colony, I find it had the favour of Mr. Wentworth, who certainly ranked second to none. It also had the support of other statesmen of considerable power and influence in the very early days of parliamentary government here in Victoria. For instance, I read this morning a report of a select committee of the Legislative Assembly of Victoria, appointed within a year of the advent of responsible Government, in which all that we are now met to consider is forcibly put forth, and, to my mind, supported by very conclusive argument. I will refer for a short time to one or two of these early records, some of which, in my busy life, I never read until I had occasion to use them. This report of the select committee of the Victorian Legislative Assembly is dated September 8, 1857, that is to say, less than a year after the introduction of responsible government, and is a document showing so much ability and supporting so strongly what I am asking you to consider to-day that it is well worth very serious perusal. I may mention that it was first reported to the world in 1860, by Mr. William Nicholson, who was at the time Chief Secretary of this colony. I have not hit upon the names of the gentlemen forming the committee, but I think Sir Charles Gavan Duffy was one of them. I am personally aware that, from his first landing here, he took a very wide and warm interest in the subject of federation. I will only detain the Conference by reading three or four short passages from this report. It says: —

“On the ultimate necessity of a federal union, there is but one opinion. Your committee is unanimous in believing that the interest and honour of these growing states would be promoted by the establishment of a system of mutual action and co-operation among them. Their interest suffers, and must continue to suffer, while competing tariffs, naturalization laws, and land

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systems, rival schemes of immigration and of ocean postage, a clumsy and an inefficient method of communicating with each other and with the home Government on public business, and a distant and expensive system of judicial appeal exist.”

This was written 33 years ago.

“And the honour and importance which constitute so essential an element of national prosperity” —

I must read these words again, because without this sentiment of honour intermingled with importance attaching to the subject there can never be any federation. If we proceed on any inferior plans of action — on that of

personal interests for example, which I cannot believe will enter the mind of any member of the Conference — or if we take any less elevated ground than that of public honour, as well as of importance, we can never hope for the next hundred years to give birth to a nation in this part of the world: —

“And the honour and importance which constitute so essential an element of national prosperity, and the absence of which invites aggression from foreign enemies, cannot perhaps, in this generation, belong to any single colony in this southern group, but may, and we are persuaded would, be speedily attained by an Australian Federation representing the entire.”

Then the report utters a sentence which in itself is a chapter of sound political philosophy:

“Neighbouring states of the second order inevitably become confederates or enemies.”

Who can doubt, Mr. President, that, if the colonies had acted upon this report of your Legislature 33 years ago, many things savouring of enmity, at all events of something more than rivalry, would have been avoided: —

“ “Neighbouring states of the second order inevitably become confederates or enemies.”

We have proved it, unhappily, to be too true: —

“By becoming confederates so early in their career, the Australian Colonies would, we believe, immensely economize their strength and resources. They would substitute a common national interest for local and conflicting interests, and waste no more time in barren rivalry. They would enhance the national credit, and attain much earlier the power of undertaking works of serious cost and importance. They would not only save time and money, but attain

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increased vigour and accuracy, by treating the larger questions of public policy at one time and place, and in an Assembly, which it may be presumed would consist of the wisest and most experienced statesmen of the colonial Legislatures, they would set up a safeguard against violence or disorder, holding it in check by the common sense and common force of the federation. They would possess the power of more promptly calling now states into existence throughout their immense territory, as the spread of population required it, and of enabling each of the existing states to apply itself without conflict or jealousy to the special industry which its position and resources render most profitable. The time for accomplishing such a federation is naturally a point upon which there are a variety of opinions,

but we are unanimous in believing that it is not too soon to invite a mutual understanding on the subject throughout the colonies. Most of us conceive that the time for union is come.”

So we see, Mr. President, that all that I can say now was said by this duly organised body of your Parliament, within a year after the introduction of responsible government into this colony. Passing from that, time does not permit me to refer to the many other similar enunciations of opinion in those early days, both here and elsewhere — that is to say, in this colony, in New South Wales, in South Australia, and in New Zealand. If any one will take the trouble to examine these records, he will find, without drawing invidious comparisons, or without indulging in that species of delusion which always imagines that giants lived in some earlier time — without any excessive imagination of that kind — he will find that these views, in the very first years of our freedom, had the support of the ablest men that have ever adorned the councils of any of the colonies. I pass rapidly on now to the Convention of 1883, to which I shall make only a slight allusion. But I have been much struck by the fact that, in the correspondence which is before me here and which I have no doubt is before you all, Mr. James Service, who was the principal mover in bringing that Convention together, had unquestionably in view precisely what I trust we all have in contemplation now — the establishment of a Federal Parliament. This earlier record to which I have alluded speaks of establishing a Legislative Federal Union, not a union without the power of making federal laws, but is particular in announcing a desire for a legislative union. Mr. Service, beyond all doubt, entertained exactly the same views. Some of his letters were only read by

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me for the first time this morning, and I felt surprised to see that at the time he was trying to get the other colonies to enter into the Convention of 1883 he never appeared to have dreamt of the limited body which came into existence. I have not time, Mr. President, to read any of the passages from Mr. Service's letters, but of course they are known to you, and must be known to many other gentlemen here — to all who took part in that Convention. With regard to the Federal Council, we must not lose sight of the fact that that development, that that doctrine of development of which we have heard so much, has been going on through the instrumentality of that Council. Through the action of the Federal Council public

opinion has more rapidly, more definitely, and, I do not doubt, more clearly formed itself on this large subject. And the process of development does not necessarily mean that there shall be a kind of sliding scale of our laws, but it means that the action of a body, of a group of individuals, of a community, or even of a single individual, can develop a question, so that it is more and more understood by general body whom it concerns. That development has most assuredly been going on from then until now. But something more has been going on. All the elements of national life have been going on amongst us with an increased speed. There is not one of these important colonies which has not felt the wonderful stimulus given to industry, to every kind of enterprise, to education, to refinement in social manners, and in the estimates of moral life which have been going on, until we are now in a condition that we may be contrasted favorably with some of the wealthiest states in the world, not only in respect of our enterprise, our skill, and our industrial vigour, but also in the higher walks of life. The extent to which books are bought and read, the extent to which the vehicles of thought find encouragement and nurture in these colonies, is something not frequently estimated, but comparably creditable to us. I doubt not for a moment but that, if an investigation could be made, there are more readers of the higher publications issued through the London press — the

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monthly reviews, the higher order of newspapers, such as *Spectator* — I do not for a moment doubt that there are more readers out of a given number, say more in every thousand of the population, here than there are in similar sections of the population of Great Britain. We have now reached a stage of life when we are not behind any nation in the world, either in the vigour, the industry, the enterprise, the foresight, or the creative skill of our working populations, in which I include the directors of labour, and we are not behind in all the higher refinements of civilised society. And if all that is so, let us for a moment pause to consider what this society is made of. According to the best calculations that I have been able to have made — I mean by our own Government Statist — we have a united population of 3,834,200 souls. It is worth noting in passing, though I attach no special importance to it, that of these numbers 2,656,000 are in the three colonies of New South Wales, Victoria, and Queensland. This fact is of interest to me, because there was a time when these three colonies only represented one colony, and

that time was not so long ago. I, myself, had the privilege of voting for the separation of Queensland, and I remember the separation of Victoria. And these three colonies, which occupy the space that formed the one colony of New South Wales when I arrived here, contain 2,656,000 of the entire population of Australia. That, as I have just said, is worth noting in passing; it is of interest to me, and I think it will be of interest to others, but I still prefer to look at the sum total of our people, and that sum total measures our capacity for asserting our claim to national life. Don't let us be mistaken — it is not likely that any man here will be mistaken on that point, but let none be mistaken — population is the one great basis for the growth of nations either here or anywhere else. But pause for a minute to see what this population has done. I have here an estimate of the value of the annual industrial productions of this united population. What I mean is, the value of what is produced from the elements we possess — produced from the land, produced by the power of industry from

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the rude elements of nature, and I find that the sum total for a single year is no less than £95,042,000. Then if we take the private wealth of this people — I do not mean, and I wish to be very distinctly understood as meaning the public wealth, such as the railways or the lands of the several colonies, but the private wealth and the income of the free citizens of Australasia — the result is equally remarkable. We shall best test the private wealth of the people by comparing it with that of the people of other countries, and I have selected out of many before me in the tables with which I have been supplied, four great nations other than Australasia. I will give you the average private wealth per inhabitant. In Austria, it amounts to £16 6s.; in Germany, to £18 14s.; in France, to £25 14s.; in the United Kingdom, to £35 4s.; in the United States, to £39; and in Australasia, to £48. Therefore, in reality, we stand at the head of the nations of the world in the distribution of wealth — that is, of wealth in its grandest form, because a country cannot really be said to be in a prosperous condition with a few colossal fortunes — a few families rolling in luxury, and the mass of the people in poverty-stricken homes. The real standard in civilization is the wide diffusion of wealth over the population to be governed; and judged by that test, Australasia stands at the head of the nations of the world; not only so, but a long way at the head. The private wealth of the United States is £39 per inhabitant, and the wealth of

Australasia £48 per inhabitant, showing that for each creature, from the richest to the poorest, we possess, if our wealth be distributed in equal proportions, £9 more for the purchase of the good things of this world than the United States, or than any other country on the face of the earth. Well, we have done much in all the chief provinces of government. All the gentlemen who are listening to me know what wonderful progress we have made during the last generation, and I need not advert to the subject in detail. But let us see what this peace-loving people — and we are a peace-loving people, and I pray to God that we may ever remain a peace-loving people — have done in rational provision

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for the defence of the bounteous lands we possess. We have a united army of 31,795 men; and to show that this army has been constituted with a due regard to the most valuable arms of military service, let me point out that of the total number we have 15,913 infantry, we have 7,226 men in rifle companies — and these rifle companies are in their infancy — and we have 3,954 artillery. If an army not one-third so great in number as that we now possess justified the able men who have gone before us, in contemplating the course we now proposed to adopt, have not we arrived at a stage of numbers which amply justifies us in thinking of building ourselves into a nation? We have wealth — and it would be impossible for that wealth to exist if it were not for the well-directed energies of mind and physical strength in creating it — which places us before all the great peoples of the world. There is not one so wealthy as we; not one with the same command of the natural comforts of life which wealth ought to be employed in procuring as we. We have brought into existence systems of education, which, in a very short time, have been followed, and to a large extent copied, by old, powerful, and renowned nations. But what is of more importance to us is this, that we have brought into existence systems of education which practically embrace the children of all the families which live under our forms of government. We have constructed means of communication — we have carried them in all directions where they were most needed — to an extent which, if we had not done so much, would be a marvel to ourselves; and in all the other true provinces of free government we have, making allowance for the infirmities, the mistakes, and the misdirected energies of all human communities, made such progress as has excited the admiration of the best of other countries.

If, then, we were fit in the year 1857 to enter into a federation, how much more fit are we now? And if we are not fit now, with the elements of strength which I have very cursorily pointed out, when shall we be fit? I asked the other night — and I know no better way of putting the case — that if there are any persons who object to complete Federation

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at the present time, they should point out when we shall be fit for it. That seems to me to be in obligation that is thrown upon them. If they say that we are not ripe for complete federation now, then when shall we be ripe? Will it be to-morrow, or this day twelve months, or this day five years, or this day ten years? In what degree shall we be better off then than we are now? The other night a gentleman, the most striking feature of whose character, is his practical common sense, told us that there was a lion in the path, and that this Conference must either kill the lion or be killed by it. Well, the fabled lion is most frequently presented to us as a foreign monster, as a thing directly opposed to the person who is pursuing the path — that has the most opposite notions to the end that person has in view. This lion is supposed to be an enemy that will tear him to pieces. I have never seen this fabled lion presented to the world under any other circumstances; and thus interpreted, there is not and cannot be any lion whatever in our path. There is no obstacle in the path before us except impediments which we have created ourselves. Nature has created no obstacle. That principle of Divine goodness — call it what you may — which exists, and over-rules the world, has created this fair land of Australia, situated as it is, wisely created it for a grand experiment in human government, and there is no lion, and no natural difficulty before us. The path is plain and bright with the genial sunshine of our own blue heavens, with no impediment in it whatever. If we are only wise, and can only agree among ourselves, if we acknowledge that bond which unites us as one people, whether we will or no, if we acknowledge frankly that kinship from which we cannot escape and from which no one desires to escape — if we acknowledge that, and if we subordinate all lower and sectional considerations to the one great aim of building up a power which, in the world outside, will have more influence, command more respect, enhance every comfort, and every profit of life amongst ourselves — if we only enter into the single contemplation of this one object, the thing will be accomplished, and accomplished more easily, and in a shorter

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time, than any great achievement of the same nature that was ever accomplished before. But let there be no mistake. We cannot become a nation and still cling to conditions and to desires which are antagonistic to nationality. We cannot become one united people and cherish some provincial object which is inconsistent with that nationality. We have grown, as this resolution says, in population and in wealth, and I have taken the liberty of proving both facts. We have made great advances in the discovery of resources, and we have done a wonderful work in developing them within the last seven years. Resources which were hidden seven years ago are now familiar and are familiarly acted upon. And in regard to self-governing power, the few illusions I have made to the product of our Parliamentary labours are sufficient to show how wonderfully we have exhibited our capacity for self government. In answer to the question which is sometimes asked, "How much better shall we be for Federal Government?" I will endeavour to show, briefly, from my limited point of view, how much better we shall be under those conditions. There are numberless sources of wealth which would be developed by one powerful wealthy government which are not likely to be developed or matured by the provincial governments which now exist — notably, the splendid sea-fisheries which Australia possesses. There is no limit to, almost no knowledge of, the extent of the fisheries belonging to Australia. They certainly could, under one law, one system of regulation and management, be developed to an extent which is never likely to be ascertained otherwise. Then there is the safety of our coasts, their efficient lighting, and the completion of surveys. The security of our coasts could be infinitely better attended to by the central government than can ever be the case with the separate governments. Then, again, the means of communication, without trenching upon the rights of the several governments, could be greatly advanced by the sagacity, the wisdom, and the uniform power of a central government. Did time permit, I might enumerate the subjects with which it would be directly the province of a Federal legislature to deal. But we cannot hope to be

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secure from molestation outside. I for one, and no doubt I reflect the feeling of a great number of other men, earnestly pray that Australia may remain for ever at peace; but much as we may desire it, and no matter how much we may do to conserve that state of things, we know well enough that when nations are at war they

know but one law, and that that law is the law of power and force. We have seen throughout all history that what has been done in the past will, as long as human nature is human nature, continue to be done in the future. We have seen that countries are attacked for the mere purpose of armed disturbance; and that, however much they may desire to be at peace, they are not allowed to be at peace. That was most strongly illustrated in the war between England and America, which commenced in 1812. The young United States — so conscious of weakness, so anxious to follow the maxims of peace, so entirely opposed to conflict of any kind — a country which had been living under the presidency of Mr. Jefferson and Mr. Madison, who of all men that ever held power were averse to war, and who made every possible effort to keep the people out of the terrible struggle between Napoleon and the rest of Europe — were obliged to go to war. That young Republic had her ships seized on the high seas, one after another, to the number of some 1,200, and I am sorry to say that the greater part were seized by Great Britain — lawlessly seized — while some were seized by France. Although America desired to remain at peace, the one great power at war in Europe was jealous of that young country stepping into her place in carrying the commerce of the world, and the usurper who governed France was determined to compel her to side with him. And from these unworthy motives the sea-borne commerce of the United States was almost entirely destroyed. We do not know when there may be war, and do you think that we shall be safer than were the United States in the years 1810, 1811, and 1812 — until, indeed, the ravages made upon the marine of the United States by these two great contending Powers, France and England, at length compelled America to declare war when she

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was utterly unfit to fight so powerful an opponent as Great Britain. Do what we may we cannot be more secure than our countrymen were in the case to which I have called special attention. We cannot, indeed, be secure at all against the unlicensed force of a great armed Power. In a state of war, men do not consider what is right, but what is possible — they do not consider what is essentially just, but what directly or indirectly may forward their cause. If a great Power had any excuse for plundering these colonies the wealth of Australia would be of the most essential importance in promoting the elements of war. Nothing whatever can save us in any such event as that except a reasonably efficient, a

reasonably strong, numerically, armed force, and the training of our young men to the defences of the country. I do not know, Mr. President, whether I need dwell much more upon the value of this Union Government, for it seems to be generally admitted. I find few men, hardly any, who will openly say it is a good thing for us not to be united. Nearly all that I have met with, or have heard of, will tell you that at some time or other these colonies ought to be united. The men who lived at the time when the Constitution or these colonies came into operation told us that the time had come then. Most of those men are now in their graves, but I venture to say that few of them ever supposed that a generation would pass away without anything having been done in a true direction of placing the Australian lands under one form of government. What we really want, from my point of view, is a complete form of government — a Legislature with full power to make laws for the whole country, and an Executive with full power to administer those laws and conduct the affairs of the country; and it seems to me that the founding of the United States affords us this one warning against anything short of a complete Constitution. We know that after the struggle for independence, the United States tried to live under what are known as the Articles of Confederation. They tried to live as federated states; but year by year they grew weaker, more dissatisfied, more incapable of attending to the real wants of even one of the states, and, as

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was pointed out all through by Washington, nothing could follow from the federation but disaster, ruin, and acquisition by a foreign Power. It was only the failure of this system which compelled the states at last to accept the Constitution under which they have lived and thriven in such comparative happiness and prosperity, and in such comparative glory. That Constitution — and I know of nothing so instructive as the life of Washington in regard to it — was brought about by the disastrous effects of the experiment of trying to secure to the states their separate rights and separate sovereignty. By Washington alone it seemed to be seen clearly, from the first, that it must fail; and so complete was the union accomplished afterwards, that in the result, as I have had many occasions to point out, the whole of that great territory now possessed by the United States of America, is as free as the streets of Boston or the streets of New York. Since I came to Melbourne I have met with a curious case, illustrating the doctrine implanted in the Constitution in

regard to the freedom of the separate states. If the Conference will bear with me for two or three moments, I will quote the case referred to. The General Assembly of Maryland passed a municipal law enabling the city council of Baltimore to impose wharfage dues. It was a purely municipal law, limited to the municipal council of Baltimore. A little vessel, laden with potatoes, arrived in that port, and, in pursuance of this law, the municipal council levied wharfage dues to the extent of four dollars and some cents, which the resolute captain refused to pay. The ship itself had nothing but potatoes on board, and not a great quantity of them, because the wharfage dues, according to the municipal law, only amounted to the sum I have mentioned. The captain, having refused to pay, was taken before the local court, which ordered him to pay the money. The captain appealed to the Supreme Court of the State, which sustained the verdict of the court below. But the sturdy captain, strong in his knowledge of the constitution, appealed from the Supreme Court of that State to the Supreme Court of the United States, and the Supreme Court of the United States reversed

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judgment. After quoting a number of decisions, the judgment of the court goes on to say: —

In view of these and other decisions of this court, it must be regarded as settled that no state can, consistently with the Federal Constitution, impose upon the products of other states, brought therein for sale or use, or upon citizens because engaged in the sale therein or the transportation thereto, or the products of other States, more onerous public burdens or taxes than it imposes upon the like products of its own territory.”

The case seems to set at rest, in the most emphatic manner, what is sometimes disputed — the question of existence of entire freedom throughout the territory of the United States. As the members of the Conference know, she has created a tariff of a very severe, and, in some cases, almost prohibitive, character against the outside world; but as between New York and Massachusetts, and as between Connecticut and Pennsylvania, there is no custom-house and no tax collector. Between any two of the states — indeed, from one end of the states to the other — the country is as free as the air in which the swallow flies. We cannot too fully bear in mind this doctrine of this great republic, a doctrine supported in the most convincing, manner by the case to which I have alluded. Now I am one of those who believe, as far as my opinion is of value, formed

upon a rather long experience, that whatever may be the decision of the Conference it will be playing at federation if we attempt to create a Federal Government with anything less than the full powers of a Federal Government. I am as anxious to preserve the proper rights and privileges of the colony of New South Wales as any person can be of preserving the proper rights and privileges of the colony of Victoria. Indeed, I should almost fear to come back to the colony which has treated me so well if I did not do my utmost to preserve her independence in all that is consistent with the province of one great Federation. But the Federation Government must be a government of power. It must be a Government especially armed with plenary power for the defence of the country. It must be a Government armed with plenary power for the performance of all other functions pertaining to a

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National Government, such as the building of ships, the enlistment of soldiers, and the carrying out of many works in the industrial world which may be necessary for the advancement of a nation. It may possibly be a very wise thing indeed, that some of these powers should come into force with the concurrence of the State Legislatures or the Provincial Legislatures. It may, perhaps, be a wise thing: that some condition of gradation should be stipulated for in approaching the full powers of this Federal Government, or in consummating its full power; but that it should be in design, from the very first, a complete legislative and executive government, suited to perform the grandest and the highest functions of a nation, cannot, I think, be a matter of doubt. I do not know what may be the feelings of the members of this Conference. As most of my co-representatives must be aware, I have had little communication with them. In coming here, I have not sought communication with any person of influence. I have abstained from seeking consultation of that kind, because I desired to come to the Conference with my mind untrammelled, and because I desired to meet the representatives of other colonies on fair and open ground, with the one great object of resolving ourselves into a nation before us, and that alone moderated and controlled by a jealous regard for the separate rights of our individual colonies. I, for one, say that it is the duty of the whole of the delegates to have a jealous regard for the rights and just privileges of the colonies they represent. It would be impossible for my Federal Government to expect to give satisfaction unless its powers which I still contend must be

sufficient for its high purposes — were in harmony with what is justly due to the several colonies. I would ask the members of the Conference to keep steadily in mind the fact that they represent the whole population of Australasia, that in that population there is a wide, rapidly increasing, wave of Australian-born men, many of them standing, as it were, in the early dawn of manhood; and we cannot think so lightly of our country, and the men it has bred, as not to believe that in that new wave of life, with which

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we shall all be overwhelmed very shortly, there may be greater men than we. Indeed, the whole of the Universities of the world already bear testimony to the genius of young Australia. The young men of these fair colonies have shown themselves in no degree behind their brethen of the old world. We have everything to look for in the generation that will follow us. We may have — and why should we not — as gifted men here as ever breathed the breath of life. They are upon us in thousands, and they will fill our places immediately. We ought not simply to look to the accidents of the time which may have put us in places of rule — we ought not to look for the auxiliary influences which may affect us as men — but we ought to look to those who are coming in such countless thousands after us, to the higher aims which they may have, and to the higher powers of achievement which they may manifest to the world. We ought not lightly to disregard all the powers which the imagination can call forth, in picturing the future of these great colonies. Their destiny is assured, and their federation is assured. The union of the Australian people is a thing that so commends itself to the most far-seeing of those who have come from other lands, and which so intertwines itself with the very life of the native born, that nothing can possibly stop its progress. I trust we have not entered upon the consideration of the question too soon, and I trust we shall make no mistake. I do not see how it is possible to shut our eyes to the fact that our duty, at all events, is to ask the Parliaments of the different colonies to consider whether or not the time is come. I submit this resolution at a time when, I am bound to confess, I have not strength to treat it in the way I would wish to treat it; but I trust it has sufficient merit in itself to commend it to the serious consideration of the Conference. I submit it, Mr. President, with the full belief that it will be supported, and with the full belief that it will meet with the concurrence and emphatic approval of a large majority of the people of all the colonies.

Mr. DEAKIN

— Mr. President, I have great pleasure in seconding the resolution which has just been moved by Sir Henry Parkes.

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Sir SAMUEL GRIFFITH

— Sir, I rise with some diffidence to follow my honorable friend Sir Henry Parkes, after the very able and eloquent speech with which he has favoured the members of this Conference, a speech full of historical information and deep research. I think I may take it for granted that all of us present here to-day show by our presence that we believe that the time has arrived for a more complete federation of the Australian Colonies than has hitherto been attainable, and that, practically, the object for which we are met is to consider how far it is practicable, at the present time, to go on towards the end which I again assume we all have in view. I apprehend there can be no difference of opinion as to the end we all have in view — that end must be a complete Federal Government of Australia. Whether or not that federation shall include New Zealand may be a matter for further consideration, and I speak of a complete Federal Government leaving that question open. I take it, therefore, that we are all agreed as to the end that is coming, and that what we are here for is to exchange ideas, and to consider, as practical men, how far we can go with any hope of success in asking the legislatures from which we come to entrust powers to a convention to frame a Federal Constitution. Sir Henry Parkes referred to a very able and eloquent report that was drawn up by a committee of the Legislative Assembly of Victoria in 1857, and alluded to the long interval which has elapsed since that time without much being done in the way of carrying out the aspirations expressed in it. Now, I am not quite so disposed to blame all the men who have been engaged in Australian statesmanship in the intervening time, and I think that the figures which were given by Sir Henry Parkes himself show how very different a place the Australia of to-day is from the Australia of 1857. What, in fact, was known of Australia then? Portions of this vast continent that are now known to be some of the richest and most fertile tracts on the face of the earth, were then regarded as stony deserts, or places certainly uninhabitable except by black-skinned people. We know a great deal more of the country now than we knew then. We know something of

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one another, but even at the present we don't know nearly as much

about one another as we ought to do. Still, we have now means of communication which, had then no existence; the colonies have very much larger populations, we are in closer touch with one another; so that the conditions are very different now from what they were then. Passing from that report of the select committee in 1857, Sir Hen Parkes referred to the Convention that sat in Sydney, in 1883, and of which James Service was the prime mover. I think my honorable friend is quite right in saying, in fact there can be no doubt, that Mr. Service and his Victorian colleagues went to that Convention with the expectation that it would do a great deal more than it did, with the belief that the proposals they would make for the acceptance of the various colonial Parliaments would go much further in the direction of federation than the proposals which were actually made. And they were not the only ones who went with that expectation, and with that intention. Certainly I can say speaking for myself, as one of the representatives of Queensland at that Convention, and the only member of this Conference who was a member of that Convention, that I hoped that we should go a great deal further than we actually did. However, it was our business to exchange ideas, and to consider what was both desirable and practicable, because the two things are often quite different. I take it, for instance, that we all agree that the federation of Australia is desirable. Whether it is practicable is another matter, depending not upon our opinions, but upon the public opinion in the different colonies at the present time. The question is — Will these different colonies, through their legislatures, permit such a federation as we may deem desirable? It is no use for us to pass abstract resolutions here, or any resolutions, unless effect will be given to them by our respective legislatures. I think myself it would be most unfortunate, in a double sense, if any conclusions we may come to, or any steps we may initiate at this Conference should fall through owing to the refusal of the various legislatures of the colonies

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to give effect to them. I believe that would have more than a merely negative influence, that it would not only the work of federation until the Parliament or Parliaments that stood out of the union chose to come in, but it would have the effect of undoing all that was done before. Therefore it is very important that we should see exactly on what ground we are standing, so far as we can do so. We can only after all express our opinions on the matters of fact before us, but it is important we should know and consider the lion in the path, or an

number of lions there may be in the path, and I confess, with my honorable friend Sir Henry Parkes, that I do not feel alarmed about any of these lion in the path. Well, at the Sydney Convention, in 1883, we came to the conclusion, after full discussion, that the colonies were not prepared to establish a Federal Government or a Federal Executive, especially a Federal Executive. That was one of the most important questions for discussion, because a very little consideration must show that there can be no real federation without a Federal Executive. The one question of defence is sufficient to show that. It is impossible to organize and manage a Federal army without a Federal Executive, and that Executive Government, under any system with which we are familiar, or are likely to adopt on the Australian continent, must be practically appointed by or hold office with the approval of a Federal Parliament directly by the people. I do not think that the local Parliaments would submit to any other mode of nomination than that with which we are familiar. More than that the Federal Executive must, in order to give effect to its decrees, have a federal revenue, which could only be raised by the direct representatives of the people. We, therefore, felt that as soon as a Federal Executive was established for any purpose it was necessary that there should be a Federal Treasury, and a Federal Parliament, which to a certain extent must supersede the provincial Parliaments, and compel them to surrender some of their functions. At that time we thought that it was not possible to do so much, as we believed that the provincial Parliaments would not then

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consent to surrender any of their functions. We, therefore adopted what we conceived to be a desirable course — not absolutely desirable, perhaps, but which was something better than we had, and was also practicable, and that was the establishment of a body in many respects like the conferences of representatives of the different colonies which had been held periodically, but with power to give effect to the conclusions it came to. Many such conferences had been held, many resolutions come to, many promises made, but somehow or other they had fallen through — the decisions were not acted upon, and nothing came of them. The constitution that was then devised for the Federal Council was like that of a conference; it might be called a treaty-making body, but with power to give effect to any conclusions to which it came. That was the scheme we adopted, and I believe that those who shared in that work have no

reason to be ashamed of the result of their labours. What they did was never regarded as more than a step to something better. I have always said that I thought, the time had come then — and the necessity is becoming more urgent every day — when something more should be done; and I do not think that it indicates any disrespect to the Federal Council, or to the gentlemen who were concerned in framing its constitution, to propose to give effect to what they themselves would have proposed if they had thought that there was any prospect of carrying it. We did then all that we could see to be practicable and desirable. Now, I have no doubt of it being desirable, believe it to be practicable, to do more. How much more is a question very difficult to answer, and upon that opinions may differ. But I for one take the same position now that I did six years ago. I have no doubt, or very little doubts in my own mind, as to how much is desirable. If possible let us get a complete Federal Parliament and Federal Executive, one Dominion with no rivalries — no customs rivalries at any rate, amongst ourselves. If we cannot get all that let us get as much of it as we can. That is the point of view from which I approach the subject. If we cannot get everything, how much can we get? Every

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step in advance is something gained. If we can get a Federal Government even with limited powers, let us have it; but of course we should prefer to attain the end we have in view at the earliest possible moment, and with the least intervals, because I recognise this, that every imperfect step we make is a halting place, and it may be some time before we can move from it. Therefore, I would desire to go on as far as we can now. How far can we go? That is the question we have to consider. There are some questions about which there can be no doubt. I shall not occupy the time of the Conference in saying anything about the general advantages of Federation. I wish to deal with some of the practical difficulties which I believe we are here to face and to meet. There are some things which it is quite clear, the separate provincial governments cannot do properly or efficiently, although they may do them in some sort of way. We have been accustomed for so long to self-government that we have become practically almost sovereign states, a great deal more sovereign states, though not in name, than the separate states of America. We have been allowed absolute freedom to manage our own affairs; and I know that there are many people who, although they are favourable to the idea of federation

in the abstract, would yet hesitate to give up any of those rights which we have been in the habit of exercising. The advantages of federation like everything else will have to be paid for; we cannot get them without giving something in return, and every power which may be exercised by the Federal Government with greater advantage than the separate Governments, involves a corresponding diminution in the powers of the separate Governments and Legislatures. That is the first objection with which we shall be met; but there is an answer to it. There are some things which the separate Parliaments and Executives cannot do. First and foremost there strikes one the question which was the occasion of the suggestion made by Sir Henry Parkes which led to our being brought here. That is the question of defence. The several colonies may have separate armies of their own;

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they may even have identical laws governing their armies; these laws may actually be in force beyond their own territories; nevertheless they will all be separate laws, so that a curious result may be brought about. Each of the colonies on the Australian mainland may pass a Defence Act identical in terms, authorising the removal of its troops beyond its own boundaries. Six armies might under these laws be concentrated in the one colony, Victoria for example, and yet they would actually all be governed by different laws. The Queenslanders would be governed by the laws of Queensland and amenable only to the tribunals of Queensland; and it would be the same with the New South Welshmen, the South Australians, and the Tasmanians. That is a state of things that is obviously incompatible with the existence of anything like a combined and well-disciplined army, and it could not be got over without a Federal Government. It could be got over so far as the legal difficulty is concerned, by a law of the Federal Council; but the difficulty with regard to the executive head could not be got over in that way. For the purposes of defence, at any rate, there must be a Central Government in Australia. I know quite well that there are a great many persons in Australia who do not believe in the danger of invasion at all. It is no use differing from them; they believe that is only a device of a military caste, of persons with military fads, to spend money, and do foolish things. These views are very strong in some places, and the persons who hold them have to be reckoned with. It will be taken for granted that I am not saying this because I suppose there is anyone present who holds such

views. As Sir Henry Parkes pointed out, we may at any moment be in imminent danger of invasion, and we cannot under existing circumstances protect ourselves satisfactorily. Another matter which must have occurred to everyone who has had experience in government, is that of external relations. The question has often arisen in the colonies. Communications frequently have to be carried on with the Colonial Office in London, and every country of the magnitude of Australia must have external relations with

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the rest of the world, and it is impossible for six or seven separate colonies to carry such affairs on satisfactorily. Matters relating to trade and commerce, copyright and patents, costly and unsatisfactory appeals to courts of justice in Great Britain — are things which the colonies cannot manage by themselves. I suppose every member of this Conference is familiar with the enumeration of subjects of general and local legislation in British North America. That list at once suggests that many things can be done with great advantage by a Federal Parliament and Central Executive. A Central Executive of course involves a Central Parliament. I wish to advert to another difficulty, and that is with respect to the Federal Executive. How far would the other colonies care to submit to any distinct acts of government by an executive with which they are not familiar? That difficulty arises from our common ignorance of each other. The difficulty arose when the three eastern colonies were governed from Sydney, and since that time a strong dislike has been shown to anything like centralised government. That is particularly the case in Queensland, where dissatisfaction has arisen just as it arose in an earlier period when Queensland and Victoria were governed from New South Wales. The establishment of a central executive would appear to many persons like going back to that old state of things, and it will be very necessary to explain, when bringing the subject before our several parliaments, that it is not intended to transfer to the Executive Government anything which could be as well done by the separate governments of the colonies. Then there is the question of fiscal union, which Mr. Service called “the lion in the path.” It is only a question of time. There must be some day a fiscal union. Whether it can be brought about just now or not is a matter upon which opinions must differ very much. I think, for my part, although I admit freely that federation without fiscal union would be unsatisfactory, that its absence would not be an insuperable

obstacle. I maintain that federation without fiscal union would be better than no federation at all. I hope we shall get complete federation, but it is of no use disguising that

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difficulty. However, as I have said, I do not regard that difficulty as being an insuperable one. Suppose we had a Central Government for defence, uniform laws, the regulation of trade and commerce externally, the post-office, sea fisheries, &c., and the colonies still had separate customs tariffs, we should be so much the better off by reason of the regulation of the things I have named by a Central Government, and as regards fiscal matters we should be no worse off than we are now. And there would be this advantage, that under the new arrangement the absurdity of fighting one another by customs tariffs would become so apparent that before very long they would be given up. It has been said that there can be no federation without absolute freedom of interchange of products. But surely that is not so. What is the difference in principle between a duty collected on the border of a colony and an octroi duty collected on the outside of a municipality? The collection of such duties is a most disagreeable thing, but it is not inconsistent with federation — not a perfect form of federation, but an arrangement very much better than anything we have at the present time. That is the “lion in the path,” and it seems to me to be a very harmless creature after all. It is of no use disguising the fact that the protective duties in many of the colonies are designed quite as much with a view to protect the colonies against their neighbours as to protect them against the outside world — indeed a great deal more so. This is not the place in which to discuss the wisdom of it. Moreover, in some of the colonies the revenue raised by tariff duties imposed upon their neighbours' products forms a very large proportion of the income of the Government; and when the great question of *cui bono* comes to be asked in the Parliaments these colonies will require a satisfactory answer as to what they are going to gain by surrendering their protective duties. My own opinion is that it is desirable to get rid of all these tariffs, and no doubt they will be got rid of some day, but their existence ought not to be regarded as an impediment to our doing the best we can. I should be sorry to be supposed to attach too much importance to these difficulties. or these practical

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aspects of the question before us. At the same time when we remember how many years have passed since the Act authorizing

the making of treaties by the colonies for the imposition of differential duties was passed by the Imperial Parliament, and that no such treaty has yet been made, we must recognise that the question is one requiring very serious consideration. It may happen that there will be union between some of the colonies before there is a general union between the whole. That is a contingency to be contemplated. Whatever may be thought of a larger and more complete union, there is every reason to suppose that some of the colonies may agree to form a customs union. If that is done, the moral force of gravitation will compel the others to join. I hope, however, that these difficulties will not be allowed to stand in the way. Let anyone look at the list of subjects which may be dealt with by a general Parliament and general Government with so much greater advantage than by separate Parliaments. I would like to trespass on the time of members of the Conference for a few moments for the purpose of mentioning some of the subjects which are enumerated in that great Act of British North America. I have before me a list of the subjects which are the exclusive business of the general legislature. These subjects include the following:— Public Debt and Property, Regulation of Trade and Commerce, Raising of Money by Taxation, Borrowing of Money on Public Credit, Postal Services, Census and Statistics, Militia, Military and Naval Forces, Defence, Beacons, Lighthouses, Navigation and Shipping, Quarantine, Ferries between Provinces, Currency and Coinage, Banking and Paper Money, Weights and Measures, Bills of Exchange and Promissory Notes, Interest, Bankruptcy and Insolvency, Patents, Copyrights, Naturalization and Alienage, Marriage and Divorce, and Criminal Law. To the latter, I think, may here be added the question of the regulation of the admission and exclusion of undesirable immigrants, and the establishment of a Court of Appeal. These are subjects in respect of which there is so little difference of opinion amongst intelligent

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men throughout Australia, that they could certainly be dealt with much better by one Parliament, and the laws be better executed by one executive than by many. The work left for provincial Parliaments would still be large and important, and it would be work which, in the main, could not be so well accomplished by a general Government. This matter, however, is one which can be considered at a subsequent period. What I am anxious to insist upon is this — that we should not be deterred by any fear of not being

able to do everything, but that we should do the most we can, remembering the old saying that half a loaf is a great deal better than no bread. Another difficulty which will meet us has reference to the want of knowledge which one colony possesses of another. If, for instance, the Legislature of a country is asked to surrender its great powers of legislation to another body, people will naturally want to know of whom that body is to be constituted, and whether the members of it would consider their interests as well as they would consider them themselves. I would counsel all public men, during the two or three years which must elapse before, any definite result can be achieved from our labours, to take every opportunity, both in public and private life, of making the different powers of Australasia acquainted with them. Let us endeavour to distinguish, as far as possible, between means to ends. The end we have in view is the establishment of a great Australian nation. The means which may be adopted for attaining that end may be various. I remember, when I was a boy, a gentleman, for whom I had the greatest respect, saying that the practical definition of wisdom was the proper adaptation of means to ends. We shall require a great deal of this kind of wisdom in bringing about the end we have at heart. Matters such as those of fiscal policy are, after all, only means, not ends, in themselves. Whatever conclusion may be arrived at in regard to such matters, it is our business not to lose sight of the one great end in view — the establishment of a nation. The moral effect upon the people of Australia of the accomplishment of such an object

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would be very great indeed. Look how much wider will be the field for the legitimate and noble ambition of those who desire to take part in the affairs of a great nation — as it will be — a nation practically commanding the Southern Seas! The energies of men are cramped when they are confined to matters which, although of considerable magnitude in themselves, are nevertheless, to a great extent, local in their character. I need not refer at any greater length to the advantages which will accrue from the end we have in view being attained. Upon that point members of the Conference are likely to be all agreed. I hope that, in the discussion which will take place, members will direct themselves to the practical aspect of the question, with the view of enabling themselves and the public to arrive at a just conclusion as to what is the extent to which it will be desirable to ask the different Parliaments to empower their representatives at a Convention to go in the framing of a

Constitution. Some Parliaments may be prepared to go further than others. Some of them, indeed, may refuse to give *carte blanche* to their representative; and they may even refuse to allow them to negotiate upon certain subjects. That, however, need not be looked upon as an obstacle. At the same time it would be very desirable that, in the Convention, the delegates should, if possible, possess co-extensive powers. Before closing, I wish to call attention to a provision in the Act to which I have already referred more than once a provision for making the laws of property uniform in the three provinces of Ontario, New Brunswick, and Nova Scotia. The provision is to the effect that the Parliament of Canada may deal with the question of assimilating the laws of property and procedure, but with this qualification: that their laws should be subject to adoption by the Legislatures of the several provinces. Sir Henry Parkes, I think, referred to this matter in the course of his speech. The adoption of this idea, may, I believe, be found to solve many of the difficulties which are apparently in the way. These, however, are matters which will have to be considered at a subsequent stage. I shall most cordially support the motion which has been proposed by Sir Henry Parkes — a

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motion which sums up, in the almost happy manner the present position of affairs. I shall be deeply disappointed if, as the result of this conference, there are not laid the foundations of a real, strong, permanent, and complete Federal Government of Australasia.

Mr. T. PLAYFORD

— Mr. President, I understand that no other honorable member is just now ready to address the Conference on this subject, but I think it would be a pity to waste any time; and although I am not quite prepared myself, as some of my papers are locked up in a portmanteau, the key of which is in the possession of my servant, whom I cannot find, I think it would be better we should utilize the time at our disposal, and not adjourn at such an early hour in the afternoon. For the reason I have explained I shall have to trust to my memory for certain facts and figures, and also for the general tenor and effect of quotations which I had intended to read to the Conference in the course of my remarks. In the first place, Sir, allow me to say that I am somewhat disappointed with the motion that has been introduced by Sir Henry Parkes. I had anticipated something more than is contained in this motion. Very possibly it may be followed by a further resolution or resolutions, of which I

have no knowledge at the present time, and, if so, I may have misunderstood the honorable gentleman; but if it is not to be followed by some further proposal on the subject, then I must say I am somewhat disappointed at the bald resolution which the honorable gentleman has introduced to our notice to-day. In reading the correspondence which took place between yourself, Mr. President, and Sir Henry Parkes — the correspondence which gave rise to this Conference being held — I notice that Sir Henry Parkes anticipates that the new parliament which is to be established for the whole of Australia will be built up on the lines of the Canadian Parliament, and from that I took the cue that it was his intention, at all events at that time, to submit to this Conference a series of resolutions, which would not merely baldly affirm the desirability of a general

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parliament for the whole of Australia, but would at the same time indicate — I do not say in every detail, but at all events in the leading lines of detail — the powers and functions proposed to be vested in the general Parliament. However, we have before us only a bald resolution, affirming, in its first clause, that in the opinion of this Conference the best interests, and the present and future prosperity, of the Australasian Colonies will be promoted by an early union under the Crown. I think we can all agree to that. There is no doubt about that. We have all agreed to it in the past — all of us, at all events, who have taken a prominent part in political life throughout the Australasian Colonies. With hardly an exception, we have agreed that sooner or later the time will come when Australia must be united under one Government. The only points of difference have hitherto been as to whether the time was ripe for union, and as to what powers should be given to that Parliament which, is to be the general Parliament for all the Australasian Colonies. The unfortunate part of the matter has been, that this question of the federation of the colonies has been taken up by the leading statesmen of the colonies. Now it has been asserted, by one who spoke with authority, that “all great reforms spring from the people;” and if the people of Australia had taken up this question in the first instance, we should have had it brought to a conclusion long ago. But it has been taken up by the leading statesmen of the various colonies, and, as a consequence — well, I won't say as a consequence, but as a fact — the question has not been taken up by the people. It has not sprung from the people, and we are met here

to-day, so far as South Australia is concerned, with the people not so educated on the question as to enable us to state that they, at all events, are distinctly and unmistakably prepared for federation, and to what extent they are willing to go. The leading statesmen of the colonies have discussed this question for many years past. As far back as the first institution of responsible government in New South Wales, Mr. E. Deas Thomson — I forget the particular position he occupied in the Government of the day, but Sir Henry Parkes

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will, no doubt, remember it — pointed out, in the discussion of their Constitution, the necessity of having a general Parliament to deal with certain subjects which he specified, and amounting, I believe, to a total of eight. Among those subjects were some of the very questions we are considering here to-day as questions which should be dealt with by a general Parliament for the whole of Australia. You have only to go on to a little later period in Australian history, when you find that a gentleman of the name Wakefield, in London, drew up a letter to Lord Derby, the Secretary of State for the Colonies at that time, in which he most clearly pointed out the desirability of establishing a general Parliament of Australia to deal with such questions as the gold-fields questions — they have been settled; the land question — that has been settled; immigration — well, I think a general Parliament of Australia would never have to deal with the question of immigration; and a variety of other subjects which have been practically settled among: ourselves, and which would never form part of the deliberations of a Federal Parliament, but which at that time were looked upon as subjects which did unmistakably form part of the duties and functions of a Federal Parliament. But among the subjects to which Mr. Wakefield alluded, was that exceedingly important question of a uniform railway gauge for the whole of the Australian colonies, and, if a uniform railway gauge had been adopted in the first instance, what a large amount of public money would have been saved which will be practically wasted when we come to break up all the railway gauges but one in these colonies. On other subjects, too, such as a Customs Union, Mr. Wakefield hit the right nail on the head, and showed even in those early stages of Australian history how necessary it was in the best interests of the colonies as a whole that should have a general Parliament to deal with these most important questions. All these things were then pointed out by Mr. Wakefield and re-echoed by leading statesmen throughout the colonies, but

even up to the present time the people of the various colonies have not taken up the question, and although it has for years

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past been discussed by the leading statesmen of Australia, who have expressed almost unanimous opinions on the subject, yet in consequence of the people not having taken up the subject heartily, we have not at the present time a general Parliament for the whole of Australia. And I contend that our position with regard to the establishment of a general Parliament for Australia is far more difficult than the position of any country that has federated in times past. In the United States of America federation was brought about because England insisted on taxing the colonies without giving them any voice in determining: that taxation — taxation without representation. Those who agreed with taxation without representation stood on the side of the Crown, and those who did not agree with taxation without representation stood on the side against the Crown. The colonies were divided into two unmistakably hostile camps, and the sons of those old Puritans who landed in New England, true to their instincts of liberty, decided that they would never vote for allowing the Crown to tax them without their consent. They fought for their liberty, and gained it. In that case there was an unmistakable cause of appeal to the feelings of the people, and we can thoroughly understand how it was that they joined together to assert their rights and liberties, and how it was that they were so successful. And a lucky thing it was for England that they were so successful. As Lecky says in his *History of England in the Eighteenth Century*, on the result of that struggle for freedom depended the question whether the power of the Crown should continue to be the paramount in England itself, or whether the English people should lose a portion of their liberties. Then, coming later down, leaving out the case of the people of Switzerland, who joined for the protection of their liberties, and the case of the United States of Holland, we came to Canada, the latest example of federation, and what do we find there? Precisely the same reasons for federation. Canada has a frontier of some 3000 miles to the United States. At that time the great Southern rebellion was going on, and the North was making every effort to crush the South; A conference

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of delegates met at Prince Edward Island. At that original conference it was only intended that the maritime provinces of Canada should join together in a federation. But upper and Lower

Canada were in a very peculiar position. When they decided among themselves to have one House of Parliament and one Legislature — one Assembly and one Council — it was agreed that Lower Canada should have precisely the same number of members in the Assembly as Upper Canada; but Upper Canada grew quickly in population, and demanded that population should be the basis of representation so far as the Lower House was concerned. Lower Canada resisted, because she knew that if she allowed it to become the law of the land her power in the State would be seriously decreased, and from being, the dominant power she would practically be in a minority. The resistance of Lower Canada brought about a deadlock. An appeal to the country took place. That resulted in another deadlock, and they saw no way out of the difficulty except federation. At that time the people of Upper Canada sent a deputation to meet the representatives of the maritime provinces at their Conference. They met in Conference, and the question under discussion was the federation of the whole of the States of Canada — Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland. It was resolved that the colonies that had no power to be represented at that Conference should get those powers, and that the next Conference should meet at Quebec and consider the whole subject. The position of affairs regarding Canada at that time was that there was a great war going on between North and South America. Just then the *Alabama* was let loose — possibly that is not a correct expression, although Lord John Russell is charged with having allowed the vessel to go from an English port. At all events the *Alabama* was destroying American commerce to a large extent, and the American people were very wroth against the English people and the English Government in consequence. Canada did not know at what moment war might break out between the United States and Great Britain, but the Canadians felt that if war did break out

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they would be the first, at all events, to suffer the injuries that such a war would inflict, and that most likely they would be attacked by the United States immediately on the declaration of war. Therefore, the question of defence, as far as Canada was concerned, was a question of paramount importance. There was, also, another reason which strengthened their desire for federation. During the whole of the winter months Canada depended for its intercourse with the mother country and the continent of Europe entirely upon the

communication through the United States of America — its own rivers, lakes, and canals being frozen — and the United States, being at that time annoyed with England on account of the doings of the Alabama, began to put obstacles in the way of getting goods through bond from New York, and in other ways showed their teeth so unmistakably as to induce the colonies should join together in federation, so as not to be so dependent on the United States for their means of access to England and the rest of the world. For a long time the project of constructing a railway from Halifax to Quebec had been mooted — a line which would enable Canada to have intercourse with the mother country without going through any portion of the United States. Now between Canada and the maritime provinces there is a desert of a great many hundred miles in extent. This railway would have been a very expensive one, and it was thought that the colonies should join together in its construction, as the cost would be more than any one colony, such as Nova Scotia or Lower Canada, could afford. That was another inducement to federation. Then there was the fiscal difficulty, which was precisely the same as that with which we have to deal at the present time. The provinces had hostile tariffs — they had border customs duties which were collected by one province from the producers of the other provinces — and this matter also had to be adjusted. We can, therefore, understand why a Convention held in Quebec Came to practically a unanimous resolution in favour of a draft Bill, containing some 72 clauses, for submission to the Imperial Parliament, as forming a basis for the federation of the provinces. But even

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then the Dominion would never have been erected had it not been for a circumstance which occurred while the various States were engaged in the consideration of the resolutions of the Quebec Convention. I refer to that wanton Fenian invasion of Canada, which took place just when New Brunswick and Nova Scotia had positively refused to adopt the Bill agreed to by the Quebec Convention. That wanton Fenian invasion on a peaceful community, across the borders of the United States, roused the people of Canada. Those who had previously been opposed to federation then saw the necessity of it. A dissolution of the Parliament of New Brunswick, and I think also of the Parliament of Nova Scotia, took place; an appeal was again made to the constituencies, and the constituencies reversed the decision which

they had given only a few months before. The Dominion of Canada, as we see it to-day, was then formed. But even the provinces had difficulties and troubles in their path; and it was not, after all, until they had got the Imperial Government to guarantee them a loan of £3,000,000, that the lower maritime provinces of Nova Scotia and New Brunswick agreed to form a part of the confederation. What is our position compared with the position of the Dominion of Canada? You have listened to the speech of the Premier of New South Wales, and heard his statement of the glorious progress made by the colonies under our present form of government. Consider then, what an argument he gave to those who are opposed to federation. "If we are the wealthiest people in the world without federation, if we are the best governed and the most prosperous communities that exist in the world at the present time, without federation, why on earth," say the opponents of federation, "should you go in for federation?" "If you have accomplished so much under the present system of government why change it for federation?" We shall have to meet all these objections, and therefore I contend that the difficulties in the way of federation in the Australian Colonies are greater than they were in any country in the world in which federation has taken place. We have difficulties to encounter they never had. We have no enemy at our doors who is likely to

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burn our cities, to levy contributions upon us, to kill a number of our people. We have nothing of that sort to fear although all those countries which have federated in the past have had it to fear. Therefore we have to build up; and to build up slowly and carefully, a public opinion in the colonies, without being able to appeal to any catastrophe that might occur through war. We can only appeal to injuries that might be occasioned by our hostile tariffs, and to the advantages of union. We cannot do this at a bound, and therefore I contend that those gentlemen who were at the Sydney Conference of 1883, and agreed to the very small advance then made, to the very moderate powers given to the Federal Council, were wise in their generation. If they had attempted any more they would have failed. Sir Henry Parkes alluded to this Conference, but he neglected to allude to the Conference of 1881, of which he was a member. That Conference considered the subject of the formation of a Federal Council, and a draft bill was submitted by Sir Henry Parkes. It was thought then that the subject was hardly sufficiently

ripe, but the bill was printed, and it is to be found in the proceedings of the Conference. The Conference did not come to any decision either for or against the formation of a Federal Council; the fact is, the matter dropped, but there is the bill. Sir Henry Parkes was not a member of the Conference of 1883; but that Conference practically adopted the honorable gentleman's bill, and the present Federal Council Act is based upon it. It may be said, I believe it has been said, that harmony is sometimes improved by inserting a little note of discord now and again into the music. Perhaps I shall insert one or two notes of discord regarding the Colony of New South Wales on the one hand, and the Colony of Victoria on the other hand. I do not wish to do that in any offensive manner, or with any other object than that of enabling me to answer questions which have been and will be again asked in South Australia. In the first place, I would like to ask Sir Henry Parkes how was it that, after he had introduced the Federal Council Bill in 1881, the Colony of New South Wales refused to come into the Federal Council when it was

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formed, and how was it that he himself opposed its coming in? I do not know the reason, and I should like to know it.

Sir HENRY PARKES

— I will tell the honorable gentleman how, if he thinks well.

Mr. PLAYFORD

— I don't know which is the better course. I will appeal to the President.

The PRESIDENT

— It is a mere matter of convenience. If the honorable gentleman thinks that it would assist his argument he can hear the explanation now.

Mr. PLAYFORD

— No. It would perhaps be well to give Sir Henry Parkes time to consider the question.

Sir HENRY PARKES

— There is not much consideration required.

Mr. PLAYFORD

— Possibly not. I put the question in good faith, because it has been put in our colony and in our Legislature, and it will be put again by the enemies of federation. I should like to be able to give a straightforward honest answer to it.

Sir HENRY PARKES

— You had better have the explanation now, it will only take a few minutes.

Mr. PLAYFORD

— No, it will come better in the proper order. Sir Henry Parkes will have a right of reply, and he will have every opportunity of going into the question. Then I would like to ask Sir Henry Parkes a question concerning another matter which has been spoken of in our colony. Of course we all understand reasoning like this — that a gentleman who comes forward and says that he is in favour of Australian unity should be a gentleman who would desire to work harmoniously with all the colonies. We had a Conference not long ago on the Chinese question. We were then unanimous that a certain Bill should be introduced in the local Legislatures, and Sir Henry Parkes promised on behalf of his Government,

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that that course would be taken in New South Wales. The Governments of the other colonies have introduced and passed the Bill; but no such action has been taken in New South Wales. Does this conduct on the part of Sir Henry Parkes show that sincere desire for Australian unity which we would be led to suppose from the speech be delivered to-day, actuates him. There is another point I took a note of while Sir Henry Parkes was speaking. It appeared to me that he made an omission, but he will no doubt, supply it when he replies. During the whole of his address he did not say a single word about our relations with the mother country. Whatever happens, I intend to remain loyal to the mother country, and so does the colony I represent. No matter how affairs are managed, we intend to continue to belong to that great Anglo-Saxon people whose home is Great Britain. If the mother country is unfairly attacked, we intend to defend her, as we feel that if we are unfairly attacked she will defend us. Although we may claim great powers of self-government, I maintain we should make it thoroughly and distinctly known that as far as we are concerned we are loyal to Great Britain; and I believe that is what Sir Henry Parkes means, though he did not refer to that particular point. There are two especially important points upon which we are asked to federate. The most important question calculated to drive us into federation is undoubtedly the fiscal question. As far as we are concerned, it is more important than the defences, because, as long as we fairly do our duty in taking measures to defend ourselves, we may rest assured that we shall have the might of the British empire at our

back to assist us. I do not fear this matter of the defences at all, but I look upon the question of rival customs houses established between the various colonies as a thing, we ought to break down as soon as we can do it with reason and fairness to the colonies concerned. Now I ask the colony of Victoria and her representatives, who have been the greatest sinners in building up this wall between the various colonies? Which was the first colony to step forward and tax the natural products of her

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neighbours? Victoria, I reply. A necessity has arisen to federate and put a stop to the existing state of things simply because Victoria chose to erect these barriers. She was the first to start the system.

Mr. DEAKIN

— Hear, hear.

Mr. T. PLAYFORD

— The people of the colony I represent are asking what reason has Victoria for wishing to break down these barriers of her own erecting? Is she not actuated by self-interest in some form? The answer is, say the people of South Australia, that Victoria having been the first in the field with protection having built up her manufactures, established her industries, and got her skilled workmen around her, she does not fear competition now with any of the colonies. She can now compete successfully against them, and by breaking down the barriers she will gain an advantage over the neighbouring colonies; by adopting that course she will reap the greatest benefit and pocket the most “tin.” Speaking plainly and straightforwardly that is what the people in South Australia say, and I ask the representatives of Victoria to give us one or two answers to this. I think I have put the matter in a straight way, and I hope that when Mr. Deakin addresses the Conference there will be no beating about the bush.

Mr. DEAKIN

— There will be no disputed territory this time.

Mr. T. PLAYFORD

— Victoria has constructed this hedge and cemented this stone wall between us, and we have retaliated.

Mr. DEAKIN

— Imitation is the sincerest flattery.

Mr. T. PLAYFORD

— It is not flattery, it is pure retaliation.

Sir HENRY PARKES

— You should turn the other check now.

Mr. T. PLAYFORD

— When we found what had been done in the colony of Victoria we could hardly believe it. We had to adopt protective measures, and we should never have done that

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had not Victoria started it. We should on no account have taxed her natural products — her cattle, her sheep, her butter, her eggs, or anything else that was hers — but for the example set by Victoria. We were obliged to follow suit. Our people found that it was to their advantage to establish protective duties.

Sir HENRY PARKES

— That is unchristian.

Mr. T. PLAYFORD

— I do not know that we are arguing the matter from the Christian ethics standpoint. I am only putting the pertinent question which will be asked my colleague and myself when we return to our colony by people who will expect a satisfactory answer to it. Although I may agree with Sir Henry Parkes that there is no special lion in the path, there are difficulties in the way, and the people of South Australia will require, a great deal of explanation in regard to the action of Victoria. I am waiting anxiously to hear a word or two of explanation from Mr. Deakin in regard to the action of the colony which, having erected a wall, is now the first to want to kick it down. I am quite certain that if we are to build up a Federation on the Canadian lines, the colony of South Australia will never agree to it. Sir Henry Parkes saying, in his letter to Mr. Gillies, alluded to the Constitution of the Dominion of Canada as a basis of agreement, we naturally looked at that Constitution to see if it would suit our circumstances. Although unity is a grand thing, it is not everything. As far as the local Legislatures are concerned, I contend that it will be the wiser course to adopt to leave to them all the powers we possibly can, apart from such powers as they cannot exercise individually.

Sir HENRY PARKES

— We all say that.

Mr. T. PLAYFORD

— Exactly the contrary course is pursued in the Constitution of the Dominion of Canada. There the local Parliaments are only a little bit above municipalities. Railways and roads are under the general Parliament. The local Parliaments have a little to do with

education, police, the destitute

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poor, and lunatics; and that is all. And above them is this great general power, which says — “We will veto any laws you pass which we disapprove of, and we have two years to do it in.” It is said that a court will be established to save the expense of sending home appeals to the Privy Council; but though an appeal to a local court is provided, there is an appeal to the Privy Council after all, so that the rich man is simply given another string to his bow. He may appeal from the local magistrate, and from the local Court of Appeal to the Privy Council, and he is given another halting place and another means of putting money into the pockets of lawyers. If we have a Court of Appeal in these colonies, that Court of Appeal must be final. After looking through the Constitution of the Dominion of Canada and the Acts passed under it, I say unhesitatingly that, as far as the colony I represent is concerned, we will have to go upon exactly the opposite basis, and instead of giving the whole of the powers not specified to the General Parliament, we must give the whole of the powers not specified to the local Parliaments. Of course the Constitution of the Dominion of Canada was framed under peculiar circumstances. While the Convention at Quebec was sitting North and South America were at war, and the Convention thought it desirable to put something in the Constitution to prevent the settling of matters with the sword. The Constitution was therefore made to provide that all the powers not specially given to the local Parliaments should be given to the general Parliament. When the Convention did that, it did not realize the immense power it was giving to the general Parliament — an amount of power which these colonies will never consent to give. It will be for the best interest of the Australasian colonies that the general Parliament shall have its powers and duties clearly and specifically defined, everything else to be left to the focal Parliaments. The general Parliament should only have entrusted to it such matters as relate to customs duties, the marriage laws, or a court of appeal. I do not believe in the powers of the local Parliaments being curtailed, and in

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South Australia the people will not give up any of them except such as can be better exercised by the general Parliament. We want our local Parliaments to become nurseries for the higher general Parliament, and the more powers you give the local Parliaments the greater responsibilities they will feel, and the better it will be for the

community as a whole. I think it would be well if we were to pass some resolution which would clearly set the minds of the local legislatures at rest on this particular point. Sir Samuel Griffith pointed out that the jealousies of the local Parliaments formed one of the difficulties we have got to face, and anything calculated to smooth the way — to show that we do not want to deprive them of powers which can be safely and properly left to them — would very considerably conduce to the carrying out of our wishes in the future. Although I am favorable to the adoption of the resolution, I consider it should be followed by further resolutions, showing the local Parliaments the position we assume. We do not require a great Dominion Parliament, such as exists in Canada, relegating, as it does, all local Legislatures into mere parish vestries. We require something in the shape of the Government of the United States, where clearly defined powers are given to the Senate and the House of Representatives, and where all other powers not specified are left to be exercised by the local States and constituencies. I have endeavoured to point out to the Conference the difficult problem which besets it. We find that this desire for Federation has sprung from the top. It has commenced in the higher and not the lower branches of society. In South Australia, as in Victoria and New South Wales, there are people who will reap advantage from Federation, and the doing away of border duties. Some of these people will clamour for Federation. The great mass of the people, however, remain quiescent in regard to the question. They listen to what is going on, and they read their newspapers, but they do not appear to be greatly moved. There is no war impending; they are not much troubled by the officers of the custom-house; and the result is that they do not take much interest in the subject of Federation. Those who have

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occupied public positions for many years past, however, have felt the colonies ought to federate. This feeling has existed since the inauguration of responsible government itself, and nowhere more strongly than in the mother colony. The members of the Conference have met but there has been no great wave of public opinion to carry them on to success, and without this success will never be achieved. I have always been in favour of advancing, step by step, towards Federation. One step in advance has been taken in the formation of the Federal Council. Two or three further steps in advance ought to be taken by this Conference. But if we go too far,

and endeavour to secure a Dominion like that of Canada, the chances are that we shall lose all, and Federation will be put back to a future time and generation. This, I take it, is only what may be termed a preliminary gathering. It is, I believe, understood that the members of Conference will recommend their Parliaments to appoint delegates to a Convention, which shall have the power of drafting a Bill to be submitted to the various Governments. The resolution does not bind us to any great or small step in advance. Consequently it would be wise, in order that the existence of local jealousies may be avoided, to clearly define the principles upon which we think the Convention should be guided in framing the Bill to be submitted.

Mr. DEAKIN

— Mr. President, I think the Conference will be much indebted to Mr. Playford for the frank, forcible, and extremely vigorous speech he has done us the honour of delivering — a speech in which he has certainly carried out his stated intention of facing, in the boldest manner, what he conceived to be difficulties of the situation. I was delighted to perceive that, notwithstanding a certain amount of antagonism which he endeavoured to infuse into his remarks and manner, he felt himself compelled, again and again, to confess what I take to be as complete an adhesion as is necessary to the principle embodied in the resolution before the Conference.

Mr. T. PLAYFORD

— Hear, hear.

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Mr. DEAKIN

— I believe that, after fuller discussion shall have cleared the air, and more defined issues have been submitted, we shall find the honorable gentleman side by side with us, cooperating to brine about the end we all desire. We shall then discover that he has served one of the best purposes of discussion, which is the study, not merely of the plain and easy paths of agreement, but of possible sources of disagreement, and of the question whether those sources of disagreement may not be removed. It was probably on account of the unfortunate absence of his papers that he failed to note that the particular omission to which he called the attention of Sir Henry Parkes was actually embodied in his resolution. The honorable gentleman will notice that the motion affirms, not simply that the interests of the Australian Colonies will be furthered by more complete federation, but that this is to be a union under the Crown.

Again in his concluding observations, Mr. Playford endeavoured to impress upon us the necessity of protecting the rights and privileges of the Legislatures which we represent, and which represent the several colonies. I venture to think that all that could be demanded or expected by the most exacting of them is also contained in the resolution — in the last words, which come as a proviso to the whole requiring that any federation which may be adopted shall be one which shall be founded on principles just to the several colonies. Personally, I do not believe that any colony desires to have more than just treatment under federation. Reserving this matter, however, I find that one of Mr. Playford's difficulties is, that we have no difficulties. He considers that one of the misfortunes of the present Conference is that it meets without a sufficiently great occasion; without that force of circumstances, such as existed in Canada and the United States, which might compel us to form a union *nolens volens*. As far as my memory serves me, his political sketch was perfectly correct. It is true that the two great Anglo-Saxon organizations to which we must necessarily direct our attention were consummated under the strongest pressure from without, so that the states or provinces, which up to that

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time had shown little disposition to agree, were compelled to form a union. Will the honorable gentleman venture to advance the opinion that he can see nothing in the future possibilities of this continent which may compel federation? Will he not admit, if he views the situation frankly, that, so far from being unlikely it is practically a matter of certitude that, sooner or later, we too shall be faced with circumstances which, with or without our will, will force us into alliance? How much better then if, recognising this as one of the inevitable future events of our history, we face the question in a time of peace and quiet, and without any severe external compulsion. How much better to meet, as we do now, at our leisure, with a clear prescience of what must be the character of our future, to consider how deep we can lay the foundations of our national strength. Instead of being forced into partnership by a crisis, it will be far better for us to be united before the crisis arrives, so that we may face it with a bold and unbroken front. In the meantime we are now at our ease, and may consider not only, the greater, but the smaller conditions which should attach to a federation. This is a position rather of advantage than of disadvantage. It is a position which will enable us to devote even to the minor issues of the

question an amount of attention which could scarcely be expected if we were met under the imminent hazard of a foreign war, or under circumstances of a like nature. I note that Mr. Playford spoke of the colonies and of their peoples — not intentionally, I am sure — with a certain implication throughout that there was something which distinguished the Victorian from the South Australian; the South Australian from the New South Welshman; the New South Welshman from the Queenslander; and the Queenslander from the Tasmanian.

Mr. T. PLAYFORD

— No, no.

Mr. DEAKIN

— The honorable gentleman must recollect that the attitude he has taken up might have been justified had it been assumed by himself as a citizen of a European State, and had his remarks been addressed to those of a different race,

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language, and creed, living under a different form of government. We cannot forget, however, that, in this country, we are separated only by imaginary lines, and that we are a people one in blood, race, religion, and aspirations. It is impossible for any man born in or belonging to one colony to pass to the other and to feel that he has gone to a foreign country. It is because of the intense closeness of the tie which unites us that we notice the line of Customs houses along our borders, which remind us that we have created a difference where no difference need exist. The honorable gentleman seemed to imply that there would always be the same separateness existing between the residents of the Australian Colonies as there may be between the residents of adjoining but differing nationalities. We have, however, to recollect that we have sprung from one stock and are one people, and whatever the barriers between us may be, they are of our own creation. That which we have created we are surely strong enough to remove.

Mr. T. PLAYFORD

— I know that.

Mr. DEAKIN

— Well, then, let us brace ourselves to the task. Although we are here to consider the purely intellectual aspects of this question, we cannot avoid a reference to the sentimental aspect, which is so apparent in connexion with this great issue. After all, it is upon the existence of the tie of affection between us that we rely when we

ask assent to a resolution which expresses an aspiration native to every citizen of Australia, which cannot be rooted out of our hearts — which should inspire our lives — the aspiration of seeing these colonies united in one great nation. I do not wish to dwell on this aspect, but still it indicates a powerful factor which will infuse itself into this discussion at every turn, and it would not be well to pass on without noticing that we have always this to rely upon to help us over the difficulties that will face us. This sentiment of our nationality is one which, I believe, we shall see increasing in its intensity year by year, and it will count for much more than it now does when the people of these colonies have become a

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people sprung from the soil, a people the vast majority of whom will know no other home than the soil of Australia. I believe that this passion of nationality will widen and deepen and strengthen its tides until they will far more than suffice to float all the burdens that may be placed upon their bosom. I quite agree that the considerations we are bound to address ourselves to are for the most part considerations of self-interest, and that we should not seek to lay too great a strain on the feeling to which I have alluded. But as a wise seaman steers his ship to take advantage as far as possible of wind and tide, so should we shape our course so as to secure for this great movement every possible assistance, whether from the forces of sentiment or motives of self-interest, and thus be enabled to reach the haven of federation. The honorable gentleman who preceded me said that all great reforms spring from the people. That is perfectly true. They spring from the people when they are ripening for execution. It does not follow that idea springs from the many, but rather it must of necessity take its birth in the mind of one, or, at all events, in the minds of a few. Unless the honorable gentleman accepts some doctrine of an outpouring of inspiration which falls on the million and neglects the unit, I do not see how he can take any other view of this matter. So far our colony is concerned, I can assure him that throughout the whole of Victoria there is in the hearts of the people a strong desire for federation. Now, I believe I can modify Mr. Playford's statement with regard to the attitude of the people of South Australia towards federation in a way that would make it more palatable even to himself. Instead of saying that the people of South Australia have not been moved by what he termed the federal wave, I fancy he would more accurately define the situation by saying that the People of his colony have the

feeling for federation, but they require to see that this feeling, if given full play, will not run counter to their interests and the development of their own colony. I must say that, as far as I am acquainted with representative men in South Australia, I have always found them quite as

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warm in the cause of Federation as any representatives from the other colonies in the group. A considerable section of the Victorian public will require to know how the new proposals may affect their own interests before they commit themselves to federation. But it does not alter the general statement I have made with perfect accuracy, that the whole of the people of Victoria are moved by a desire for federation, merely because numbers of them will need, before they give that feeling sway, to see that their interests are properly preserved and adequately protected. On the other hand, a large body of them are prepared to make sacrifices in the cause of federation. However this may be, we certainly could not say that there is no popular zeal for federation; on the contrary, it has been one of our current common-places for a long time past that the surest utterance to awaken a cheer at my Victorian gathering was one declaring for federation. And if I were to point to the opinions of the press, I do not think I could lay my hands upon a single journal published in Victoria that takes up a position antagonistic to federation. Some of them desire to see the conditions of union before they give in their adhesion to any particular plan of federation, but I could quote scores of Victorian newspapers which are strongly and warmly in favour of the principle embodied in the motion now before us. "The crimson thread of kinship," as Sir Henry Parkes so happily and poetically termed it, running, as it does, through all the colonies, has not merely the strength of a thread, but is stronger than links of steel. When we are inclined to doubt the prospects of the future it is upon considerations such as these that we may for the time rely, confident that they will inevitably bring about that consummation which we all so earnestly desire. Mr. Playford offered some comments upon the past policy of the Premier of New South Wales, and the honorable gentleman was good enough to devote a small part of his attention to the colony which, in conjunction with our President, I have the honour to represent. He inquired, with a sufficient amount of warmth to indicate the genuineness of his sentiments, why it was that Victoria was now found among the

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federationists? Why Saul was found among the prophets, would be the Biblical form of putting the question. The honorable member told us that this was a question he would be asked when he faced his constituents — why Victoria, which was the first colony to adopt a Protective Tariff, falling not only on the manufactures but also on the natural products of her neighbours, was now found among the first who were willing to join in an Australian Confederation? Well, if I were so disposed to divert the honorable gentleman's statement, I might point out, as a strong argument in favour of federation, that if federation had taken place years ago the barriers of which his people now complained would never have been reared at all, and he must, therefore, see that when he was complaining of the present condition of things he was supplying an argument in favour of union: The honorable gentleman asked if Victoria had not imposed these Protective duties in her own interests, and whether the present movement, so far as it promised the removal of those duties, was not made by Victoria with a similar motive? That is a very natural question, to which there is a very ready reply. Certainly Victoria imposed protective duties with the idea of self-benefit, and without considering the interests of her neighbours in the slightest degree. Most assuredly self-interest was the impelling motive, because Victorian statesmen, like the statesmen of every other colony, are studious of the welfare of their own people. Under the present system their own people are to be found only within the borders of one colony or another, and these limited interests are the only interests which they are bound to consider. And why is it thus? Because you have created in these colonies a series of centres of independent life, and each of these centres of independent life will seek to maintain and multiply itself without regard for, and in more or less hostility to, the others. While these colonies are independent powers, and their legislatures enjoy full authority, those legislatures will be bound to exercise all the powers with which they are entrusted for the benefit of the people they represent, and the benefit only of the people they represent; and that has been the Victorian policy.

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The one remedy, if you desire a remedy, for the present condition of things is to create another centre of national life, which shall so far absorb these minor centres as to give the people of the several colonies one common interest, instead of antagonistic interests. You cannot by any means short of Federation modify the present

independent lives of the colonies so as to develop a national force, to which all individual forces shall minister. If Mr. Playford asks whether this proposal is not made at the present time by Victoria from self-interested objects, I say "Yes, most assuredly." Do I believe that it is to the interest of Victoria that there should be a federation of the colonies? Certainly I believe it. If I did not believe it I should require stronger arguments than I do now to convince me that the federation movement is one to be supported. If he asks the equivalent question — "Do I believe it to be to the interest of the other colonies of the Australian group that there should be federation?" I answer with equal frankness that I believe it to be just as much to their interest as to the interest of Victoria. We have a mutual interest, and if I did not think that there was this mutual self-interest to assist the racial and national feeling we have already, I might anticipate much less from the result of this federation movement. I answer Mr. Playford's inquiry with perfect frankness when I say that I believe we can all assure our own people that it is to our common interest to unite on all subjects on which union is possible, and that our highest interests are the joint interests which can only be effectually studied in unison. The comments which I desire to make upon the resolution itself will be of a rather fragmentary character, and supplementary only to those which have already been so ably placed before you by Sir Henry Parkes in his opening address — an address my own concurrence with which was so complete that I contented myself with merely formally seconding the motion, in order that some other speakers, who felt more critical, might exercise their skill upon it. That able address was then criticised in a perfectly fair spirit by Sir Samuel Griffith, who certainly called attention to all, or almost all, the

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obstacles which would have to be surmounted before the situation could be considered to have been completely cleared. It is rather by way, therefore, of supplement to what has already been said that I venture to add a word or two upon some of the difficulties of union which must be taken into account. One of them was that noticed, in passing, by Sir Henry Parkes as the "something more than rivalry" which at present exists between the colonies. That is a consideration which should weigh with us most seriously. The spirit of partisanship is inherent in human nature, and it is perfectly certain that it is nowhere more vigorous than in Anglo-Saxon communities. The amount of feeling that can be aroused, even by the local

contests which are waged by the young men of our country in friendly rivalry the one against the other, is often intense. It must be the experience of many gentlemen who have represented country constituencies, that where there are two townships of about the same size within reasonable distance of each other, the vigour of the antagonism that can be kindled dwarfs all general political antagonisms. Another illustration that suggests itself, is that of the defender of the privileges of one House of Parliament as against the other House, who, when he passes from one chamber to the other espouses the authority he previously attacked with as much energy as he has been accustomed to assail it. In all these directions, and in others, we find that the least possible reason for partiality is quite sufficient to set up a ground of difference, and sooner or later to create a distinct hostility. I believe there is a feeling existing between the different colonies of Australasia at the present time — that is, between some people in one colony and some in another — which is of an entirely regrettable character. One has only to observe the comments which appear, even in the best newspapers of one colony upon events taking place in another colony, to see that there is not a generous spirit of kinship exhibited by the critics. Representative journals even rejoice over the difficulties experienced by another colony, perhaps because it may suit the political policy of the paper to do so, but sometimes apparently without that cause, and for no

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other reason than that there is a kind of rivalry existing between the colonies. This is an unfortunate factor, and one the existence of which should not be disregarded. We cannot be sure that circumstance might not fan these latent opposition into something far stronger and more difficult to cope with. They are too strong already, and it belongs to us to provide such measures as shall prevent their growing stronger. We must direct much of the loyalty which is now attached to individual colonies to a central ideal of the national life of Australia, so that our countrymen shall exhibit their loyalty to the nation, and the nation only, and shall feel that what transpires in any part of the colonies has as much interest for them as events occurring in the particular spot in which they dwell. Unless we have this centre of feeling, I am perfectly certain that the local sentiment which now exists may hereafter prove to be a serious stumbling block to any one who endeavours to solve the problem of union. One cannot but be struck with the fact that we

have now reached a stage of our existence which points in many ways to the timeliness of federation. Curiously enough, when the United States entered into their union, they had, roughly speaking, about the same population as we have at the present time; and the same remark applies to Canada. Curiously enough, also, the territory of the United States is almost exactly the same in area as that of Australia. The territory of Canada is somewhat larger, because the immense ice-bound districts to the north are included in it. The climatic differences which were considered to be so great a barrier to the union of the United States are greater than the climatic differences here. The geographical difficulties which had to be faced by the early delegates to Congress in the United States were infinitely greater than we would have to face in attending a central meeting of the representatives of Australia. And as Sir Henry Parkes pointed out, the prosperity of these colonies — their wealth, revenue, resources — are enormously larger than were those of the United States, and also larger than were those of the Canadas at the time of their union. All these circumstances

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seem to point to the fact that if we are to follow on the same lines we should be to-day close to the same point at which they found it to their interest to merge their separate selves into a common nationality. We should note, finally, that the United States and Canada had to deal with bodies as free and independent as our own. Each state of the United States, and each province of Canada, was as independent of every other state or province as each colony of Australia is of every other colony. Yet, in both of those instances, our own kinsmen, enjoying local self-government to the same extent that we enjoy it, found it to their mutual interest to create another and higher form of government. If we take the verdict of those countries to-day, if we ask any intelligent American or Canadian whether he would wish that the wheels of time should be rolled back, and the union his country enjoys dissolved, he would regard the question as so preposterous as scarcely to demand an answer. In each case they point with pride to their union; they celebrate it, and there is not a voice raised to regret it — on the contrary, they date from them all the progress which has been made. While Mr. Playford was perfectly right in saying that our horizon abroad is calm and clear, compared with the horizon that surrounded the men who federated the United States and Canada, yet, at the same time, it is not without its threatening clouds. We

have, in the first place, in the neighbouring islands of the Pacific, a storehouse of confirmed criminals, whom we have not yet succeeded in either confining to the place to which they were sent, or, in more than a modified way, diminishing their influx. We may be faced at any time by serious difficulties in connexion with the *recidivistes*, who will seek in our cities the means of pursuing the infamous practices, from which they are debarred in their place of detention, and it may be necessary to take strong action at any moment to protect our homes and our people from the consequences of this invasion. Then, again, in the islands of the New Hebrides and the Samoan group, it must be confessed that the political equilibrium is extremely unstable; the present condition of things may not

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continue for any length of time, and it may be highly desirable, when the hour arrives for finally settling their affairs, that the voice of Australia should be a strong and a united voice — a voice which will be listened to in London, echoed in the other capitals of Europe. We should claim to be recognised as the United States is making itself recognised in dealing with the destinies of these groups. United Australia will be called upon to face the largest problems. One has been in some measure already dealt with, but not yet finally solved — that of the influx of inferior races into the northern parts of the continent. There are questions arising with the Chinese Government which yet remain for final settlement; and in regard to which it is necessary that the peoples of these colonies should be able, through some recognised body, to speedily and effectually express their will. They must be prepared to support that will by united action when necessary. The immense importance of the issues involved is such as to furnish the strongest argument in favour of all early union — indeed they are so strong as to suffice in themselves to justify it. In connexion with this and other questions, none of its doubts that the weight attached to our wishes would be enormously increased if we had a supreme representative of the Crown, in the person of a Governor-General, and one Agent-General in London, through whom United Australasia could express its views with the certainty that they would receive courteous and considerate attention. I say that in these respects we have everything to gain, and if our neighbours in those superb islands a little removed across the sea will realize how closely their interests are bound up with our interests in the Pacific and how

necessary it is to gain the ear of Ministers in London, and impress the great powers of Europe, they will see that they too have much to gain by inclusion in such a Dominion. There is yet another class of cases that are dealt with in the United States and Canada by means of the federal authority, and which, in a lesser degree, will be required to be dealt with in these colonies by the same authority. I refer to the settlement and supervision of territories outside the States of the Union. It is

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proposed, I believe, by the Bill which will shortly grant Western Australia the local government which all Australasia has long wished her, to confine the new colony to the territory south of the 26th parallel, while the territory north of that is to be governed by Western Australia under the control of Ministers in England. We have already in New Guinea a Crown colony of a certain type which would also require to be administered, and it is possible, of course, that there may be yet other territories carved out of Australasia or the surrounding islands. Can it be doubted that it would be better that the Executive of Federal Australasia and the General Legislature of Australasia should be the bodies entrusted with their control, watching the gradual development of their resources, and providing for their gradual entry upon the rights of self-government, until they had become sufficiently advanced to justify their full admission to the Union. Such territories would be more sympathetically and more satisfactorily controlled by a Parliament of Federated Australia than by the best Cabinet of Ministers that could be collected in London. The action of an Executive in London must be tardy, costly, and hampered by want of local knowledge, while an Australasian Parliament would have the advantages of proximity and better acquaintance with the circumstances of the new lands, thus fitting it to watch over them with the parental care which young communities require. I shall say nothing of the control of our defences, which was the occasion of the summoning of the present Conference, because what the mover of the motion and Sir Samuel Griffith have urged renders further comment unnecessary. The facts that we have already an army of 31,000 men maintained on this continent, that we shall shortly have our own fleet, and that the annual expenditure on our military and naval establishment amounts to £800,000 afford evidence that the military and naval establishments of Australasia are reaching a point in their development at which they call for central executive

control. In addition to the new fleet, which will shortly form our first line of defence, there is a second line of defence (if I may use that term) which has developed in some measure in most of the

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colonies, especially in Queensland and Victoria, by the creation of a minor flotilla of torpedo and gunboats suitable for coast defence. These gunboats and torpedo boats would form an additional arm, which the Federal Executive would be able to largely increase, the great advantage of the colonies. Whatever land defences we may possess, we may find use in times of peace, and fullest use in times of war, for an Australasian coastal squadron, which would protect our ports and harbours from any danger which may threaten them. With regard to work which might be better done by a Federal Government than by the separate Governments of the colonies, it is questioned whether, when the Convention comes to consider all the issues raised (which I do not enter into), it will not be decided that the larger part of the work should be left to the local Governments. It is argued that public works, for instance, would be more satisfactorily carried out by the local Govern of any of the colonies. The Federal Government would also be

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able to manage these means of communication with a success that even all the colonies in union could scarcely hope to attain to. Mr. Playford, I was glad to notice, agreed that the marriage, patent, and currency laws should be dealt with by the Federal Government, instead of by the separate authorities. These admissions of the honorable gentleman showed how truly his co-operation may be relied upon in almost every direction. Then we are faced by the “lion in the path” — a Customs Union. This obstacle has been considered as presenting various aspects of menace and terror. Mr. Playford considers it formidable, but Sir Samuel Griffith does not, and both gentlemen have considered the means by which the lion may be made a serviceable animal. There are to be a few more years in which he is to satiate his appetite, and after that he is to become the obedient humble servant of the Federation. Until then he is to be allowed to prey upon neighbour and stranger alike. If this suggestion is to be adopted, the position which the Federal Government would find itself in would be the rather uncomfortable one of a Government without any great source of revenue, unless it be specially endowed with some new powers of taxation, the operation of which would hardly introduce it in a favorable fight to the inhabitants of this continent. Knowing that this subject will have

to be thrashed out by the Convention, I pass it by with scant treatment. I desire to say, however, that if the suggestion be adopted there will be one essential condition, without which a Federal Government will be an impossibility, and this is, that if the local tariffs are to be maintained for a period of years it will be absolutely necessary that their collection should, from the first day of the formation of a Federal Government, be undertaken by the officers of that Government, even if the revenue has to be afterwards paid over into local treasuries. There must from the first be a Federal control over all the ports of Australasia by Federal Customs officers. It will be necessary for the Federal Government to have the means of maintaining itself. It must receive the Customs revenues, and deduct what it is authorized to deduct, paying back to the several colonies the surplus there

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would be over the small expenditure upon such a form of government. I cordially agree with the statement that a common tariff is a *sine qua non* of national life. There can be no true union which does not include a Customs Union. I will not yet admit that it is necessary that it should be even postponed. Another matter to which I would wish to call special attention is that, in a Federal Judiciary, we shall have one of the greatest gains and one of the strongest powers of the federation — not simply by the creation of a Court of Appeal in Australia, which should avoid the necessity of appealing to the Privy Council in London, but by the establishment of a judiciary in which, if we adopted the model of the United States, we should obtain one of the organizations by which the power of its union makes itself felt and obeyed in all portions of its vast dominions. In that monumental work by Mr. Bryce, *The American Commonwealth*, are summed up, in the most perspicuous and able manner, almost all the lessons which the political student could hope to call from an exhaustive, impartial, and truly critical examination of the institutions of that country with which we are so closely allied. As a text-book for the philosophic study of constitutional questions it takes its place in the very first rank. In this volume, Mr. Bryce points to the fact that the authority of the judiciary in the United States is not, is often integrated by Englishmen, an authority only of a Court of Appeal sitting at Washington. On the contrary, while nine judges sit as a Supreme Court of Appeal, there are 60 other judges scattered through the States, composing the Federal Judiciary. The powers with which

the courts are entrusted, and the cases with which they have to deal, indicate the reality of the federation of the states comprising the Union. The cases dealt with by the Federal Courts include, “cases in law and equity arising under the Constitution; the laws of the United States and treaties made under their authority.” They also deal, according to Bryce, with “cases affecting ambassadors, other public ministers, and consuls;” “cases of admiralty and maritime jurisdiction;” “controversies to which the United States shall

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be a party;” and “controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens, or subjects.” If a resident in Massachusetts has an action against a citizen of New York, and he does not feel justified in having his case tried in New York, it can be taken to the Federal Court. If one state has a cause of difference against another state, neither need consent to its cause being tried in the courts of the other. Exactly similar circumstances must arise throughout Australia. What we shall require will be, not simply some Federal Court of Appeal to hear cases after they have been dealt with in the courts of the colony, but a Federal Judiciary, with Federal Courts in all the colonies.

Mr. T. PLAYFORD

— We shall establish a lot of additional courts at a great deal of unnecessary expense.

Mr. DEAKIN

— If the honorable gentleman will look at the proceedings of his own Parliament he will find that, two sessions ago, an important Act was passed to enable creditors on the South Australian side of the border to recover from debtors passing to our side. In the course of the debate on the subject numbers of instances were mentioned, in which the people of South Australia had suffered great hardships for the want of such a law. If the honorable gentleman will question mercantile men and others, he will find that the present law by no means meets all their wishes. In fact he will find that the laws and the courts at present provided are in many respects inadequate to meet requirements. The honorable gentleman need have no test on the score of expense. The several existing colonial courts would probably be to some extent superseded, and their jurisdiction limited or else they would be federalised. The expense of

maintaining these courts would be infinitesimal, not a decimal per cent. of the income of the smallest of the Australasian Colonies, while the benefits conferred by them upon large

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classes would, I am sure, be found to be of the greatest value. Leaving these details, which I have only ventured to touch upon in a fragmentary way, and sympathizing with the strong stand made by Mr. Playford on the supposition that the powers and privileges of the different local Governments were to be assailed, and being as prepared as he is to do my utmost in their defence, I believe that we would act idly unless we admitted from the first that in the creation of a Federal Legislature and a Federal Executive we meant them to be the organs of a Sovereign state — a state which would not be a figment or shadow, nor exist only on the sufferance of the local Parliaments, but which would draw its authority straight from the people of the different colonies, obtaining from them the plenary powers to be exercised by it within certain limits. The great lesson taught by Mr. Bryce in his magnificent work is that the strength of the United States Government lies in this, that although it is a Federal Government, under which each State of the Union is theoretically and actually independent in respect to all concerns of local life and legislation, it has nevertheless sovereign authority in that it is gifted with powers which act directly and immediately on every citizen of the entire country. It is not dependent on any state for one cent of its revenue, nor upon state officers for any act of administration, nor upon State Courts for any decision in its favour. Except that the state legislators elect the members of the Senate there is no connexion between the states and their Central Government. The Union is not concerned to have their support, nor does it seek their aid for the forces it maintains. It is a Sovereign state acting directly, without any intermediary, upon the citizens from which it springs. (Hear, hear.) I am glad that view is concurred with. I am glad to think that we shall see a Sovereign state in Australasia which will be able to act directly through its judiciary, and in other ways, on every citizen within its borders, and be in every respect and in all its powers the equal of any state in the world. Were we to aim at crippling, maiming, or enfeebling the local Legislatures, we would aim at doing something not only wholly

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unnecessary for our purpose, but something which would actually injure the Federal Government we are seeking to establish. There

should be and must be nothing antagonistic between a Federal Government supreme in its sphere and local Governments supreme in their spheres. It is perfectly true that there must be a division of authority, that some of the powers of the local Governments will have to be transferred to the Federal Government, but the judges of the powers to be given to either body must not be either the local Governments with their jealousies, or the Central Government with its ambitions. The judgment must come from those whom both exist only to serve — from the people themselves. So far both the local and central authorities must be regarded as on the same platform, because as it is in the national interest that there should be a differentiation of the powers of Government into central and local Governments so in settling that division only national interests ought to be considered. What we have to study is how to give the central authority all the powers which can be best exercised by such a body to the distinct advantage of the whole of the people. Those powers it ought to have; but it is not to be entitled to acquire them in such a way as would enfeeble the different local Governments, on whose healthy life its successful existence must largely depend. As well might it be attempted to enfeeble municipal institutions in order to aggrandize Parliament, the fact being that parliamentary Government depends very much for its smooth and easy working upon the smooth and easy working of the minor local bodies. There are an infinite number of issues which no central Parliament could deal with, but which necessarily belong to the local Legislatures, and which they should be able to deal with in the present manner. For my part, I think we should seek to strengthen the local Legislatures by every possible means. We should, as Mr. Playford says, leave them every power it is possible for them to exercise in the interests of the whole community. If more power can be given them for that purpose than is conceded elsewhere, let it be granted, but let us give the Central Government just as emphatically

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a full and unfettered power so far as the interests of the whole people demand it. I find Hamilton, one of the greatest of the founders of the American Constitution, saying —

“The establishment of a Constitution in time of profound peace by the voluntary consent of a whole people is a prodigy to the completion of which I look forward with trembling anxiety.”

And I think that although it would be arrogance indeed for the founders of an Australasian Constitution to measure themselves with men of the exalted moral character and splendid abilities of the founders of the great Republic, they may still approach their smaller task with much the same feeling. I do not quite concur in the statement that all great reforms must come from the people, but I fully admit that success in carrying out such reforms must come from the people. No success is possible without their sanction. All that is possible for this Conference or a Convention to do is to present to the Australasian people a means by which they can, if they so please, transform themselves and their separate segments into a great and united nation. I do not fear the result of an appeal to the people. Indeed, when the question is submitted to them, and a Constitution thoughtfully drafted by the representative men of all Australasia is presented to them, I shall be much astonished if the verdict from one end of the continent to the other is not an emphatic approval of what has been done. I would be alarmed if I could conceive of any other possibility. But that lies in the future. One thing we shall do in creating a Central Government will be to call into active political existence a class of men who have hitherto shown themselves unfitted or unable to deal with local politics, or who have, perhaps, not desired to deal with them. We shall, I believe, bring into the field of Federal Legislation a large body of trained political intelligence and also a number of minds not at present employed upon political issues, and we shall enable these to place at the service of the Union an ability and culture which shall be capable of conducting the business of the nation in a manner befitting its powers and its promises. The task which has fallen on the members of this Conference is in every

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sense preliminary, but it is a task which we can discharge, in all humility, yet with perfect confidence that the Parliaments from which we have come will subsequently consider this question in a truly national spirit. A far greater task awaits the Convention, which will be called upon to frame a Federal Constitution. This will be a work of transcendent responsibility, yet the Constitution then shaped will, after all, however admirable, not be a final Constitution. There is not the least need to suppose that the Convention, when it addresses itself to its task, will do so under the impure time will not be absolutely perfect, and that if ever it is found not completely adapted to the circumstances of the Australian

people it ought to be altered, and will be altered by them to suit themselves. In conclusion, I think we need have no doubt that the people of these colonies, who have so wisely and well amended the Constitutions they obtained from the mother country, will be

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found perfectly able, not only to frame a Constitution, but also, if necessary, to amend it so as to enable it to satisfy all reasonable needs. Indeed, it is upon this confidence in the capacity of our people for self-government that all our aspirations rest. It may be said of them, as Milton, in one of his pamphlets, said of the people of England —

“Lords and Commons of England, consider what nation it is where of ye are, and where of ye are governors; a nation not slow and dull, but of a quick, ingenious, and piercing spirit, acute to invent, subtile and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to.”

If Milton could say that of the superb generation of which he was one of the most glorious representatives, I believe that, with all deference, we may say as much of the picked race of men who founded these colonies not half a century since. The generation now passing away has, first with the consent of the Imperial Government, and afterwards with the consent of our own Parliaments, moulded our local institutions so that whatever may be the few small flaws in them, we have Constitutions of which we are proud, and of which the wisest political thinkers have expressed their approval. Upon the generation now coming rests the greater task of framing a Federal Constitution which shall be for all the colonies what our present Constitutions have been to each of us; and when I recollect the fathers who have taught and trained them, and their achievements in this very sphere, I cannot despair of the result of the task committed to them nor question the ultimate triumph of those who are now entering upon the hour of their labour and their trial.

The Conference adjourned at a quarter to six o'clock p.m., until eleven o'clock a.m. the following day.

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Tuesday, February 11, 1890

Debates of the Federation Conference, 1890. Held in the Parliament House, Melbourne 1890.

Tuesday, February 11, 1890

The Public were admitted to the Conference Chamber at five minutes to Noon, the PRESIDENT (Mr. D. GILLIES) being then in the Chair.

Union of the Colonies

Discussion of Sir Henry Parkes' motion, in favour of an early union under the Crown of all the Australasian Colonies (proposed the previous day), was then resumed.

Mr. A. INGLIS CLARK said

— Mr. President, the honorable mover of the proposition now under discussion by the Conference stated, at a very early stage of his speech, that the question of Australasian Federation had engaged the attention of leading statesmen in New South Wales and Victoria very soon after the adoption of responsible Government in those colonies, and that since then the subject had been discussed by them from time to time until the meeting of the Convention of 1883, which resulted in the production of the Federal Council Act. Mr. Playford, one of the representatives of South Australia, followed that statement with another to the effect that the question of federation had never got beyond the stage of being considered by the leading statesmen of the colonies — that it had never yet been taken up by the people of the colonies — and that until it was so taken up we could expect no good result either from this Conference or from any number of future Conferences like it.

Mr. PLAYFORD

— I alluded to complete federation, and I spoke for South Australia only.

Mr. CLARK

— I assume that none of us can speak very decidedly for any colony except the one in which we live our daily life, and I feel that I can speak for the people of Tasmania, and say that they are quite ready, and even anxious, for federation; and perhaps I may be permitted to add, as a frequent

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visitor, during the last ten years, to Victoria and New South Wales, that I have formed the impression that the majority of the people of those colonies are animated by a very similar sentiment. Surely, if that is the case, I may fairly trust that this Conference will be productive of solid results. Of course, as to public opinion in South Australia, I can offer no opinion whatever. I take it for granted, however, that the honorable gentlemen who represent that colony in this Conference are perfectly qualified to tell us the state of popular feeling there on the federation question, and if it is as backward as Mr. Playford seems to indicate, I may nevertheless hope that this Conference, which speaks to all the colonies, will assist the education of the South Australian people on the subject. I will hope, also, that the representatives here of South Australia will be so impressed with the sincerity and earnestness of the representatives of the other Colonies, that when they return to their homes they will do so convinced that they have a mission to strive all they call to persuade their fellow-colonists to take all interest in, and to be eager for, the federation that is bound to come. Perhaps I cannot do better, at this stage of my remarks, than express the feeling, which I believe exists throughout Tasmania, namely, that it would be a very good thing, supposing all the colonies to be not quite prepared to bind themselves at once into federative union, if, as a beginning, four or five of them were to do so. For myself, I would be perfectly willing, and I am sure that so far I simply echo the voice of the colony I represent, to advocate a federation including the colonies of Victoria, New South Wales, Queensland, and Tasmania — four continuous colonies. Of course, I greatly hope that this Conference will produce larger results than that, but I am reminded that such was the beginning of the federation of the Canadian Dominion. Originally only four colonies joined. Three others subsequently came in at different dates, and others are still standing out.

Mr. PLAYFORD

— Originally, only three colonies joined — Canada, New Brunswick, and Nova Scotia.

Mr. CLARK

— Upper and Lower Canada were two provinces.

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Mr. PLAYFORD.

— But under one Parliament.

Mr. CLARK

— At all events, the representatives of four provinces met

together for the purpose of federating.

Mr. PLAYFORD

— That is correct.

Mr. CLARK

— Again, lest four or five colonies should be thought too small a number to federate, I would beg to call attention to the fact that when the subject of federation was first taken up in Australia, as mentioned by Sir Henry Parkes yesterday, there were in the whole of Australia only four self-governed colonies, namely, New South Wales, Victoria, South Australia, and Tasmania, and, in the federation then proposed, only those four colonies could have been invited to join. With these facts before me, I cannot help thinking that even supposing South Australia or any other colony could not see its way to federate at once, it would be quite open to the four contiguous colonies I have mentioned to join in a federal union forthwith, at the same time making provision for any other colony standing out to join them when it felt inclined to do so. Mr. Playford went on to say that, in his opinion, the difficulties in the way of Australasian Federation are greater than those which the people of Canada, or the people of the United States, had to grapple with when they federated. Well, I believe that with respect to Canada that statement was to a large extent correct. The honorable gentleman supported his assertions by an unquestionably very interesting and very correct account of the way federation was brought about in Canada. He reminded us that the question was first taken up there during the Civil War in the United States of America, and that fear of invasion from the United States greatly accelerated the federation movement in Canada. It is quite true that we have no similar difficulties or dangers to force us into federation; but, let me observe, neither had the people of the United States when they adopted their present Constitution. They had achieved their independence, and they were at peace with the whole world. ("No.") Notwithstanding that contradiction, I think I can prove my

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statement by referring to an authority I scarcely think any honorable gentleman here will attempt to contradict. The great difficulties which the United States had to contend with at the time I speak of, and which induced them to adopt their present Constitution, were, in fact, exactly the same as those which we have to contend with.

Sir HENRY PARKES

— Hear, hear.

Mr. CLARK

— If there is an author who has more than another the right to be heard on this subject, it is the famous American statesman who is prominently known in the literature of that country as the great expounder and defender of the American Constitution, and as the most powerful intellect that ever appeared in the political arena of the United States. In fact, it was on account of his enormous abilities, together with his intense love of the Union, and the vast service he rendered in educating his fellow-countrymen up to the standard of union, and in indoctrinating them with that affection for it which eventually carried them successfully through the Civil War, that a large proportion of his countrymen forgave him the action taken by him on the great moral question of slavery. I need scarcely say that I refer to Daniel Webster, who had during his life frequent occasion, both in the Supreme Court and in the Senate of his country, to refer not only to the origin of the Constitution, but also to the motives which induced the different states to enter into it. Here is a deliberate statement by him on the subject I have referred to. Before the Supreme Court, in the case of *Gibbons and Ogden*, he said —

“Few things are better known than the immediate causes which led to the adoption of the present Constitution, and there is nothing, I think, clearer than that the prevailing motive was to regulate commerce,” —

Not any necessity to arm in defence against a foreign foe, nor any dread of civil war between different states, nor any difficulty of the kind, but —

“to rescue it from the embarrassing and destructive consequences resulting from the legislature of so many different states, and to place it under the protection of a uniform law. The great objects were commerce and revenue, and they were objects indissolubly connected.”

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Are not these the great difficulties which we in Australasia have to contend with? Is it not motives of a precisely similar character that are urging us towards federation? Again, in his great speech in the Senate, on the Sub-Treasury, he spoke as follows: —

“Sir, whatever we may think of it now, the Constitution had its immediate origin in a conviction of the necessity for this uniformity or identity in commercial regulations. The whole history of the country, of every year and every month from the close of the war of the Revolution of 1789, proves this. Over whatever other interests it was made to extend, and whatever other blessings it now confers, or hereafter may confer, on the millions of free citizens who do or shall live under its protection, even though in time to come it should raise a pyramid of power and grandeur whose apex should look down on the loftiest political structures of other nations and other ages, it will yet be true that it was itself the child of pressing commercial necessity. Unity and identity of commerce among all the states was its seminal principle. It had been found absolutely impossible to excite or foster enterprise in trade under the influence of discordant and jarring state regulations.”

But I will offer no more quotations, for we are here, I presume, rather to give our own reasons for Australasian Federation, than to refer to other authorities, however admirable or eloquent they may be. I will therefore content myself with what I have already cited in support of my contention that the difficulties we have to grapple with are in the main exactly those which the United States of America had in their way in 1787. On these grounds, I regard some of the statements on this subject which Mr. Playford put forward as scarcely correct, although I believe he was substantially accurate in his assertions with respect to the formation of the Canadian Dominion. After the very able and interesting speech of Sir Henry Parkes, came one of the most important and practical utterances we in this Conference have yet listened to, namely, that delivered by Sir Samuel Griffith, one of the representatives of Queensland. He very frankly and properly submitted that while we all admit the advantages of federation, and are willing to anticipate its coming glories, we are nevertheless bound at the present time by every reasonable consideration to look fairly in the face the

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difficulties which stand in the way of its accomplishment, and to attempt to discover, through careful discussion and deliberation, some means of obviating them. The principal difficulty which he seemed to think lies in our path is that connected with the revenues of the respective colonies, and he pointed out that the majority of each of those revenues is largely derived from duties on goods imported from other colonies. What he laid stress upon was that in every colony the Customs Department produced the largest portion of the total revenue, and that that portion chiefly consisted of duties

imposed on intercolonially imported articles. Now, I don't think that this state of affairs presents such a difficulty in the way, of federation as Sir Samuel Griffith appears to imagine. Certainly, if we were to do in Australasia what was done in Canada with regard to the public debt, the difficulty, if it is one, would immediately vanish. We know that the Dominion Government of Canada took over the whole of the public debts of the various colonies included in the Federation, and made an adjustment on the subject which put each colony in an equally fair and advantageous financial position. Well, if the Government of the coming Federation of Australasia were to similarly take over the public debts of the several colonies of the group, surely each of them could very well afford to surrender the revenue derived by it from the particular source alluded to. I think this will appear clear from a few figures which I have put together since yesterday, and which show the proportion of revenue derived by each colony from Customs duties on goods imported from neighbouring colonies, and also the amount paid by each colony as interest on its national debt. Let us first take South Australia. We find its total annual revenue to be £2,354,743, about one-fourth of which, namely, £531,964, comes from duties of Customs. On the other hand, South Australia pays annually, as interest on its national debt, the sum of £794,922, or about £160,000 more than the whole of its Customs receipts. Now, it seems to me that if t

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Sir SAMUEL GRIFFITH

— But from where is the Central Government to get the money wherewith to pay the interest?

Mr. CLARK

— I cannot quite understand the question. Will not the Central Government be able to collect what it wants?

Sir SAMUEL GRIFFITH

— Without Customs revenue from intercolonially imported goods, the aggregate income of each colony would be diminished by at least half a million sterling.

Mr. CLARK

— But the loss could be made up by duties on goods imported from other parts of the world. For instance, I find that South Australia imports from the other colonies less than half the quantity of the goods she imports from elsewhere. Speaking roughly, the difference is that between 44 per cent. and 97 per cent. The revenue

which she would hand over to the Central Government would be, in fact, about £260,000, so that her bargain in the matter would be a good one.

Mr. PLAYFORD

— South Australia would have to pay heavier Customs duties in order to make up the difference.

Mr. McMILLAN

— Don't go into figures.

Mr. CLARK

— I simply wished to show that South Australia, which I only referred to as an example, would be a gainer instead of a loser by the proposed transaction. There are also other aspects of the question to consider. I don't suppose that any one will imagine for a moment that when the Central Government is established it will for all time derive the whole of its revenue from Customs duties. It will have other sources of revenue. I never intended for one moment to convey that the Central Government would be able to obtain in the way I have alluded to all; the revenue it would require in order to pay interest on the different national debts of the colonies, and at the same time to carry on its other work. Every Government in the world goes in for both direct and indirect taxation, and possibly the Central Government will adopt some sort of direct or territorial taxation. Sir Samuel Griffith said himself that a

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uniform intercolonial tariff must come some day. Well, if a uniform tariff is to come, what good is to be gained by delaying its advent? For my part, I don't think the position of affairs will be much improved by time. I have no wish to make this discussion turn in any degree upon the fiscal policy of the different Australian Colonies, but I cannot shut my eyes to the fact that some of the delegates who have spoken have done so on behalf and as the mouth-piece of colonies in which a protective policy is in force, and, I presume, as advocates of that policy.

Mr. DEAKIN

— Hear, hear.

Mr. CLARK

— That being so, I may be pardoned for looking at this question from the point of view of a free-trader. Well, taking the subject in that aspect, I don't think that delay will at all improve the position of affairs, by making the people of the various protectionist colonies more willing than they are now to give up their protective

tariffs. We have often heard it said — “Give us a protective tariff for a time and by-and-by we will be able to stand up by ourselves;” but that time, never seems to come. Instead, the cry is always for a little more protection, and, with that sort of thing going on, of course delay will call make matters worse. So far as South Australia is concerned, it will, therefore, be far better for her to come in now, when her protectionist tariff is only two years old, than at some future date — say, when it is twenty years old. Mr. Playford also said that he thought Sir Henry Parkes' speech was in reality as much against federation as in its favour, because he painted such an admirable picture of Australasia as she is, that the question arises — “ If we have done so well in our present state, would it not be better to leave well alone?” No doubt we have done very well in the existing position of affairs, but who will say that we would not have done much better with federation from the start? I do not think it has been hitherto generally known that when the draft Bill “for the better government of the Australian Colonies” was first submitted to the Imperial Parliament in 1849, there was a provision in it for the establishment of something like federation, that is to say, for the adoption of a uniform tariff by a central body representing the several colonies. That Bill was supported by both sides of the House of Commons, and it passed there by a majority of 98, but for some inexplicable reason some member of the House of Lords moved the excision of the federation clauses, and they were struck out. Who can say what the history of the Australian Colonies would have been had not a foolish lord — if I may use the expression — proposed the omission of the clauses I refer to, which, if they had been retained, might have given us, more than a generation ago, the very uniform tariff and Federal Executive we are now seeking to establish? Mr. Playford shakes his head.

Mr. PLAYFORD

— It was at the expression “foolish lord.”

Mr. CLARK

— But whether things would have been better in the past or not, we know that nothing in the world remains always in the same condition. Change is the law of life, and if we are to live in the best sense of living, that is to say, attain to a wider, fuller, and higher life with regard to public matters, each of the communities we represent must emerge from provincialism and enter upon something better and larger than the separate existence of a separate colony. But if we remain apart for any considerable length of time it

may be that unforeseen difficulties and dangers — such difficulties and dangers, for instance, as forced the Canadians into federation — will arise on Australasian soil to overwhelm us. I don't pretend to indicate how such dangers and difficulties would develop themselves, or what, if they came, their nature would be, but I think it quite reasonable to suppose it to be possible that were we to continue as separate as we are for an indefinite period, contingencies of an unforeseen character would occur to cause some generation yet to be born to look back upon past events with the thought — “Oh! would that the delegates at the Melbourne Conference of 1890 had taken the step forward which was so necessary for the interests of the Australasian Colonies — that they had looked more to the possibilities of the future — and given us then that federation which

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we are now with toil and suffering endeavouring to obtain.” I hope however, that this Conference will not, in future history, be characterized in any such fashion, but that, on the contrary — although we may have to be followed by it Convention, clothed with full authority to prepare an Australasian Constitution — we will be remembered as having done all in our power to promote, rather than retard, the great movement. Mr. Playford also dealt to some extent with the question of the Victorian tariff and retaliation. Well, I thank him for the frankness with which he approached the subject. I think it would be a pity were this Conference to dissolve without the representatives of each colony stating, with the utmost plainness, what they think of the past action of the different colonies towards one another. For myself, I propose to endorse nearly everything Mr. Playford. said with regard to the Victorian tariff, because I think Tasmania has suffered from it even more than South Australia has. In fact, I might accuse Victoria of having actually broken faith with my colony in the matter of a certain reciprocity treaty. But I have not come here to indulge in retaliatory speeches. Indeed, I am willing to forget all the past, and to fight for the union of Victoria and Tasmania in the future, even if I do so on the low and selfish ground that with such a union we would no longer suffer from hostile tariffs, and no breach of faith, such as I have referred to as occurring in the past, could possibly be repeated. I hope the representatives of South Australia take a similar view. If South Australia has in the past suffered from Victoria —

Mr. PLAYFORD

— Oh! we are quits now.

Mr. CLARK

— The question of the Canadian Constitution has been several times mentioned in the course of our proceedings, and its difference from that of the United States has been somewhat touched upon. On this point I would say that I think it would be well were each of us to state more or less precisely what kind of confederation we would individually advocate, and also what kind of confederation each colony represented by us

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would respectively be satisfied with. For my part I would prefer the lines of the American Union to those of the Dominion of Canada. In fact, I regard the Dominion of Canada as an instance of amalgamation rather than of federation, and I am convinced that the different Australian Colonies do not want absolute amalgamation. What they want is federation in the true sense of the word. The British North American Act, under which the Dominion of Canada was established, not only goes on the principle of defining the powers of the local Legislatures, as well as the powers of the Central Legislature, but also says that everything not included in the jurisdiction of the former is included in the jurisdiction of the latter, and it enables the Central Executive to veto the Acts of the local Legislatures. Well, I believe that, in the course of time, those who live to see the outcome will find the local Legislatures of the Dominion reduced to the level of the position of large municipalities, and that Canada will have ceased to be, strictly speaking, a federation at all. On the other hand, the American Constitution, as we all know, defines the powers of the Central Legislature, and reserves everything not included in them for the local Legislatures, It has been supposed that this has been a source of a deal of controversy and trouble in the United States, and the real cause of the Civil War. I differ from that opinion, I believe that the cause of the political controversies of the United States, which resulted in that war, was the question of slavery. If we have a lion in the path in the way of the tariff, certainly the American Union had a serpent in its way in the form of that tremendous question. It roused all the passions and the faculties of human nature, good and evil, on one side or the other, and induced attempts to give the most tortuous interpretations to the Constitution, either to assist or resist its encroachments. Well, Mr. President, we shall be cursed with no such question in Australia. Therefore, I do not think we need fear to

go upon the lines of the Constitution of the United States in defining and enumerating the powers of a Central Legislature, and leaving all other powers to local Legislatures. Readers of

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American history must have been frequently struck with the merits of the American system, in preserving that local public life of the various states which is so dear to the native American of every state. And when we notice to what a large extent the United States has grown, both in territory, population, wealth, and industry, we call scarcely imagine that that, great community could flourish with such a variety of interests and industries, and with such a variety of national life, under any other system than that under which it lives. So far from the local life of the states being the cause of political irritation, controversy, and dissension, I firmly believe that if the American Union were now constructed on the lines of those of Canada, there would be far more danger, dissension, irritation, and disunion in the future than exist at the present time. In fact, the opinion of many of the most eminent publicists of Europe is that the salvation in the future of America as a united nation is the large amount of the local autonomy of the states. When we observe the large territory which we have in Australia — territory which we hope will some day be peopled to the same extent as is that of the United States — and when we notice the variety of climate and soil which will produce so great a variety of industrial and social life, we must come to the conclusion that we also ought to have a system which will preserve local public and national life in the same manner as it is preserved in America. It is quite possible that we may profit by the past experience of America, and give to the Central Legislature some few more powers than is possessed by that of the United States. It may be that we may even actually learn something from the Constitution of the present small Federal Council of Australasia, which has a provision not possessed by any other Federal Constitution in the world, and that is a provision that two or more colonies may refer any particular subject to the Federal Council, to ask it to legislate upon it, and that it will then become law in those colonies, and, thereafter, in any other colony which may choose to adopt it. I firmly believe that many of the difficulties which have arisen in America, which the

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local States can not deal with, and which the Central Legislature, for some reason or other, has not seen fit to deal with, might have been met in that way. We can scarcely imagine that the Congress at

Washington would refuse to legislate on my particular matter at the request of four or five states if it had the power to do so, and if the legislation so requested would affect only the states that asked for it. Congress would undoubtedly say, "it affects only the states which have asked us to legislate, and by all means let the power asked for be so exercised by those who desire it." The question of the management of post offices and telegraphs has been touched upon by Mr. Deakin, who seemed to think that these institutions were amongst those which must be left to local Legislatures. I am not, at present, prepared to follow the honorable gentleman in that opinion. I think the post office ought to be, in a sense, a national rate, irritation and discontent would certainly be produced. This would not be carrying out the principle of the local Legislatures being sovereign within their own spheres, and in regard to the matters especially committed to their care. In order to secure uniformity of rates, "As well as efficiency of management, I should be inclined to follow the example of America, and place the post office under a Central Government. This, however, is a matter of detail, which may not properly be within the range of our discussions at the present time. As Mr. Deakin mentioned the matter, however, I thought I was perfectly justified in also referring, to it. The honorable gentleman also referred to the advantages which would arise from a Federal Judiciary. I think he said all that could be said upon that question. I would add to his remarks upon that head, the opinion that the colonies would be able to obtain from such an institution what, to me, as a lawyer, and I presume to Mr. Deakin and Sir Samuel Griffith as lawyers, is of great consideration, and

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that is a higher education for our colonial judges. A judge, if he is to be worthy of his position, and desires to do good work for his country, must continue to learn after he goes on the Bench as well as before. It appears to me that where a system of gradation of courts exists, the judges will learn both from above and below. Every judge who knows how to take advantage of his position can, and does, learn from the able men who practise in the court before him. He will also learn from the judges of the court above him, to unlash an appeal lies from his decisions. At the present time, the only appeal we have is to the Privy Council. It is rarely invoked in Tasmania, and I find it is rarely invoked in some others of the smaller colonies. I do not know that it can be said to be frequently invoked even in the larger colonies. The consequence is, that the

judges in several of the colonies sit without that sense and feeling of responsibility which we know would have a beneficial effect did they but realize that their work is open to the review of a higher court. If we had a Federal Court of Appeal, its aid would be invoked much more frequently than is the aid of the Privy Council now invoked, and the results, I believe, would be beneficial. Sir Samuel Griffith has very properly said that this question of federation after all, is one to be dealt with by the public opinion of the several colonies. The honorable gentleman expressed the opinion that the absence of any results of the Act of the Imperial Parliament enabling any two or more colonies to enter into a reciprocal treaty with regard to Customs duties proved, to some extent, the absence of public opinion on the subject, and the difficulties which lie in the way of anything like federation. I feel tempted to reply to that observation by saying that it is only another illustration of the inefficacy of half measures. It is said that a half-truth is the worst of lies, and that half measures at all times are worse than none. Although great things were expected of it at the time, and although I believe it is capable of producing good results, nevertheless this Imperial Act is one of those half measures which always disappoint. I would ask the Conference to let this be a warning to them in regard to the

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adoption of half measures. Let us go the full length of a complete federation, or else we shall discover that the results of an incomplete federation which some advocate will be similar to the Act of the Imperial Government to which Sir Samuel Griffith referred. I regard federation as such a great and grand thing in itself, that I don't for a moment believe that even a measure of it, if productive positive results, call in any way be disadvantageous. I believe even in the measure of federation which we possess in the Federal Council. That body has done some good work, and it would be capable of doing much more if all the colonies were represented in it. Speaking for the people of Tasmania, I believe I am justified in saying that if a complete federation cannot be obtained, they would be content to accept an incomplete federation. They would be content to take one step further, hoping for a still greater step to be taken in the future. But it appears to me that there are more difficulties in the way of incomplete federation than of complete federation. If we take another step, and attempt to add to the powers and increase the numbers of the members of the Federal Council,

we shall immediately be faced with the problem of the taxing power. If you are going to increase that body and to give it greater power and dignity and larger functions, you must inevitably give it a revenue and an Executive, and if you are going to give it a revenue you will immediately be met with the question as to the proportion of the representation of the various colonies. Are you prepared to give equal representation to all the colonies in a single Legislature possessing taxing power? I am afraid that the larger colonies would object to this, and if there is unequal representation with taxing power, it is likely that the smaller colonies would think they stood in danger of being swamped and out-voted. The only solution of the problem is the adoption of the bicameral system. But if it is once determined to go in for a bi-cameral Legislature with taxing power and an Executive of its own, all other questions would be matters of such detail that they would not be worth while reserving. The partial measure of federation which some people talk about has been

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already taken in the formation of the Federal Council. That is the full extent to which a partial federation can practically and successfully go, and immediately you attempt to go further you must go the whole distance. That is the conclusion I have formed of this matter. In the course of this discussion, Mr. President, we have occasionally heard the sentimental side of the question mentioned, that is to say, one aspect of the question has been referred to as the sentimental aspect. I have tried, up to the present moment, to deal with what appeared to me to be the practical side of the question, but I do not hesitate to say that I value very highly the sentimental side. Perhaps I value the sentimental side of the question more than I do the practical side, and I will give my reasons for that statement. It is generally supposed that we take a sentimental view of things when we are young, and a practical view when we get old; and they say that part of the discipline of life is to knock the sentimental view out of us. I always sympathized with, and admired very much, that utterance of Charles Sumner when he said, "I hope we are not going to exchange the visions of youth for the calculations of age." I hope that the vision of a Australian nation which is now before the eyes of Young Australians, is not one to be laughed at or knocked out of them by rough contact with the world. I remember very distinctly once reading an article in the *Princeton Review*, by Professor E. A. Freeman, the historian of the Norman Conquest,

entitled “The Sentimental and Practical in Politics;” and with that Wealth of historical illustration which he has at his command, and which he uses so skilfully, he demonstrated — at least to my judgment — that what had been in the early stages of every political question derided and ridiculed as its sentimental aspect afterwards proved to be its real practical aspect. I believe it will be the same with regard to Australian Federation, and that the sentimental side will prove to be the practical, or the basis of the practical. After all, sentiment is the basis of more than one-half of human life. We are sometimes asked what we mean by a nation and by national life. I believe a nation, as was stated by Sir Henry Parkes, is, first of all, a sufficient

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aggregate of population. You cannot have a nation with half-a-dozen individuals, nor yet with a few hundred; you must have a more or less extensive aggregate of population. But that population to be a nation must be localized. It must be located within certain physical limits, and must be responsive to the influences of its physical environment. I believe that it is to such conditions we owe all the nationalities existing in the world. Where a number of living units are brought in contact with each other within a given physical environment, there will be produced a distinct type of life, and, in the case of nations, a distinct type of national life. I believe that the physical environments of the French, the Italians, the Spaniards, and the combined with the inter-action of the units composing those peoples upon one have produced the several distinct national types of manhood found in those countries. In Australia we have a population which is encircled by a definite physical environment, with a climate, soil, and other physical components peculiarly its own, and human nature in Australia is not going to be an exception to human nature all over the other parts of the globe. It will be influenced by its environment, and it will undoubtedly, in time, produce its definite national type of manhood in response to the action of that environment. We are proud to have sprung from the same race as the inhabitants of the British Isles. I believe, however, that it is our destiny to produce a different type of manhood from that which exists in those Islands. I believe a different type of manhood has already developed itself in the United States of America, and the same process is going on in regard to the countries of South America. But I believe that the distinct type of national life, which is produced by the causes I have attempted to

describe, will never come to perfect fruition, will never produce the best results without political autonomy. It is political autonomy which we are now asking for Australia as a whole. We have political autonomy in the several colonies, but we have come to the conclusion, I believe, upon the sentimental side of the question, that the several colonies are not large enough in their territory and population

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to produce that national life which we believe can be produced upon the wider field of a United Australia. We are asking now for the political autonomy of a United Australia, in order that that national life, which we believe will exist under those conditions, may be produced and may bear the best fruits. I believe this national life can exist without political independence, and without political autonomy, as a germ, or even as more than a germ. But it will never be satisfied, it will never do that which it ought to do, until it obtains political autonomy. Sir Henry Parkes has spoken of the movement now on foot in Australasia as the birth of a nation. We have all lived in a time, I believe, in which, what is called the birth of a nation, has taken place in Europe. I refer to Italy. I do not believe that Italy was really born when she became united under one Central Government. It used to be said that Italy was only a geographical expression that there were Tuscans, Romans, Venetians, Sardinians, but no Italians. But there was one Italian people, one Italian language, one Italian literature, one aspiration common to the Italians, to live a national life, and to obtain that political independence and unity to which they, at last, through much suffering, toil, and difficulty, eventually did attain. I believe that in Australia a similar national life to that which existed in Italy for generations before she had political unity and independence has commenced. It will go on and grow in the several colonies, whether we now assist or not in giving it that political independence or autonomy which it craves for, and which it deserves. That wave of Australian feeling to which Sir Henry Parkes has referred will go on in the future, and in spite of us, or in spite of any other Conference which may refuse to rise to the dignity of the occasion and do the work laid upon it, will produce that federation, unity, and political autonomy which our national life and aspirations require and demand, in order that they may have a free and adequate field for their expansion. There have been many Conferences amongst the colonies on various questions. This, however, is the first that has

been expressly called for the purpose of exclusively discussing federation. I will conclude by

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stating that I hope it will be the last. I hope it will be the last, not because we will have found our labours vain, not because we will have discovered that we have been chasing a dream, and that there is no room for a United Australia. No! but because I hope we may do our work so well that we may go back to our several colonies and obtain the assent of their several Legislatures to the meeting of a Convention, which, within a very short period, will produce a Constitution under which a United Australia will progress and flourish, and take its place among the nations, of the world.

Sir J. G. LEE STEERE

— Mr. President, I cannot hope that my effort of oratory or rhetoric on my part, will be sufficiently great to arouse the imagination of members of this Conference as regards the question of federation, because my mind is eminently a practical one, find I have little imagination in my constitution. I think, if I may say so without offence, that the debate that has hitherto taken place has had rather too much of an academic character, and has been a little too full of sentiment. We should now take the more practical view of the question. I have heard a great deal during the last few days about federation being in the air. I think there is a deal of federation in the air. We want to grasp it, and bring it down to the earth in order that we may grapple with it, and try to remove the difficulties which lie in the way. It is no use blinking the fact that there are difficulties in the way. It is a very happy omen indeed that in discussing this question we have with us representatives of New South Wales, because, whether it is true or not, there has been an impression throughout the Australian Colonies that the cause of federation has been delayed in consequence of New South Wales refusing to take any part in the Federal Council. I am very glad indeed to see the representatives of New South Wales present now, because I hope that before this discussion ceases either one or the other of those representatives will give us their reasons for having hitherto refused to join that body, and thereby, as I contend, delayed the cause of federation. From the correspondence which has been circulated in the different colonies, I am aware

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that Sir Henry Parkes has stated that for the last 25 years he has been in favour of federation, but the course taken by the honorable gentleman and by those who have followed him in New South

Wales must lead us to think that he really is not so favorable to federation as he has expressed himself to be, and moreover that the general public of New South Wales are not so favorable to federation as they are supposed to be. I think, too, that some confusion is caused in discussing this question in talking about Federation, based upon the Constitution of Canada, and there may be an incomplete Federation, based upon a Constitution to be drawn up in the future by us. Now the resolution proposed by Sir Henry Parkes is one we cannot disagree with. We are all, I am sure, convinced that “the earlier union under the Crown of all the Australasian Colonies” is an end to be highly desired; but I have a very great objection myself to discussing abstract resolutions of the kind now before the Conference. I am rather surprised that an old parliamentary hand, like Sir Henry Parkes, has not brought forward something more definite, because, as a long student of constitutional history and of parliamentary proceedings, I know that most leading politicians deprecate bringing forward abstract resolutions, which may to some extent excite public opinion, but, if they are not followed up by something more practical, lead to nothing. Therefore I was very sorry that Sir Henry Parkes did not follow this motion up by some further resolutions which would lead to some practical result. I believe myself that this motion was a kind of blank shot fired across our bows by Sir Henry Parkes, to make us show our colours. If that was his object he has to a certain extent gained what he desired, because every member who has yet spoken has declared what his views are. I gather indirectly from Sir Henry Parkes that he is in favour of a complete Federation, that is, of at once founding an Australasian Dominion based on the Constitution of Canada. I cannot say

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that I am quite certain from what Mr. Deakin said whether he is in favour of a complete Federation based upon the Constitution of Canada, or whether he is prepared to accept something not so complete. There is no doubt about the views held by Mr. Playford. He decidedly thinks that we are not at present in a position to go in for complete Federation, while Sir Samuel Griffith is willing to take what he can get. Mr. Clark has stated that he would prefer a Constitution based upon that of the United States, but he is prepared to go in at once for a Dominion Federation. I myself am of opinion that it is impossible at the present time to form a Federal Dominion of the type of Canada. The difficulties that stand in the way are

difficulties arising from the questions of finance and the fiscal policy, that every practical politician in the colony finds constantly confronting him. Of course, if we were to adopt a Federal Constitution based upon that of Canada or the United States we would have to give up all our Customs duties to the Federal Government. In doing that we would be following the lead of Canada, and my arguments at present are directed to the Constitution of Canada, and to the impossibility of our adopting it. Although I place these difficulties before members of the Conference, I hope that they will not think that I am at all opposed to a federal union. No one would rejoice more than I would if I could see a federal union of these colonies. We are in a very different position in these colonies to what Canada was when it adopted federation. Our position is very different financially — so different, that I see almost insurmountable difficulties to our following the lead of Canada, in this respect. When Canada adopted federation its public debt amounted to £21,000,000, and the interest upon it was £1,000,000 per annum. At the present time the total public debt of Canada is £40,000,000, whilst the interest is only £1,600,000. The loans have been consolidated, and less interest is paid now than before. The total amount raised by Customs duties in the Dominion is £4,000,000 per annum, which is £2,400,000 more than is required to pay the interest on the public debt, and in addition to that the Federal Government

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have other revenues amounting to £3,000,000. They have, therefore, a revenue independently of the provinces, and after paying the interest on the public debt, of £5,400,000 with which to carry on the general government. Now, what is the me with Australasia? At the present time, Australasia, instead of having a public debt of £21,000,000 like Canada, has a public debt of £168,000,000, on which she has to pay interest amounting to £6,365,000 per annum. These statistics are up to the end of 1888.

Mr. McMILLAN

— Does that include New Zealand?

Sir J. G. LEE STEERE

— Yes. How is this interest to be met? If we followed the lead of Canada, the Federal Government would take all the Customs duties. Would the Customs duties produce an amount sufficient to pay the interest on the public debt alone. In Queensland the proportion of the total revenue raised from Customs duties is about one-third. In

New South Wales — and this will astonish some people, because I have heard it said that New South Wales does not levy any Customs duties — the amount raised by Customs duties is nearly £2,000,000 per annum out of a total revenue of £8,800,000, or about one-fourth. In Victoria one-third of the total revenue is raised by Customs duties, in South Australia the proportion is one-fourth, in Western Australia one-half, in Tasmania one-half, and in New Zealand one-third. The total amount received for Customs duties in all the colonies is nearly £8,600,000, and deducting about one-fourth for duties levied on intercolonial trade, which would cease altogether if we were federated on the basis of Canada, I estimate that there would be a balance left at the disposal of the Dominion Government of a little less than £6,000,000, which would all be absorbed in paying the interest upon the public debt, leaving nothing whatever for the general purposes of government.

Mr. PLAYFORD

— What about the cost of collection?

Sir J. G. LEE STEERE

— I would not be certain whether that includes the cost of collection or not. I do not think it does.

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Mr. PLAYFORD

— It does not for South Australia.

Sir J. G. LEE STEERE

— Then there would not be sufficient to pay the interest on the public debt. How then is such a Government to be carried on? What other means are there of raising revenue?

Mr. PLAYFORD

— Excise.

Sir J. G. LEE STEERE

— If we are to follow the example of Canada, the revenue from licences and lands will be handed over to the Provincial Governments. I will tell you what Canada had, which we have not. It had a very large territory, independently of the provinces which came under the Federal Government. I allude to the whole of that splendid north-west territory, including the valuable lands of Manitoba.

Mr. BIRD

— We have Western Australia.

Sir J. G. LEE STEERE

— I am not surprised to hear that remark. Mr. Deakin suggested

yesterday that the portion of Western Australia not to be handed over to the Government of that colony should be placed in the hands of the Federal Parliament.

Mr. DEAKIN

— Instead of the Government at home.

Sir J. G. LEE STEERE

— That was never intended. The honorable gentleman is under some misapprehension, and perhaps he will allow me to correct him. It was proposed that a line should be drawn at the 26° latitude, as was done in South Australia. The Legislature of Western Australia was to have precisely the same control over the lands south of that line as the other colonies of Australia have over their territory. North of that line the lands were to remain under regulations approved by the Secretary of State for the Colonies, and to be administered by the colonial Government, the Imperial Government having nothing whatever to do with them. The rents derived from these lands were to be paid into the colonial exchequer, as part of the general revenue of the colony, but the

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proceeds of all sales of land — and there are not likely to be many sales up there on account of the nature of the climate — were to be paid into a fund to be reserved for any colony that might hereafter be formed in that portion of the territory of Western Australia. Therefore, there is no likelihood of that land being made over to a Federal Government. We would far rather that it should be made over to a Federal Government than that it should be administered by a Government in England unacquainted with the circumstances of the colony, but I do not think that Western Australia would be prepared to make over the revenue of the northern portion of the colony for the purposes of a Federal Government. I have now shown pretty clearly that it is impossible, under the present circumstances of Australia, that we could enter into a complete federal dominion on the basis of that of Canada, because of the financial and the fiscal difficulties in the wily. I have been rather surprised to hear honorable gentlemen speak very lightly of those difficulties, as if they were cobwebs to be swept out of our way. That is not the best way to remove those difficulties; we must recognise them. The question next arises, whether, if we find it impossible to enter into a federal dominion based upon the Constitution of Canada, we cannot agree to enter into a federation not quite so complete as that. There was a phrase made use of in the

letter of Mr. Morehead, the Premier of Queensland, on this subject which struck me as being a very appropriate one, and which has my hearty concurrence. It is a phrase that will be long remembered by those who have to discuss this question. Mr. Morehead said that if the Federal Council was to be superseded it should be by a process of development, and not by a process of displacement. We should not entirely displace the Federal Council, but we should develop it until we made it available for the purposes for which we require it at present. I was not at the Conference held in Sydney, at which the Constitution of the Federal Council was drawn up, but I have been a member of the Federal Council since its formation, and I do not say that it is perfect, or anything like perfect. The members of the Conference who drew

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up the Constitution of the Federal Council recognised that it was not perfect, but they felt that they could not go further at that time. It is certainly capable of very great improvement. In the first place the members ought to be elected, and not appointed by any one; and then they would carry more weight than they do at the present time. In the next place the number of members ought to be increased very considerably. I do not think that two members for each colony is anything like enough to discuss questions in a proper manner. Then it is absolutely necessary for the purposes of defence, at any rate, that there should be an executive to carry out the decisions of the Federal Council. What is the use of our agreeing to have a federal defence force if there is to be no head? Suppose a war broke out and we wanted to concentrate all the colonial troops in one place, who is to give the orders? The Prime Minister of one colony would not allow the Prime Minister of another colony to give such orders. We must have a general appointed by the Imperial Government to take command of the troops, and we must have an Executive Government on whose orders that general would act, otherwise we cannot have federal defence. The initiatory step in connexion with this Conference was taken by Sir Henry Parkes, who asked the Premier of Victoria what he intended to do in view of the respect of Major-General Edwards. Sir Henry Parkes suggested a consultation. Mr. Gillies answer was that more than a consultation was required; that action was necessary. A correspondence took place, and eventually Sir Henry Parkes recommended that the various colonies should appoint delegates to attend a Conference to consider certain resolutions with a view to the formation of a Federal Parliament on

the model of that of Canada. I think that this Conference has a great deal more power than the majority of the members are disposed to attribute to it. We have just as much power as the Conference which met in Sydney, and which drew up the Constitution of the Federal Council. The members of this Conference have all been appointed by their Governments.

Mr. PLAYFORD

— No, we were appointed by Parliament.

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Sir J. G. LEE STEERE

— So much the better. The representatives of New South Wales were appointed by their Government, or rather they appointed themselves, because they are the Government. Their Parliament were perfectly aware that they were coming over here. How then can it be said that we are a self-constituted body unable to deal with this question? I cannot agree with that view. We are bound to do more than pass an abstract resolution affirming that federation is desirable. How can we ask our Parliaments to send delegates to another Convention to discuss federation? They will naturally ask, "What kind of federation?" It is absolutely necessary that we should lay down some of the conditions of this federation, so that our Parliaments may express an opinion upon them. I do not think that the Parliaments will be disposed to appoint delegates for such a purpose unless they know what those delegates are going to consider, and for that reason I think we should agree to something definite and practical. Then it will be impossible for us to persuade our Parliaments to send delegates to a Convention unless we are prepared to show them that they are going to get some benefit from it. There is a good deal of self interest being displayed by some of the colonies in this question of federation. There is no doubt whatever that federation will be of very great advantage to the larger colonies, but I am not sure that we will be able to show that the smaller colonies will get equal advantage from it. I am quite certain that have to put their hands in their pockets and pay a direct tax?

Mr. CLARK

— You would be relieved of some of your burdens.

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Sir J. G. LEE STEERE

— Yes, but to nothing like the extent to which we would have to contribute to the General Government. There is another thing we should know before we recommend our Parliaments to send

delegates to the Convention. I hope we shall be told on behalf of New South Wales whether that colony is willing to come into anything less than a complete federated union. If that colony is not willing it will be waste of time to have a Convention, and I hope that Sir Henry Parkes will use his great influence to induce the colony he represents to enter into what he may call an incomplete union, if he cannot obtain the complete union he desires. I shall welcome most gladly any scheme that may be devised to enable us to federate, if only for certain purposes. If we only federate for the purpose of defence it will be well to have had a Conference for that Mr. Deakin remarked that it was all very well to ridicule the idea of the colonies being attacked by a foreign foe, but I do not see anything ridiculous in the idea. A day may come when England is at war, and our coasts may be ravaged by hostile cruisers, or attempts be made to land a foreign force on our shores. It is absolutely necessary that we should be prepared with a federal defence force. For that reason alone, if for no other, I shall be glad to see federation accomplished in some form. I looked over the Federal Council Act this morning to see what subjects can be referred to that body, and I find that almost every subject which concerns the colonies as a whole is include in the list, while subjects which are not included call be referred to the Council by the Legislatures of the several colonies. Thus, under the Act, everything could be referred to the Federal Council, and we could obtain everything that is desired with the three alterations I have mentioned as desirable in the constitution of the Council — a larger number of representatives, these representatives to be elective, and a Federal Executive. I hope that the views I have put forth will do something to elucidate the question and remove the difficulties in the way — difficulties which cannot be ignored. We must do the best we call to conquer those difficulties. I hope that the efforts

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of this Conference will at any rate result in our agreeing to recommend that delegates be sent from our several Parliaments to consider what is the best form for a Federal Constitution to be brought into operation at the present time.

Captain RUSSELL

— Mr. President, it was Sir Samuel Griffith, I think, who told us that it appeared that the sentiment of federation was in the boughs of a tree — that it was descending from the boughs rather than springing from the roots of the tree. I think that is true to a great

extent, and that the plant has not yet taken root, but that does not materially affect the point. We who have come over here as representatives to this Conference tire as the seed; when we go back to our several colonies we may plant it in fertile soil, and from that may grow the roots and branches of Federated Australasia. It will be my pleasure to go back under these circumstances and instruct my countrymen as I have been myself instructed in regard to the many advantages which may flow from federation. Federation not only floats in the air — no person can doubt that, for the Australian Colonies, it will very shortly be an accomplished fact. I hope that many years will not elapse before there will be a United Australia, which will be a great power in the southern seas. Coming as from a rather remote part of Australasia, I view possibly more dispassionately than any other member of the Conference (except my colleague) the various difficulties which stand in the way of a United Australasia. We have heard them compared to a lion standing in the way, to an opossum and — after ideas bad grown big at grand banquets — to an elephant. I believe the illustration of the mountain would be more correct, feeling sure that on examination it will bring forth only a ridiculous mouse. It has been said that we cannot federate without fiscal union. As a free-trader, such is my opinion. The true basis of federation is that interchange of products which leads to the expansion of trade, and a consequent *rapprochement* between the peoples of different communities. It is said that if the extremely absurd duties on local products are not abolished, a Federal Union can come to nothing, and that must be so.

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What reason is there why, in a country like this, where the climate and the habits and customs of the people are one, you should first create arbitrary distinctions, and then say it is impossible to destroy them? Are you not all one people with identical interests, no matter what divisions into colonies there may be, and why should you not all work cordially together? Sir Henry Parkes said there were no natural difficulties — no boundaries to separate you. As far as my knowledge of the geography of Australia goes, I believe that parallels of latitude or longitude are in many instances the imaginary boundaries which separate the great colonies of the Australian continent. The other so-called boundary is the River Murray, which, far from being a boundary, should be a great highway (for it is a road which maintains itself without expense) to

carry the products of the neighbouring colonies to one another. There is no reason why the colonies should be separated. With climate similar, and soil so similar that, though the letter happily varies so as to enable one colony to produce that which is needed in another, there is nothing to compel the colonies to have artificial restrictions. I would avoid altogether going into the question as to whether we should federate on the principle of Canada or the United States. Australia will enjoy the advantage of being able to compare those two Constitutions, and she may take from them that which is material and necessary to her own Constitution. There is no reason why Australia should not adopt that which is best from every kind of Constitution in forming the Union. Then the question comes, can Australasia at the present moment join in this, federation? Though I believe that the feeling in all the colonies of Australasia is most kindly one towards the others, and though there is a desire that their interests should be identical, it would be absurd to deny the fact that when circumstances are so different as between the sister colonies of New Zealand, Fiji, and Australia, it is impossible to say at this moment that the people of the two former colonies would at once join in any scheme of federation. There are very many points in which the colony which I represent

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would be glad to join in happy concord with the continental colonies, but to say absolutely that that colony would be prepared, at any rate for the next few years, to merge its young manhood in the more mature life of the Australian Colonies would be to lead the Conference to believe what I cannot hope. We have many interests in common, but it is probable we should not at once submit ourselves to a Government in which we should have so unimportant a part. Mr. Clark, the Attorney-General for Tasmania, remarried, when addressing the Conference to-day, that with every distinct physical environment there comes a distinct national type. With a population of 700,000 people in New Zealand, dwelling in an island where the climate is dissimilar to a very great extent from that of Australia, which has been colonized in an entirely different manner, and, speaking colloquially, having had a very much rougher time than the colonies of Australia, we are likely to develop a very complete individuality — a distinct national type. We have had to struggle against not only a more boisterous climate than Australia, but against a dense vegetation; and we have had to carve our homes out of the wilderness, which, though marvellously prolific end

fertile, nevertheless marks a country in which self-denial has had to be practised by its settlers to an extent of which the people of the Australian continent have no conception. Not only have the settlers had to struggle against the forces of nature, but against a proud, indomitable, and courageous race of aborigines. That native race has been treated in a manner so considerate that the condition of no other native and savage race on the face of the globe can be compared to it. Their right to their lands was recognised from the first. I do not boast that our public men were more pure in spirit than those of other countries, but as the colonization of New Zealand was effected originally through missionary zeal, through that, to a large extent, our hearts and policy were softened. But in addition to this feeling, the natives could defend their own interests and look down the sights of a rifle better than any other savage people. They were many, and the

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white settlers were few, and when our hearts were not softened by the missionary, we were controlled by the thought of the Maoris' numbers, and of their rifles. Therefore we recognised their right to their own land, and instead of confiscating it we admitted their claim to its full possession, administration, and disposal. Members of the Conference may perhaps ask, why am I giving this short historical sketch? It bears materially upon the question of federation. The whole of New Zealand politics for years hinged almost entirely upon the native question. That question destroyed more Governments than anything else in New Zealand. All turned upon the necessity for keeping the natives at peace, and yet obtaining enough of their lands to further colonization. I am happy to say, and I thank God for it, that the day is past in which there is any probability — nay, any possibility — of another native war occurring. But one of the important questions in New Zealand politics for many years to come must be that of native administration, and were we to hand over that question to a Federal Parliament — to an elective body, mostly Australians, that cares nothing and knows nothing about native administration, and the members of which have dealt with native races in a much more summary manner than we have ventured to deal with ours in New Zealand — the difficulty which precluded settlement for years in the North Island might again appear. It is extremely improbable that hostilities would again break out between the natives and the white settlers, but the advance of civilization would be enormously

delayed if the regulation of this question affecting New Zealand was handed over to a body of gentlemen who knew nothing whatever of the traditions of the past. Another question which it has been said will come well within the scope of a Federal Government is that of a scheme of federal defence. Up to a certain point I hold that to be perfectly true. New Zealand has a large sea-coast; she may be open to attack on the part of hostile cruisers should they ever come into these waters, and we should be only too happy I can speak with absolute certainty as to that — to join with Australia in any system of naval defence.

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Mr. DEAKIN

— Hear, hear.

Captain RUSSELL

— I venture to say that, with our large sea-board and seafaring population, before many years are over, we shall be able to furnish a considerable contingent who will be pleased to serve Her Majesty and her colonies on board ship. The most popular corps in New Zealand are those of the naval volunteers, and I have no hesitation in saying that if the time comes in which we are unfortunately involved in war with a European power, we could place upon the ships of war Her Majesty might send out a contingent which would vastly enhance Great Britain's maritime power in these seas. But I do not see how we are to benefit by a Federal Army. As an old soldier, I recognise the importance of having a considerable force in which there should be promotion among the young officers, so that they may not stagnate in the junior ranks until they are old men, and finally leave the service as useless as they were when they entered it. It is necessary that there should be a Federal Army — and this would specially apply to Australia — that there may be promotion, and that you may be able to obtain that constant succession of young officers by which alone you can ensure those scientific soldiers who are absolutely necessary in these days. But would it be possible, in case of an attack upon New Zealand, to send over an army from Australia to help us? Of the willingness of Australia to do this I have no doubt, but in her power to do it I cannot believe. We should be assaulted, if at all, by a filibustering expedition, which would come, see, but I hope not conquer, long before you in Australia could hear of its appearance on our shores. A Federal Army would be of no use to us, and it might involve us in expenses we are not prepared to meet. But there are innumerable points to

which we could agree in the union. For instance, all matrimonial laws should be of one currency throughout Australasia. So also should postal and cable communication. That, however, could probably be brought about without resort to a Federal Parliament, and also reciprocity with all the colonies. New Zealand would be happy to meet any other colony in some treaty; but if

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I, who am a free-trader to the backbone, am to be told that New Zealand should join irrevocably in a Customs Union which might bring about more protection than exists at the present time, it is to tell me that which does not commend itself to my judgment. I do not believe that New Zealand would join in that. We are essentially an exporting country, depending materially on outside trade, and that being the case, our prosperity must depend upon a large, free inter-communication between the different nations of the earth. Speaking for myself, I would never consent to any scheme which would bring more protection upon the colony of New Zealand. There are one or two reasons in addition, which I jotted down while Sir Henry Parkes was speaking, which would make it a very dangerous thing for the smaller colonies to enter into this scheme of federal union, without grave consideration. Out of a population of 3,840,000, New South Wales, Victoria, and Queensland own the allegiance of 2,656,000 people; in other words, said Sir Henry Parkes, two-thirds of the whole population of Australasia belonged to those three colonies. It must, of course, be a matter for very grave doubt as to whether the influence which naturally must proceed from this large population might not work adversely to the interests of the more thinly-populated colonies. It is of no use attempting to blink these things. It must also be remembered that the three colonies I have named are united by natural circumstances, that they are side by side, and were originally part of the same colony. Local politics brought about the severance of those colonies, and there is no reason why they should even have separated if they had been allowed a little more local government. There is no reason why they should not be reunited, and if they are reunited it will be a marriage of affection. It will be a case of neighbours whose sons and daughters have married together in order to bring divided lands into one solid property. It will be a marriage of affection if these colonies come together. But with New Zealand it would be simply a *mariage de convenance*, and her representatives must see that the marriage settlements are not drawn

out in a hurry, that before the masculine power and strength of

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Australia was united to the beauty of New Zealand the settlements are so arranged that the Married Women's Property Act shall have full force in case of any little dispute occurring hereafter. I had thought of moving an amendment upon the motion of Sir Henry Parkes, but as it is not my object to throw the apple of discord into this fair community, as I desire by every means in my power to assist the federation of the colonies, and as I wish that not only New Zealand but the remoter colonies of Australasia shall have an opportunity of coming into this federation as soon as they can see any advantage to be gained by it, I hope Sir Henry Parkes will consent to change the word "Australasian" in his motion to "Australian." If he will consent to do that, I will propose a motion additional, as follows: —

“That to the union of the Australian Colonies contemplated by the foregoing resolution, the remoter Australasian Colonies shall be entitled to admission at such times and on such conditions as may hereafter be agreed upon.”

I think it would be a very great misfortune, not only to Australasia but also to Australia, if in the Convention which we may take it for granted will some day meet, and to which the New Zealand representatives at this Conference will ask their Parliament to send delegates, New Zealand and Fiji are not represented. It would be a pity for Australasia, and for Australia too, seeing that if the latter is true to herself and has a motherly feeling for the younger colonies, which I believe she has, she should join in saying to them — “Although you do not at present feel that you can enter the federation and throw yourself into our arms, here is a hand to help you whenever the day may come in which you see your way to join this magnificent union.”

Dr. COCKBURN

— Sir, I feel that to-day a very great point has been gained. A large number of speeches have been addressed to the Conference from an absolutely practical point of view. I would like to say a word or two in reference to the most excellent address which Mr. Clark delivered. I think that among all the advocates for federation who

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are here to-day, there are none stronger or more enthusiastic than

the representatives of Tasmania. But I should be sorry if this eagerness should lead to any undue haste, and I do not think that the particular form of union which Mr. Clark mentioned as something which might be obtained at once would be at all a desirable thing. Mr. Clark intimated that, pending the adjustment of differences, it would be a step in advance if the eastern colonies joined at once in a complete union. I do not think that this would assist the cause of federation, or that it would be a good way to begin uniting Australia by dividing it into two. I am afraid that any such step would be more likely to have the effect of postponing the settlement of the questions at issue, or the formation of an Australian nation covering the whole continent, and taking in the colonies which form Australasia. Canada, certainly, had this form of union in the first instance, but the case is not a parallel one. Previous to Nova Scotia and New Brunswick joining with Upper and Lower Canada there was no Federal Government existing between the Canadas, except the union between Quebec and Ontario, which was in no sense a confederation, but was in every respect a complete union. In our case things are different. We have already made some steps towards union. We are not altogether disunited. We have taken the first steps, and embarked upon some form of federation, and to drop this substance for a shadow, infinitely greater but more remote, would be an act which could only bring about disastrous consequences. I am afraid that Mr. Clark's suggestion would divide the map of Australia just about as near the centre as it could be divided, north and south, and I am afraid that a long time would elapse before those two parts became cemented again. And I am quite sure that it would be much better to first adjust our minor differences, even though that should take a few years — two or three years — to accomplish, than to embark on a one-sided union immediately. Now, Mr. Clark says, also, that in the United States there was a complete parallel for our present condition, and that the reason for the formation of the legislative union which now obtains between the

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United States was the existence of a commercial difficulty. Well, that is no doubt one aspect of the case which can very well be considered, but I must say that my reading of the history of America leads me to the conclusion that the causes which drove the different states of America together were of an altogether more pressing character than any commercial needs. Throughout the

papers which were written at that time by those who were rightly called the fathers of the Constitution — Hamilton, Madison, and others — and published in the form of the *Federalist*, the greatest possible stress is laid upon the fact that a further union of the United States was necessary, because the loose federation which had previously existed was not equal to the demands made upon it by a prolonged war. Congress might levy for soldiers from the different states, but it had no means of securing their attendance on the field of battle; Congress might levy contributions from the different states, but it had no means of ensuring the payments of those contributions by the states — and it was in order to remove this state of things, and to put the country, in a time of peace, in such a position that it should never more be endangered in time of war — it was to carry out the essential principle of defence, and not so much the mere necessities of commercial affairs, which led to that strong union being formed. The United States were not absolutely at war, but they were surrounded by enemies, north and south, and the navigation of their rivers was impeded by foreign interference. Their case was, therefore, altogether different from that which now presents itself to us. Mr. Clark alluded to the question of a Customs Union as affecting South Australia, and he seemed to indicate that if the financial difficulty was got over, all that was necessary would have been accomplished. Now, admitting that the financial difficulty does stand very much in the way of all immediate Customs Union, I may say at once that that is not the only aspect of; the case in which South Australia considers the question of federation. Our Customs Tariff was not in any way initiated for the purposes of revenue. Those who formulated our tariff formulated it as a purely protective tariff, and it was

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not at all a spirit of raising revenue that dictated the imposition of that tariff. The mere fact of revenue being thereby raised was altogether a secondary consideration, and the attitude of South Australia, in considering whether the time is ripe for a Customs Union or not, has no reference whatever to the financial question. Our manufacturing industries are, of course, in their infancy, and if a Customs Union obtained between the colonies, they would have at once to be brought into direct competition with the long-established industries of their powerful neighbours. In saying this, I do not wish to convey in any way the impression that South Australia means to maintain her, hostile tariff against the rest of

Australia; she does not look forward to hostile custom-houses continuant, harassing those who wish to cross her borders, but from the Protectionist point of view she asks that some little time should be allowed to her industries before they have to face a competition which has been too severe for them in the past; some little time for those manufacturers who have lately embarked in their industrial enterprises under the fostering aid of a protective tariff to become firmly established. However, as I have said on other occasions, I don't think this difficulty would be lasting, and I don't think it would be long before it was overcome. I think that South Australia will say, on looking at the question all round, that she has quite as much to gain in some directions by intercolonial free trade as she has to lose in other directions. Standing, as she does in the centre of all the colonies, holding out a hand to each of them, I think that her position would dictate that, after the mere temporary difficulties have been overcome, she of all the colonies would have least to lose by reciprocity and free trade among them all. But as the question of a Customs Union has been so often raised, and as our arguments here are partaking, very strongly of a free-trade character, I should just like to know this: Is it the impression of any member here that when the federation of Australia is consummated it is to be a vindication of the principle of free trade? I take it that any such hope is for ever past when the federation of Australia is consummated. When, as a portion of

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that federation, the hostile custom-houses on the borders of the different colonies are removed, it will not be a vindication of the principle of free trade, but rather the institution of a more complete system of protection — the apotheosis of a strong protective policy. I think it is just as well that this should be understood. The voice of South Australia has pronounced emphatically, and by a large majority, in favour of that protection without which the history of the world presents no example, as far as my reading has been able to show, of a nation which has risen into prosperity. Mr. Clark, I know, will excuse me if I take up another point. He delivered a speech so full of points, that it is quite impossible to speak on the subject without devoting attention to them. Mr. Clark expressed some regret that steps had not been taken by the Imperial authorities, when the constitutions of the colonies were first given to them, to guard against such difficulties as those which now exist. Now, I think it would have been a great mistake had that step been

taken by the Imperial Legislature. I think that the wisdom of the mother country, in dealing with her colonies, has always been shown in her leaving them as free as possible to follow their own inclinations, and to work out their own destinies. Any dictation, even although it had been at the very commencement of our constitutions, would not, I am afraid, have led to the end desired; and I think it would have been a mistake, from every point of view, had anything been done in the earlier stage of the history of these colonies to lessen the development of that individuality which, after all, goes to make the strength of a colony. I take it, Sir, at consistent with union for those purposes on which union is necessary for the good of all, the least possible sacrifice there is of individuality, the better it will be for each of the colonies standing by itself, and the better for that union of the colonies which will represent them all. Because I don't think that we wish to see a homogeneous National Union. We want to see a union of strong colonies, each with its own local traditions, each with its own local affections, each with its own peculiarities. I think that such a union, such a brotherhood of infinite diversity,

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would be much better than a homogeneous union of colonies without a proper amount of differentiation. I quite agree with Mr. Clark in saying that we could not follow Canada in this respect. I think the members of the Conference generally agree in that opinion that in no regard can we look upon the example of Canada as one to be imitated. On the other hand, we should have considerable difficulty in following the example of America, because the whole Constitution of the United States of America is so far removed from anything which has ever obtained under British rule. In America there is no such thing as responsibility of Ministers to Parliament, and in this respect, I am sure, no member of this Conference would suggest that we should follow the example of the United States.

Mr. CLARK

— I don't know about that.

Dr. COCKBURN

— Well, it would be so utterly different from any of those traditions which have enwrapped themselves around the growth of the British Constitution, that I don't think any dependency of the Crown —

Sir HENRY PARKES

— It would be another growth of that prized variety.

Dr. COCKBURN

— But I don't think that any colony or group of colonies under the British Crown could effect such a radical change — even supposing the change were desirable — which, I think, most of us would agree it is not.

Mr. CLARK

— Party Government is played out.

Dr. COCKBURN

— But party government obtains to the fullest extent in America.

Mr. DEAKIN

— Nowhere more so.

Dr. COCKBURN

— What do we see in America? What is the counterpart of our popular Assemblies in America. The Congress, which presents in no respect, as far as I can see, save in the respect that representation therein is based on population, any analogy to our representative Assemblies. The Congress is

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a large body of men with no governing power whatever. There are no Ministers responsible for the conduct of business. The Congress is split up into something like 50 committees, acting independently of one another, and the number of Bills submitted in the cour

Mr. CLARK

— How many are passed?

Dr. COCKBURN

— A very small number of them.

Mr. CLARK

— So much the better.

Dr. COCKBURN

— The whole principle of our British Constitution is that of the responsibility of Ministers to Parliament, and I think that the British Constitution being a gradual growth, and not a manufacture, is vastly superior to any Constitution even however carefully drawn up, as the American Constitution was. The very principle of the British Constitution is elasticity and development; whereas, the principle of the American Constitution is rigidity and finality. I think that in a young country like Australia any form of government should be as expansive as possible, so as to adapt itself to the constantly varying requirements of the future life of the colonies. I don't think, I need follow this matter any further, more than to say

this — that a study of the American Constitution, as a manufactured article, as compared with the British Constitution as a gradual growth, leads one to the conclusion, I think irresistibly, that in all matters of constitutional government, the, form of government should be a growth, and not in any sense a manufacture. The very points on which the framers Of the American Constitution prided themselves, those forms which they themselves invented, are the very parts of their system of government which have proved to be failures, while, on the contrary, those they adopted from England, which were the growth of centuries, have been found to be successful. What the members of the Convention that drew up the Constitution of America prided themselves most upon was the manner of the election of the President, and yet if anything has proved a failure and fallen

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short of the hopes of those who drew up that Constitution it has been the manner in which the election of President, for which they laid out such careful rules, has become modified by usage. And so I think that in every respect federation should be a growth, and, as with all growths, anything like forcing is to be deprecated. As a rule, the slower the growth, the more gradual the development, the stronger is the product. Now, a good many members of the conference, and still more, a large section of the public, have complained of the very slow advance, the small progress which has been made towards the consummation of Australian unity. For my part, I have not been able to join in this view. I think that, considering all things, the colonies have been growing together very well indeed. I think that for every one who hoped to have seen more speedy adhesion to federation there are many who, looking closely into the matter, would come to the conclusion that the colonies might have done very much worse. It seems to me that the way the colonies have been federated in detail augurs very highly indeed for the success of their federation in general. The colonies for many years have been growing together on such questions as the Postal Union. Some years ago I had the honour of being the Minister controlling the Postal Department of South Australia, When an arrangement was entered into with the sister colonies for a Postal Union with regard to the transmission of mails by the great sea route to and from Europe. In this respect we federated first in detail. And so it was with regard to legislation in reference to debtors absconding over the Border, with respect to which the

colonies approached one another in the true federal spirit. Then again, in reference to the exclusion of alien races whose presence would we think be detrimental to our development, a Conference was held in the true federal spirit, and I hope that effect will be given to the conclusions of that Conference by all the colonies that were concerned in it. There is another matter in which, I think, without much difficulty we can exhibit the federal spirit in detail — a question which greatly concerns the colony of South Australia — I mean the question of navigation

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and riparian rights of the Murray waters. That is a matter on which I think there is an opportunity for the colonies adjoining the Murray to exhibit the true federal spirit, and I trust that the colony of New South Wales will very soon see its way to meet the wishes of South Australia in this matter. We have been pressing for a long time now for a Conference between the three colonies concerned to consider the matter, because hitherto no basis of agreement has been arrived at, and I do trust that the federal spirit which has prevailed amongst the Colonies in regard to other matters will, in this instance also, have its due effect. For the reasons I have named, we have nothing to complain of so far as the existence of a federal spirit between the colonies is concerned, but what we want to do is to give to this federal spirit “a local habitation and a name.” And in doing that we are brought face to face with the question as to what form of union is best adapted to our requirements. Of course, it is well known that states become united either by means of a federation or by means of what is known as a national union. In a pure federation, the Central Government is not brought into immediate relation with the individual citizen, but deals only with him through the local Legislatures. The mandates of the Central Government are enforced through the local legislatures, and any funds requisite for the transaction of the business of the Central Government are levied by the local Legislatures. On the other hand, in a national union, the Central Government is brought into immediate relation with every citizen of the nation. And it was this difference between the manner in which the Congress was brought into relation either with the local states or with the individual citizen which led America to abandon the pure confederation which the states had at first — the first Congress America had being an example of pure federation. It was this fact, that the federation had no immediate influence on the individual citizen, but acted on the citizen only through the medium

of the local Government — the Government of the local state — that led to the denunciation of the federation system by Hamilton, Madison, and other

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writers in the *Federalist*, and to their claims for something more nearly approaching a national union, which, in fact, led to the establishment of the present Constitution of the, United States. That is neither a pure federation nor is it a pure national union. It is a compromise between the two. As far as Congress is concerned, the individual citizen is represented; as far as the Senate is concerned, representation only obtains through the medium of the state. Each state is there represented as a unit, irrespective of its population. But there is this advantage over a pure federation, that the Central Government is brought into immediate relation with every individual citizen of the United States, taxes are levied direct without the intervention of the local Legislatures. One of the great arguments in favour of the existence of that state of things was the impossibility of enforcing contributions towards the support of the Federal Army, when the states were united merely by means of a federation. It was pointed out then that all the difference in the world lay between active resistance and non-compliance. When the states were joined merely by a federation, all that a state had to do, if it did not wish to contribute, was not to actively resist but merely neglect to comply with the demands of the central authority; but in the case of a national union, mere non-compliance is not sufficient. In that case active resistance is required, and it is so much easier for the Central Government to deal with a case of active resistance than to deal with a case of mere non-compliance. Now, the federation in the United States of America was found not to be that success which its advocates anticipated, and the secret of that failure is the same as the secret of the failures of all federations which have ever existed, as far as my reading goes on the history of federation. That is to say, a loose union of states, although it is ample in time of peace, has proved to be utterly inadequate to tile prosecution of a prolonged war. It was this cause that led to the breaking-up of the great Grecian Confederations; it was this which led to the breaking-up of the American Confederation; but because this cause has been effective in preventing the success of federations in the past, there is no

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reason whatever why under different conditions, federations should not be more successful in the future. I don't think there is any

probability of a United Australia ever being engaged in a prolonged war; at all events, it is not a likely occurrence; and, therefore, because federations have been unsuccessful in the past we must not conclude that the system of federation will not be applicable to our requirements. I quite agree with what Sir James Lee Steere said, that if the Federal Council — which is at present such a federation as obtained in America before the complete union, such a federation as obtained between the Grecian States — is to be superseded, it should be in the manner he advocates, namely, by development. I do not think we are likely to advance the cause of federation by breathing with the past. But for the Federal Council, I am sure this Conference could not have assembled with the prospects of success which I believe now await it. The Federal Council has done a great deal towards fostering the federal spirit, towards drawing the colonies together, and I do trust, whatever the outcome of this Conference and of succeeding Conventions may be, that in every respect the work of the, Federal Council will be recognised, and that any union which may take its place will be as a development and an improvement upon the Federal Council, and will not be in any way founded upon its ruins. So much has been said on the subject of the Canadian Federation, that I feel it is hardly excusable for me to deal further with it, but there is one aspect which I should like to present to the Conference as regards the formation of What is known as the Canadian Confederation, in 1867, and I quite agree with other speakers on this subject that in no sense is the Government of the Canadian States a true federation. It is in reality a national union, and the explanation of its existence is found in the circumstances which obtained in Canada in 1867. What took place in Canada in 1867 has always been looked upon as a movement towards closer union, but I confess that, as far as I have read on the subject, it can in no way bear such an interpretation. The action of Canada in 1867 was, in reality, an act of disunion. The causes which led up to

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it were the dissatisfaction between Ontario and Quebec — Upper and Lower Canada — with regard to the union which between the years 1841 and 1867 existed between them. In 1841, Upper and Lower Canada, which before that had been under different Parliaments, were united by an Imperial Act under one strong and coercive union. And the action of 1867, instead of being a drawing into closer union of those two provinces, was, in reality, an action

of disruption. It was the union which chafed them; it was not their separation. They were already united in the closest possible bonds, but it was this close union which they objected to, and from which they strove to free themselves. In 1867 two alternative schemes were proposed. One was for a general confederation of the States of Canada, in which Upper and Lower Canada were to be represented, and also Nova Scotia and New Brunswick, and such other states as chose to come into it. But there was an alternative scheme, and that was, that, failing the joining of the other colonies in the federation, the disunion of the previously united Canada should be effected at all hazards. During the very last year in which the united Parliament of Ontario and Quebec sat, an address was presented to Her Majesty the Queen, praying for what? A closer union? No! For centralisation? No! Praying for provincialism, praying for separate Governments, praying for a release from that bond of union which they felt to have chafed and hindered their development. The whole history of Canada was an attempt to unite the different states, not with the view of ministering to the requirements of all the population of Canada, but with the view of stamping out one of the elements existing in Canada, or at least so overruling it that it should have no voice in the government of the country. Lord Durham, who in 1841 presented a report to the Imperial Parliament on the subject, made no attempt to conceal what the real object of the union then advocated was. The object was to denationalize the French inhabitants of Quebec, to give to the English-speaking portions of the community a preponderating influence in the deliberations of the Legislature. I think nothing can be more foreign to our purpose than the

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spirit which animated the Canadians between the years 1841 and 1867. They had found their union oppressive. The whole Government had become reduced to a deadlock. Between 1862 and 1864 there were no less than five changes of Ministries. The Government could not be continued. They wanted no closer union or Central Government, but provincial Legislatures to guard those local interests which they felt could not be properly dealt with by a central authority. The case of Australasia, of course, presents a complete opposite to what obtained in Canada. Here we have no diverse populations, speaking different languages. Here we have no desire to stamp out the individuality of any class of men who are loyal to the British Crown. In Canada the union was an absolute

necessity, to counterbalance the continually increasing and preponderating influence of the United States. A coercive union was an absolute necessity, in order, as Lord Durham stated, to denationalize the French; and because not only was union, but coercive union, necessary, they established a form of government which practically vested all the powers in the Central Government. Here we have no desire to act in such a manner. Here we desire to preserve the individuality of every province and every colony which at present forms the Australian group. The coercion which was necessary in Canada is here unnecessary. We have no fear of one another. In Canada all kinds of local jealousies existed. Here we have no real jealousies, no racial distinctions. Therefore it is not necessary here, where the community is homogeneous and adhesive, to resort to those bonds which, in Canada, were found necessary to counteract the thrust of divergent elements. Fortunately for Canada, the minor scheme, which only dealt with the establishment of local Governments in Upper and Lower Canada, was not resorted to. By all manner of means the other provinces — Nova Scotia and New Brunswick, and eventually Prince Edward Island, and other provinces — were brought into the union. But it must be remembered that each of these provinces joined the union for some immediate and substantial benefit. Nova Scotia and New Brunswick were

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allowed the special advantage of levying duties on the export of wool and coal. They also had reason to believe they would be largely represented in the Senate of Canada. Twenty-four members were to be allowed to Quebec, twenty-four to Ontario, and twenty-four to the maritime provinces; but as a matter of fact Nova Scotia and New Brunswick now only possess a small amount of representation. The other provinces joined the confederation under strong dictates of self-interest. They had not all to surrender those individual and sovereign rights which the colonies of Australia possess. As far as Prince Edward Island is concerned she had no powers of autonomy at all. Her executive consisted of a Governor, who appointed his own Ministry. Prince Edward Island had everything to gain and nothing to lose by coming into confederation. Instead of losing liberties, she absolutely gained everything. She gained some share, at least, of autonomy. In addition to that, a powerful reason existed for the entrance of the island into the confederation. A great difficulty had existed owing

to the greater portion of the lands being in the hands of landlords, and to the existence of the fact that settlers on the island found it difficult to make satisfactory terms with the holders. They were brought into confederation under the agreement that this difficulty was to be solved. Money was to be provided for the purchase of the land for the settlers, and by this means the settlers were to be relieved from the difficulties under which they were labouring. Again, Canada had another strong reason for federation. She had long cast covetous eyes on the north-west province, and it was understood, if federation were effected, that that province would be handed over to her. There are many features in connection with Canada which it would be a misfortune for the Australasian Colonies to follow. Not only is there no equal representation of the States, as such, in either branch of the legislature, but the Supreme Court in Canada is merely a superior court, and is subject itself to the higher powers of the Privy Council. So that, as has already been mentioned, the Supreme Court, instead of making justice final, as a matter of fact interposes another

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platform upon which the rich man can fight the poor. Another objection to the system of Canada is that, although many of the local Legislatures have their franchise based on manhood — every man having the right to vote — no such rule obtains in the Dominion of Canada. In the Dominion of Canada, manhood suffrage does not obtain, but property qualification, although not extensive, is imposed on every elector. Again, the power of veto, exercised by the Central Government of Canada over Acts of the provincial Legislatures, has always been found to be exceedingly irritating, and tends to make their affection towards the Central Government less than it otherwise would be. Any Act passed by a provincial Legislature might be vetoed by the Central Government within the space of one year, and any Act passed by the Dominion of Canada as a whole might be vetoed by the Crown within the lapse of two years. I do not think that when we have formed our complete Federation we ought to have so extensive a power of vetoing as that which obtains in the case of Canada. The power of vetoing, if given at all, should be laid down within strict lines. In Canada, however, that power covers most debatable ground, and it is this latitude which renders the exercise of the vetoing power so disastrous in its consequences. Where the lines are strict and well defined no one feels the imposition, but where there is a doubt, at

once there exists difficulty and disaffection. Then, in Canada, almost the whole of the revenues got to the Central Government, and have to be repaid in the form of subsidies to the local Legislatures. By far the largest amount of the revenues of provincial Legislatures is derived from subsidies from the Central Government. This, I think all will agree, is a most roundabout way of levying and disbursing the results of taxation. The consideration of the confederations which had existed previously — of the partial confederation, or compromise between the principles of federation and national union in the United States, and the complete union which obtains in Canada under the name of federation — leads us to the conclusion that, in the matter of

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framing our Constitution, we can have no precedent to guide us. From the very first, we have presented to the world an unprecedented occurrence, and I think that, as our past history has been unprecedented, so our future history must be of a similar character. We must look to ourselves to draw out the lines upon which our great destiny is to be accomplished. We must take counsel of our own necessities, and not be blindly guided by any precedent whatever, I am sure that in this way only shall we arrive at the consummation of our desires. To blindly follow any example would be likely to lead to most disastrous consequences; whereas to follow our own destiny, to trust that power which has hitherto led us to shape a successful course for us in the future, is no more than our past records justify us in doing. Above all things — whatever is the result of this Conference and of succeeding Conferences — I trust that nothing will be done to unduly sacrifice the individuality of the various colonies. Our individualities, our very limitations, are our strength. To attempt to secure anything like uniformity would be most disastrous. Such union as we have must be the union of various elements. Our Australian concert is not to be one of unison, but of harmony, in which the difference of each part blend together in forming the concord of the whole. Considering the true federal spirit which has been animating the various colonies in the past, considering the strong public sentiment which is now growing up in favour of federation, the wonderful growth which has attended this question even within the last few weeks — viewing the progress we have made towards union, viewing the fact that all great forces tend towards union, I do not think we need have my fear whatever of what the ultimate result will be. We can securely look forward to

the consummation of Australian unity as a confederation, not as a crushing national union — we can look forward to the consideration of such Australian unity as will preserve our individuality, as an occurrence which is likely to take place before the lapse of many years, and very much earlier than even the most sanguine of us at present are capable of hoping. We have everything in our

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favour — the differences between us are small and temporary; the bonds of union are large and lasting — and, in common with other members of the Conference, I trust that this meeting will yield no barren fruit, but will in future stand out as the preliminary step taken by the Australian Colonies towards bringing about the hope of their larger patriotism, a United Australia.

The Conference adjourned, at twenty minutes past four o'clock, until eleven o'clock the following day.

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Wednesday, February 12, 1890

Debates of the Federation Conference, 1890. Held in the Parliament House, Melbourne 1890.

Wednesday, February 12, 1890

The Public were, admitted to the Conference Chamber at twenty-five minutes past eleven o'clock, a.m., the PRESIDENT (Mr. D. GILLIES) being in the Chair.

Union of the Colonies

Discussion on Sir Henry Parkes' motion, in favour of an early union under the Crown of all the Australasian Colonies (adjourned from the previous day), was then resumed.

Mr. W. McMILLAN said

— Mr. President, it seems to me that in debating the present proposition, which stands first on the notice-paper, and is certainly of a more or less abstract character, we should keep clearly in view the second and third propositions which are also on the notice-paper, and which are really of a thoroughly practical nature, inasmuch as they indicate the goal towards which we, in this Conference, are moving. The second proposition sets forth that the delegates at the Conference should ask their respective Parliaments to send delegates to a Convention, to be held at a future period, to discuss the whole question of Australasian Federation; while the third simply refers to the number of delegates to be appointed by each colony, which the proposal of Mr. Deakin fixes at seven. This leads me to point out the exact position we, the New South Wales delegates, now occupy. It may be well at the present stage to take, what has not been taken yet, a slight retrospective glance at the proceedings which preceded the Conference. It will be in the recollection of my fellow delegates that the Convention originally proposed by Sir Henry Parkes was very much on the lines of the Plan Since laid before us by Mr. Deakin, but the Premiers of the other Australasian Colonies concerned thought fit to suggest a different mode of bringing the public men of the several colonies together. It was considered probable that it would be well to take more initial steps, in order to formulate

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the resolutions to be placed before their respective Parliaments. I may here point out that, although many of its members are also members of the Federal Council, this Conference has no direct sanction from the different Parliaments of the several colonies represented. We are here wholly as a consultative body, and, of course, there can be no practical outcome from such an assemblage, except in the way of suggestion. It appears to me, therefore, that the references made by different speakers to certain details were quite unnecessary, and also that they in many ways liable to embarrass us in our future action with regard to our respective Parliaments. I quite admit that over and above the mere abstract proposition that the time is ripe for federation, it is quite proper that some details should be entered upon, but I must protest against some of the more elaborate references which have been made, especially by Dr. Cockburn, one of the representatives of South Australia, and others, and which seem to require us, while trying to formulate a particular kind of Government, to go into all sorts of complexities as to whether we should have a partial or complete federation of the colonies, and so on. However, if this course has been taken, it appears to me that it is my duty to a certain extent to reply to some of the remarks, at any rate to those bearing upon the more salient points connected with the federation of the future. As a matter of fact, Sir Henry Parkes has been blamed for not going more into detail, and a very severe attack has been made upon him by my robust friend, Mr. Playford, on that account. But I think careful consideration of the observations which have fallen from my honorable colleague will show that attack to be wholly unjustifiable. Let me point out, for instance, that although in one of the letters written by him which brought about this Conference he unquestionably referred to the Dominion of Canada, he did so only in these words: —

The scheme of Federal Government, it is assumed, would necessarily follow close upon the type of the Dominion Government of Canada. It would provide for the appointment of a Governor-General, for the creation of an Australian Privy Council, and a Parliament consisting of a Senate and a House of Commons.”

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Every one knows that it is often very difficult, especially in political matters, to separate principles from details, but surely the

division is here most complete. In fact, I defy any member of the Convention to indicate any reference made by my honorable colleague in which he does more than refer to the larger outlines of the Federation scheme. Again, Mr. Playford referred to my honorable colleague's remarks with respect to a Court of Appeal. He assumed that, besides a court of Appeal in connexion with a Federation Legislature, there would still be an ultimate appeal to the Imperial Privy Council. But no such thing has ever been intended, and I trust no such arrangement will exist. It is in order to get justice promptly, and afford the same finality that attaches to the supreme Court of Appeal now in existence, that we propose that there should be an Australasian Court of Appeal, composed of Men familiar with the circumstances and also the laws and courts of the colonies, which we believe will be satisfactory, and productive of benefit to the whole Australasian people. I could not help feeling, to a certain extent, amused by the references made by different members of the Federal Council. For instance, it has seemed all along, in the case of my honorable friend, Sir Samuel Griffith, that he is really quite as enthusiastic for federation as any of us — that, in fact, he holds a brief for federation — but that, nevertheless, he wants, with the peculiarity belonging to the legal mind, to show us all the difficulties and disturbing elements in the way. Then we have had Sir J. Lee Steere, who intimated, in a very sweeping manner, that all the remarks preceding his had been actuated by pure sentiment, and that what he had in view was to bring us down to the *terra firma* of practical ideas. No doubt, he did this to some extent, but what was the outcome of his remarks? To, so far, show us that every possible scheme of federation — good, bad, or indifferent — was simply impracticable. In much the same way, Dr. Cockburn began his remarks, with, apparently, a most dreary and hopeless feeling of the difficulties surrounding the case; but I was glad to notice that eventually he was found entering thoroughly, like all the other delegates, into the spirit

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of the movement, and declaring that he, for one, thoroughly believed in Australia Union. According to my view, the question really before us in this Conference is: Has not such a wave of feeling flowed over the minds of the Australasian people that the public men assembled here may well feel justified in asking their several Parliaments to bring about a Convention to discuss the whole question of federation, in an absolutely untrammelled way,

from beginning to end? Let us feeling flowed over the minds of the Australasian people that the public see if that position can be maintained. I believe that there is no question as to the spread of the federation spirit in New South Wales. For instance, the federation idea there could have no higher sanction than that of the Parliament of the colony. Well, at the commencement of last session, the matter of federation was adverted to in the Governor's speech, and the reply to that speech was adopted without a dissentient voice. Then there has not been for some time, throughout the length and breadth of the colony, a single public meeting where every speech, toast, or sentiment at all touching federation was not received with the almost unanimous applause of those present. In short, there can be no question that the people of New South Wales, together with their neighbours, are determined to have federation, and anxious for the public men of the different colonies to meet together in order to weave some scheme practical in its character for the adoption of the different local Parliaments. Another question, perhaps even more important and more practical than any affecting the mere sentiment of the people of the different colonies, is, "How far are they united at the present time?" One delegate has told us that we, in the various colonies, have no knowledge of one another. But I think it will be conceded that, during at all events the last ten years, there has been a most serious advance in the means of inter-communication in connexion with the larger colonies of the group. During that period we have joined our railway systems, and in consequence an impetus has been given to commercial and other intercourse, which no one would have previously imagined. For instance, have not our principal commercial firms business ramifications extending

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throughout the whole of the colonies — Victoria, New South Wales, and Queensland? Are not the various colonial churches firmly welded together in ecclesiastical communion? Are not the families of the different colonies continually spreading out their tendrils right and left towards each other, the children uniting to create and increase intercolonial interests? Does any man travelling among the colonies, directly he has passed the wretched custom-houses on the Border, ever feel that he is in a foreign country? For myself. I feel that we have to-day, among the several colonies, greater elements of union than have ever before, in the history of the world, existed in connexion with any community about to join,

or which has joined, in federative connexion. Between the various states of America there was never such an union, either in race, religion, or opinion, as there is here. Search as you will, you will find no foreign element whatever. In fact, in our intercourse with one another, there is but one disturbing constituent, namely, that contained in the question of Border duties. This may, perhaps, be regarded by some as a matter of detail, but I say most emphatically that there can be no union between the colonies worth calling union unless we abolish every custom-house along every Intercolonial Border. Sir, what is federation? The only federation I want to see is not the federation of my honorable friend, Dr. Cockburn — the mere federation of nations showing great versatility and variety in their different characteristics. I want to see a union of the several Australasian peoples so homogeneous, complete, and perfect that we would be but one Australasian nation, without any sense of discord; and no other attempt at nationality, such as the creation of a Zollverein for any mere commercial or other purpose of an imperfect character, will ever meet the wishes and views of, at any rate, the rising youth of Australasia, who, I believe, will be the great factor in bringing about the ultimate union of every portion of its different populations. We have been told by several authorities that what we want is, primarily, something in the shape of partial union. But what would partial union mean? I don't want to reflect

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for a moment on the Federal Council. It would not be wise, in a discussion like the present, to introduce any irritating element to affect the issues with which we have to deal. But it cannot be said that the Federal Council, with its partial and limited scope, has been a success in the past. Supposing, for one moment, that you attempted to establish a poor, meagre, half-and-half kind of government throughout these colonies, what would be the history of the future? Take the case of a colony like New South Wales, standing in her position of natural superiority to probably any of the other colonies, and with her population. What will it be in a few years to come? I am not now boasting of the inhabitants of New South Wales, but simply alluding to her command of the Pacific Ocean, and to her marvellous resources — her coal, iron, and almost everything else that the civilized world requires. Do you think that a mere partial confederation, a mere make-shift Federal Parliament, would suit her — that the Legislature of a great colony of that sort would bow to anything but sovereign authority? I don't

mean for one moment to say that the other colonies should be in any way dwarfed, but I do mean that whatever federal authority you create in the future must be strong, potent, and acknowledged. It must be independent in its Executive and in its Treasury, or else you will be eternally subject to most serious consequences from sudden up-risings of the local powers against the central power. We have had a great many analogies drawn between the United States and the Dominion of Canada. No doubt there is a partial analogy in many respects between ourselves and those countries, but, on the other hand, there are essential differences. For example, we are an island continent. No matter how you subdivide the different parts of Australia into different sections, you must give to each of them a large sea-coast, with its harbours and valuable commerce, together with all the other possibilities of national life. But the position of the United States or of Canada is that of a congeries of littoral states depending for their commerce upon the interior states, which in their turn naturally depend upon the others for the means of getting their products

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to the markets of the world. Surely, in the case of these Australian Colonies, each possessing within itself, as it does, not only a sea-coast, but one touching the broad oceans of the world, and so far having the great advantage for which countries like Germany and Russia are at the present time fighting so hard, namely, a means of getting out to the high seas, it is absolutely necessary that if we have a Federal Parliament it should not be a mongrel Parliament, but a sovereign body which would be respectfully recognised by every independent state, and which would have within itself such freedom of action and such power that no other country on the face of the globe would be able to override it. In this connexion, I may say that, while there is much to gain, there are sacrifices to be made. No really great effort of patriotism was ever yet unattended with enormous sacrifices. But I may say, also, without egotism, that the sacrifices made by New South Wales in this union of the colonies will be greater than the sacrifices of any other colony in the group.

Sir HENRY PARKES

— Hear, hear.

Mr. McMILLAN

— What is our position? I do not imply that we have a nobler or better race of people than the other colonies have. I believe there was a time in the history of these colonies when the possessors of

the best ability, the best brains, and the best energies in Australia had found their way to Victoria. I acknowledge freely and fully that the reflected energy of Victoria has done New South Wales an enormous amount of good. But the fact remains that we are now a colony which could be, if we wished, independent of all the other colonies. If we desired to impose heavy protective duties along our Borders as against the outside world, we would be better able to carry out such a plan than any other colony of the group. No other colony could stand as we could stand. We possess, as I have already mentioned, all the elements that go to make up the wealth of Britain, and we have besides the finest harbour (which is almost a joke) on the Pacific Ocean. In fact, we hold the key of the

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Pacific. And I think that when free-trade New South Wales, with all her advantages, is willing to put out the right hand of fellowship to all the other colonies, small or great, she offers to give as powerful an impetus to the federation movement as the sacrifices she is, ready to make are large. No other colony could give an impetus so strong, or is in a position to make equal sacrifices. I don't say that what I refer to would be all self-sacrifice, for over and above what may come from other sources, we have behind us the sentiment of a new nationality. I believe that the native youth of this continent, who have never known any other home, and with whom the sentiment of "home" as referring to the mother country is to a certain extent fast dying out, are determined that they will have a national union of all Australia — that they will appear to the world not as New South Welshmen, not as Victorians, nor as the citizens of any separate colony, but as Australians. We have had a good deal of cavil with respect to this matter of tariff and it has seemed to me that in this Conference — it is only in accordance with human nature that such should be the case — some of our friends who have felt the heavy tread of Victoria have been anxious to give her a small unchristian slap on the cheek in order to show that the course pursued by her was resented. Well, it is a cause for great thankfulness that we now know that Victoria has seen the error of her ways. It is, of course, possible that she recognises that the time has come when Federal Union will be all to her benefit. No doubt she feels the geographical troubles that await her on the Murray, owing to the smallness of her territory. There is also no doubt that a large amount of the enterprise carried on in New South Wales, towards her southern border, is carried on by people who call themselves Victorians. At

the same time, it seems to me that even supposing Victoria does get some extra benefit out of union, the fact remains that from All matters of mutual interest the cleverest fellow concerned always derives the most advantage. Therefore, I am quite willing, in view of the smallness of the territory of Victoria, and her want of those natural riches which are said to be made up to her by the superhuman

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energies of her people, that she should have the difficulties in her path wiped out for her by the abolition of Border duties. But, after all, is it fair for us to go into the past? Are we likely to bring about the consummation of our great idea by harping on all the troubles and grievances of a bygone period? I think not. Let us bear in mind that up to a very short time ago these colonies were each almost absolutely isolated. Victoria was then, in many respects, almost as much apart from New South Wales as she is now from Western Australia. In short, we knew very little of one another. There were no proper means of intercommunication. Let us trust, however, that had such proper means of intercommunication then existed, and we had been enabled to frequently meet each other, and, perhaps, marry our sons and daughters to each other, these hostile intercolonial tariffs would never have been imposed; and also that, with the earlier development of the fraternal spirit which has led to this Conference, we would by this time have been by so much the nearer to the result which we now have in view. Therefore, what we should now consider is not whether certain colonies have or have not done wrong in the past, not whether a system of retaliation has or has not been built up, say by South Australia — for retaliation is the one thing at the bottom of this protection business — but whether we have or have not determined to let bygones be bygones. As for myself I wish to emphatically assert that no union of the colonies can be worth anything without intercolonial free trade, inasmuch, as I have said before, what is called protection is the natural germ of retaliation among the states affected. How, in the name of common sense, can we have any union amongst the different parts of Australia, with restrictions in connexion with one of the most important matters of our daily life, namely, mutual commercial intercourse — one colony adding duties on duties, which another colony tries to cap — a system of retaliation underlying everything? Union under such circumstances would be an absolute farce. One or two of the delegates have referred to

matters of finance. Sir J. Lee Steere made out a very dismal picture. But it seems to

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me that, speaking broadly, if my of the colonies are to be specially benefited by a Federal Union, it will be the smaller colonies. Yet there is the fact that it is the larger colonies that are most anxious to federate. Sir J. Lee Steere spoke with mournfulness, but when the Imperial Parliament has passed a measure giving Western Australia a Constitution, and that colony, with its 40,000, or thereabouts, of population, rises to the dignity of a young nation, and finds itself welded to the other colonies, surely it will consider it a great advantage to be able to borrow money at two or three per cent. below its present credit. Then, as to the larger colonies, shall we not present a firmer front to the commercial world of England when we are a united Australasia? Most of the colonies are, at the present time, working off six, five, and four per cent. debentures, but I look forward to the time when, as one of the necessary triumphs of federation, we shall be able to borrow at three per cent., our credit being almost equal to the credit of England itself. The delegates who talked about finance seemed to forget that, whether we like it or not, and even whether we federate or not, we are fast becoming nations. If we federate, we shall be one nation; if we do not, we shall be separate nations. We are beginning to defend our ports, to raise volunteers, and to maintain standing armies. These are sources of expense which must grow. Surely, then, if there is any economy at all in concentration of administration, the matters which devolve upon us in the higher life of the future would be far more economically carried on by one central Government than by a series of local Governments, each acting according to its own sweet pleasure. As to the national debts of the colonies, that is a subject scarcely worth consideration at the present time, for each of those debts is represented to a great extent by substantial assets of a local character. The question of a central authority taking over the Railways is, to my mind, one of a very remote character. There is nothing in it essentially connected with the idea of central government, except perhaps so far as concerns the adoption of an intercolonial gauge, and the control of the entire

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Australian railway system being vested, under certain circumstances, such as a state of war, in central hands. Otherwise the affair is one of purely local interest. Let it be remembered that in dealing with the future debts of these colonies we do not deal

with debts which are the result of extravagance or warfare, but only with debts incurred for representative public works, a large number of which are of an interest-bearing character. Coming back to the matter of defence, surely if any central power takes upon itself to be the sole administrator of the defences of the Continent, it must be a power of a truly royal character — one who would overshadow every other Australian power, and necessarily have large authority as to taxation, so that, in case of urgent times, each of the peoples concerned might be called upon to pay its quota of the expense of defending them. As far as I can see, the question before us ultimately resolves itself into this: Are we convinced that there is a sufficiently strong feeling among the different colonies to warrant us in having the second and third propositions on the notice-paper as well as the first, and so bring about a Convention of the different colonies? I am glad to find, from what the different delegates have expressed, that they intend to ask their Parliaments to send representatives to such a Convention. Even in the case of New Zealand, its delegates will, if I mistake not, follow that course.

Captain RUSSELL

— Hear, hear.

Mr. McMILLAN

— The passing of this motion simply pledges us to the opinion that the time has come for real and practical discussion. I believe that in this opinion we are upheld by some of the greatest thinkers in England; I believe we are also upheld by the different populations of the Australian Colonies, and I believe that when public opinion has sufficiently penetrated New Zealand, even New Zealand, separated from this continent by 1,200 miles of water, will come into the Federation of the Australasian Colonies. But it would be a lamentable and a deplorable thing if the smaller colonies outside New Zealand attempted to hold themselves aloof from this great

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Federation of Australia. It is all well enough to pass resolutions for them to be admitted on certain terms at any time in the future, but nobody can foretell what the future may bring. I would like to point out to my honorable friend, Sir James Lee Steere, that one of the most vital parts along the coast line of our colonies is King George's Sound. Private enterprise has constructed a railway there which joins their main line at a place called Beverley, and if that point were not defended nothing could hinder an enemy from

reaching the very heart of that little colony, and destroying even the house of Sir James Lee Steere.

Sir J. LEE STEERE

— They would find it a very difficult thing to do.

Mr. McMILLAN

— Now I just wish to sound this one warning note — that if the three great colonies on the eastern side of the continent — Queensland, New South Wales, Victoria — and also Tasmania, agree to form a Federal Union among themselves, it will be a thorough and complete Federal Union; and if the four colonies I have named agree to such a union, how in the name of common sense can they allow the other colonies hereafter to enter the union upon any partial conditions? It seems to me that they must be shut out altogether for a long time to come; but if the other colonies fairly and generously come to that union, declaring that they are willing to throw in their lot with the other colonies, then their position will be considered in the detailed arrangements that will be made. And it seems to me that that is a fair and a generous way of dealing with the peoples of the other colonies. Let me ask the representatives of those colonies once more to reconsider the positions they have taken up. My honorable friend, Mr. Playford, who is, I know, a fighting man, and one whom I should like to get behind in the event of an invasion, had a certain amount of antagonism to unbosom himself from, and, now that he has done so, I have no doubt that, like every decent Englishman, when the fight is over, he is inclined to be generous. As regards my friend, Dr. Cockburn, I believe that his opinions on this question are, to a

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certain extent — to use a medical phrase — in solution. I believe he is quite open to be converted, as I dare say he will be converted by my honorable friend, Mr. Macrossan, when he addresses the Conference. I have not much more to say. I don't intend to go back on my own principles. I consider that we are not here to discuss details. Changes rapidly occur in these colonies as well as elsewhere, and by basing our opinions too much upon details we might feel ourselves hampered in the future. We all belong to Parliaments in which there is party government; we know that, no matter what may be the sentiments in connexion with federation, party purposes will come in and party antagonisms will be aroused, and as I have no mandate from the Parliament of New South Wales, but am simply here in my position as a delegate to discuss the

proposal in regard to a future Convention, all I can now say is, that I believe such a Convention is necessary, that we are ripe for it, and that when 40 or 50 men thoroughly representative of the different political creeds and different sentiments of the various colonies get together, with the same spirit which was given to our ancestors, to make a Constitution when it was necessary, rising to the exigencies of the present constitutional position, those men will do their duty, and the result will be something great for the future of Australasia.

Mr. B.S. BIRD

— Mr. President, representing as I do the smallest colony in the Australasian group, and happening to be the junior member for Tasmania in the Federal Council, I have waited, with the modesty, I hope, befitting that position, to hear what my honorable colleague in the representation of Tasmania would say for the colony we jointly represent, and also what the members for the greater colonies had to say upon this great question of federation, before I addressed myself to it. In taking the opportunity which is now given to me to express my views on the subject, I may say at once that I do not intend to indulge in general criticism of those who have gone before me, as has been done by my honorable friend who has just addressed the Conference; but I will begin, in the first place, by bearing testimony,

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as my honorable colleague has already done, to the strong feeling and deep interest which exist in Tasmania in favour of federation. Although we are so small a colony, the interests involved in this important question are in our measure, and in proportion to our population, as great as those of any other colony in the group. There are individual interests and there are sectional interests in connexion with the producing and commercial communities, which for us as a people are as serious and as important as they are for the individual and sectional interests in any other part of Australasia. And therefore it is, I think, fitting that Tasmania, the smallest of the colonies to point out sectional advantages, or to claim them for any one colony as against another, but rather I desire to feel that I am here as one of the people who are about, I believe, to be united in a great Empire which will sway the destinies of countless millions for generations yet to come. I wish almost, forget, while I am here, that I am a Tasmanian, and to feel that I am an Australasian, a term which I dare say may yet come to be used to designate every citizen of the great group of islands which are to be federated in these

southern seas. To every citizen in that important group of states — the United States of America — is given the designation of American, whether his local habitation be New York or San Francisco, or any of the vast territory lying between. Likewise to each citizen of the great Canadian Empire is given the designation of Canadian, whether his home be in Nova Scotia, or in any of the Central Provinces, or upon the shores of the Pacific, or in British Columbia. And so, Sir, I hope the day is not far distant when every citizen of these colonies, which I trust will soon be joined together in the bonds of a union never to be dissolved, shall be known the wide world over as an

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Australasian, because, like a citizen of Canada or a citizen of the United States, he is an individual unit in one great Federation. I cannot help feeling that this great sentiment of unity, of oneness as a people, has found very forcible and gratifying expression, in spite of all the differences that have appeared in regard to the modes of union, in the speeches that have been delivered to us by members of the Conference during the last day or two. I feel sure that with such a spirit as this animating us we may look forward with confidence to the future, believing that whatever difficulties may lie in the way of the union of these great colonies, whether those difficulties may be characterized as lions, or as less or more formidable creatures, they will all be easily and wisely overcome, and that we shall speedily be brought together as a united people possessed of all the elements of expanding greatness. I would express my pleasure, Sir, that in the resolution which Sir Henry Parkes has introduced it is set out so plainly and positively that the union is to be under the Crown of England. In this I am glad to state that Tasmania will most heartily concur, for I am sure I may say, without boasting, that there is no people amongst the peoples of the British Possessions more loyal to the Crown of England than are the people of Tasmania. I have no doubt that in Tasmania, as in some of the other colonies, a few radical spirits may be found who would hoist the flag of separation to-morrow if they thought they could succeed, but at heart I am bound to say that the great mass of the people of Tasmania are loyal to the Throne of England, and desire nothing better than to continue their connexion with the illustrious British Empire. And I very much mistake the spirit that animates the masses of the people in the whole of the Australasian group if it does not correspond with that sentiment, which, as I have said,

exists so strongly in Tasmania. I consider that it would be an act of very ill grace on our part, and on the part of any of these colonies, which are still certainly in what we may term the infantile stage of their existence — to dream of separation from that mother State which has with lavish hand, and some would say, indeed, with unwise liberality, bestowed upon us such a splendid inheritance

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of territory unsurpassed infertility, and containing vast mineral and other resources. Having received such a grand inheritance as this, freely given by the mother country, and having received also at the same time the highly-prized privilege of self-government, it would ill become us, I say, to turn away from the parental hand that has so richly and so generously bestowed these things upon us. And the same spirit, which I believe will bind us to the mother country for many a generation to come, ought to bind all Australasians still closer together as citizens of the British Empire. I think, Sir, that the sooner we break down those barriers which hostile Tariffs and varied laws have raised against the free intercourse of the peoples of these lands the better it will be for us all. I regard it as a most unfortunate circumstance that such barriers were ever interposed between peoples of the same blood, peoples with the same destinies, peoples with the same aspirations, because the existence of these barriers has caused, as we know, in the past, and is still causing, as was shown by the speech of Mr. Playford at this Conference, a large amount of irritation, and it has also called forth a spirit of retaliation. But here, Sir, we come upon one of the difficulties, the main difficulty — the “lion in the path” of federation. Some of the colonies, as appears from the speeches of their representatives at this Conference, will be unwilling to, at once at any rate, enter into a Customs Union, and give up the control of their Customs Tariff. Now, Sir, I regret this very much, for while I will not go so far as to say, with Mr. McMillan, that federation will not be worth having unless it bring with it a Customs Union or intercolonial free trade, yet I do feel that such a federation would be so imperfect and so comparatively disadvantageous, that I should very much regret to see it established. And I believe I speak the sentiments of the bulk of Tasmanians when I say that they also feel that a union which will not open the ports of the neighbouring colonies to all their products and leave their own ports free for the importation of the products of the neighbouring lands will not be such a union as would perfectly

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their desire for colonial federation. There are those who feel, as Mr. McMillan has told us he feels, very strongly that such a union would not be worth having; and I may say here that there are members of the Tasmanian Parliament, among them colleagues of my own in the Government of Tasmania, who entertain the very same feeling, and who would regard such a federation as being practically worthless, and would almost be content rather to pursue the course we have entered upon in connexion with the Federal Council until all the colonies could come to be of one mind in the matter, and could all unite together upon, among other things, the basis of a common tariff. I am quite prepared to admit, as Sir Samuel Griffith has clearly and forcibly pointed out, that a union of the colonies, although it did not embrace a Customs Union, would be, or might be at any rate, in very many respects a very great advantage to the whole of the colonies; but at the same time, as the honorable gentleman also clearly showed, it would be so anomalous in its character, and would contain such elements of irritation as would result in creating greater bitterness and greater strife between the various colonies than has hitherto existed under the present fiscal arrangements. For, assuming that in any union each colony must contribute in one form or another to the Federal Treasury on an equal basis, the fact that Customs duties of a higher and more burdensome character were being levied against the productions of one colony than against the productions of another would produce such irritation amongst those who would be called upon to contribute, either upon the basis of population or upon some other uniform scale, that it is perfectly clear that the feeling of unfairness would become marked in the minds of those who suffered by having to pay first their regular contributions to the general revenue of the Federal Government and then to be burdened with those additional Customs duties which would be a further tax upon them. It is easy to see how they would kick against it, and that bitterness and strife, of a kind surpassing anything we have yet known in the colonies on account of Customs duties, would assuredly arise. Possibly, however, that would work its

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own cure, because the injustice, the unfairness, and the absurdity of such a system among a people who were supposed to be united, would become so obvious that those who suffered from it, and those who were inflicting their sufferings by the continuance of

such a system, would ere long be compelled to come together and agree upon the adoption of that more complete union which is so desirable — a union based upon a uniform Customs Tariff. Now, Sir, if a union is to be established and I fondly hope it will, Tasmania, I know, would like to stipulate that one condition of the union should be the establishment of free ports as regards the trade between the colonies. I believe that she would be quite content to leave the question of a protective or a free-trade policy as against the outside world to be settled by the Federal Legislature. I am glad to find that this appears to be the position which the honorable members for New South Wales take up, whether they will have in that respect large sacrifices to make or less. I for my part do not see that their sacrifices will be so large as those of some of the other colonies, for I believe that those colonies which have the heaviest protective duties imposed will necessarily suffer most in loss of revenue by the establishment of intercolonial free trade. But I am glad to see that the disposition I have described is shown by the representatives of New South Wales, and I trust that it will be, taken up and followed as an example by the other colonies of the group, so that there will be little or no difficulty in securing the formation of a union based upon a uniform tariff amongst the colonies. I confess I could not quite follow my honorable friend Mr. Deakin in the way of concurrence, when he expressed the opinion that whether we have or have not a uniform tariff in the about-to-be-established Confederation, it would be absolutely essential that from the hour of the union the whole of the Customs duties should be collected by the Federal Government. I cannot agree in this, nor do I quite know the reason why Mr. Deakin insisted upon it, as he did so very strongly unless he conceives that in this way alone the Federal Government would have that perfect control of the purse which is essential to a powerful Federal Government.

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But I think it would be a clumsy way of securing that power, and that all the money which would be required to meet the necessities of the Federal Treasury could be secured by levying a contribution based upon the populations of the various states, provided there was some power behind it to enforce payment of the levy if any of the colonies, from any cause whatever, appeared inclined to repudiate its obligation. The general advantages of union have been so fully and so ably pointed out by my friend Sir, Samuel Griffith, as well as by other members of the Conference, that there is no need for me

to enlarge very much upon that particular point. However, I would like to say a few words later on with regard to that; but at this stage of my remarks, I desire to say that the advantages of union to each colony of the whole group — although they would doubtless be less in the case of some than in the case of others — are, in my estimation, certain to be so great that it would be well worth the while of any of the colonies to make even some considerable sacrifice in order to take its place in the Confederation. I should like to see such a constitution framed for the Australasian Federation, that all the colonies of the group without exception, would perforce, see and feel, and own that, balancing the advantages with the disadvantages likely to arise from such a union, the scale would turn decisively in favour of union and that speedily. In fact, Sir, so anxious am I to see the foundations of a great empire in these Southern seas laid broad and deep that I desire the constitution of this proposed Confederation to be such that all the British possessions which cluster around Australia and all those which are in proximity to her in the Pacific, should eventually be drawn in as members of the Dominion of Australasia. And further, Sir — and this is a point which, I think, has not yet been touched upon by any speaker who has preceded me — in view of what all Australasia takes to be the most unsatisfactory existence of the prison settlement of a foreign power in close vicinity to Australian shores, I should hope that the coming Confederation of Australasia would very soon be in a position to exercise such influence upon the Imperial Government

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as to secure the early and amicable removal both of the French prisoners and the French people from a country that lies so near to our shores; and that, obtained by England, in exchange, perhaps, for some slice of territory elsewhere, or for some other fair equivalent, that land might come into our possession, so that it, together with the New Hebrides, Fiji, and the rest of the islands which are the natural adjuncts of an Australasian Empire, might be joined to the group and have flying over it the flag of a United Australasia. I would express my hope that this union, on which it seems we are all in one form or another bent, will when consummated be a great deal more complete than there appears to be at present, judging from the speeches delivered, any probability of its becoming. I think I have already said that I regret the apparent indisposition on the part of one or two of the colonies to enter upon a federation which will

embrace a Customs Union, and I now express my regret that New Zealand, which seemed to be somewhat favorably disposed to a Customs Union, yet appears, from Captain Russell's remarks, to hesitate about casting in her lot with a legislature in which, having herself only a population of some 700,000, she would feel, to use his own words, her comparative insignificance amongst a body of representatives of a population of nearly 4,000,000. I do not think the inhabitants of New Zealand need have my fear that they will be overpowered by the weight of representation in a body whose constituents number even so many as 4,000,000. We in Tasmania, who number only 150,000 people, have no fear that our interests will not be duly and justly conserved; and Western Australia, numbering a little over 40,000 inhabitants, also entertains no fears as to the results of joining a union in which there will be such overwhelming numbers represented. I also judge, from what has been said, that neither South Australia or Queensland, whose populations are less than those of New Zealand, have any fear on this particular score. Of course, everything will depend on the basis of representation. But I apprehend that whatever form this union about to be effected will take, it will be, as Sir Henry Parkes very tersely puts it in the closing words

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of his resolution, on principles just to the several colonies. If New Zealand joins, as I am happy to think she will, have a Convention at some future time to discuss and draft a scheme of federation, she will have an opportunity of taking every care that her representation shall be such that she need have no fear of suffering from a sense of insignificance, even in a Parliament which represents 4,000,000 of people. It was with some further regret that I found Captain Russe appeared to be based upon the fact that New Zealand is some four or five days' sail from the Australian continent, and that there is every probability that before armed assistance could be sent to her from Australia in case of emergency the mischief intended by the enemy's cruisers would have been accomplished, and the foreign ships would have disappeared, so that a union from that point of view could not be of much service. But I cannot help calling attention to the circumstance that New Zealand in the past, as Sir John Hall reminded us elsewhere a few evenings since, has made application to the Australian Colonies (which were then in a sense further away, because of the less rapid means of communication) to assist her in a time of emergency, and that New Zealand was

gratified to find the readiness with which a contingent from Victoria (and, if I mistake not, from Tasmania also) was Sent across to help that colony in quelling the trouble that had overtaken it.

Captain RUSSELL

— Hear, hear,

Mr. BIRD

— As a civilian, I feel that I should speak with bated breath in the presence of a distinguished military officer like Captain Russell, and, perhaps, I ought not to offer suggestions to one whose military experience is so superior to mine; yet I cannot help saying that an emergency may arise in which New Zealand will be exceedingly glad to have assistance rendered to her by troops, though they have to go four or five days'

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journey to reach the land where the disturbance is. If I were a New Zealander I should consider it a grand thing to have even the right, which as a member of the great Federation of Australasia that colony would have, to call upon the neighbouring colonies for men or money in such a case. I hope (and I am sure that Captain Russell will pardon me for making the suggestion) that New Zealand will more fully consider this matter, and seeing that, as a member of the Confederation of Australasia, she would only have to hear her share in the general cost of military or naval defences, and that if an extra burden of expenditure should fall upon her, from any cause whatever, that burden would be shared by the rest of the colonies, she may fairly consider that it may, after all, be to her advantage to join the federation of Australasia, and agree to it upon such a basis as would include in it federal defence, as well as a Customs Union. I shall be very glad if any scheme of general defence can be devised, and any organization effected, under the powers which the Federal Council is already capable of exercising, so that we may have more speedily than we possibly can have under the proposed federation some organization to meet the emergency of our being suddenly overtaken by war. Three or four years, at least, must elapse before we can secure Australasian Federation on such lines as are being discussed at this Conference, and it will be a sad thing if we have to wait all that time for the establishment of a more effective military organization than we have at present, I do not desire to anticipate anything Mr. Deakin may have to say upon the resolution hearing on this question of which he has given notice; but if, under the Federal Council, as he evidently contemplates, we

have sufficient power to organize and control general military defences, involving a Federal Executive and a Federal Treasury, it seems to give a blot that possibly after all in this Federal Council, which has been somewhat despised in some quarters, there is considerably more power than some people have thought and that in it there are possibilities of united action and federation which have been slightly looked upon by some of the

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members of the group. In the remarks of Sir J. Lee Steere and Dr. Cockburn in regard to this question there were hints and suggestions we would do well to think out and make effective at some future day, when the Convention meets. Before passing on to speak of the most suitable form of union, I wish to say something about the advantages and disadvantages, the gains and the losses, that are likely to attend on federation, whatever form it may take. For we must not run away with the idea that federation will be all gain each or all of the colonies. If federation includes intercolonial free trade, and I hop most sincerely that it will, it will unquestionably mean a loss of revenue to such colonies as have levied border duties upon their neighbours' goods; and the higher those protective duties have been, the more serious the loss of revenue will be. And that revenue, as a matter of course, can only be made up by increased protective duties against the outside world, or duties in some other form — perhaps direct taxation. This, doubtless, will create in some colonies difficulties which will not easily be got over. It will involve sacrifices which some of the people in these lands, we have been told, will hesitate to make. It is not in human nature, and certainly not in that of Colonial Treasurers, to be ready to make sacrifices of colonial revenue, particularly when in the case of many of the colonies the Governments are troubled to make their financial ends meet. It is not every colony that is in the proud position of Victoria (or the position she was in a little while ago) of being blessed with a large surplus; and it is not too much to say that this difficulty will be a lion in the path of federation as regards some of the colonies, whose inhabitants will be unwilling to make sacrifices unless it is shown to them most clearly that they will gain compensating advantages. Again, if the federation includes federal defence, and it most likely will, the expenditure incurred in some of the colonies will far exceed the present amount. Here will occur again the same difficulty which will face some of the colonies in abandoning a

portion of their revenue from Border duties, and some of the Colonial Treasurers will feel it an unthankful task to have to say to their

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Parliaments, “We have federated, and it means that instead of spending £100,000 on defences you will have to spend £200,000;” or that, “instead of spending £10,000 you will have to spend £20,000 or £40,000.” Those who have to go to their Parliaments and advocate federation must be prepared to show some of the advantages which will compensate for such additional expenditure. I am sure that unless the peoples of the different colonies are fully convinced that they are gaining additional security against foreign aggression, they will think a great many times before they will enter upon a scheme of federation which embraces federal defences. And it will be the same in regard to other matters which the Federal Government may be asked to take in hand. It is therefore very important that we should face all the difficulties at this early stage, and be prepared to fully meet them, so that those who hesitate about federation, and some, I am sorry to say, do, will see clearly that on the whole the advantage lies in federating. Besides these purely financial sacrifices, which some of the colonies will inevitably have to make — some more than others — there are other sacrifices which will have to be made, such as the yielding up of local control over some of those matters which it is generally admitted will be very much better managed and administered by a Federal Government. In regard to all matters like this, the self-governing colonies will certainly be most jealous of the loss of any of their existing rights, powers, and privileges, and we must be prepared to show them that while they are going to lose so much they are going to gain more. Nothing whatever should be taken away from the control of the local Governments but such things as can be best administered in the interests of the individual colonies and of the whole group by the Federal Government. I think that whatever jealousy there may be as to loss of power, prestige, and privilege on the part of the focal Legislatures, they would be willing to consent to federation if they could see that their powers were not going to be curtailed needlessly in this respect, but that only those matters will be taken out of their bands which can be best managed by a Federal Government. In this connexion I also

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wish to remark that there is a set-off to the loss of revenue which would be sustained by the establishment of intercolonial free trade

in the shape of the certain large increase in the commercial transactions which would follow. The indirect advantages arising from this, I hold, would very largely compensate for the loss of revenue sustained by the establishment of free trade, and would bring about a condition of things in the colonies affected that would fit them for bearing the burthen of taxation which would have to be imposed in some other form to make up for the loss of revenue sustained by opening the ports on the Borders. As a small matter, showing that the Federal Government will effect savings in many directions, there will be the fact that, owing to the closing of our Customs houses on all our inland borders, there will be the possibility of dispensing with a large army of Customs officers, while a much smaller staff will be required all along the seaports, because we shall not have to search and pass entries for goods coming from neighbouring colonies, but only for those coming by vessels from foreign ports. There is one item of peculiar advantage which has not yet been definitely remarked upon, though I think Mr. McMillan, in passing, alluded to it. I refer to the probable saving to be effected in the annual payments of interest upon the public debts of all the colonies, if, with federation, the Federal Government takes over the loans of all the colonies. There is no doubt that with such a splendid credit as the Federal Government could command in the money market, we could secure loans consolidating all existing loans at something like three per cent. Canada has already borrowed at three per cent., though we know she did not obtain anything like par; but I believe that a Federated Australasia will be able to go into the money market and borrow on terms almost as favorable as the British Government. That would represent a saving, on a very moderate calculation, of £1,000,000 per annum in the matter of interest alone in our present state of indebtedness. That would tend to remove some of the difficulties which some members of the Conference, such as Sir J. Lee Steere, feel in regard to giving up so much of the revenue of their colonies

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as must be involved in the, establishment of the Customs Union. Mr. Deakin referred, in passing, to one or two matters of a practical character following upon federation, such as the more advantageous working of our postal and telegraph services, &c., under federal control than under the separate Governments. No doubt with our postal services under the control of the Federal Government, contracts for the carrying of mails and arrangements for

intercolonial and foreign mail communication could be more economically managed than under the present system of each colony making its own arrangements. Of course, I do not forget that we have already done a little bit of federation in regard to our postal services. At the Postal Conference held in Sydney, at the beginning of 1888, two or three of the colonies agreed to unite their interests in the Peninsular and Oriental Company's and the Orient Company's services, and since then Queensland has joined those colonies on the same terms. I say that the experience we have had in connexion with the united postal service goes far to show that if it were extended throughout the whole of Australasia in the coming Dominion, it would be more economical and better in every sense than the present arrangement. And the same remark applies to the telegraphic service. I regret that the Conference held in Sydney two years ago, which came to a practical agreement in regard to postal matters, did not do the same in regard to telegraphs. I believe that matters like this can be managed much better by the Federal Government than by the local Legislatures respectively or unitedly. Under the federal system, less time would be wasted in holding Conferences, and fewer difficulties would arise in getting the individual colonies to accept the recommendations of Conferences. Under the present system, years elapse sometimes in carrying on correspondence before the results desired can be achieved, and it is in every way desirable that the Federal Government should take the control of these matters. I believe that if a Federal Government were established, we should in six months have a cable tariff between these colonies and the mother country not exceeding 3s. or 4s. a word,

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as against the present rate of 9s. or 10s. a word. Proposals were made to the Postal Conference, two years ago, which, if carried, would have reduced the tariff to 4s. a word, but it has not yet been found possible to get the several Governments to agree to those proposals. I believe that if that reduction were made, such an impetus would be given to trade and commerce and social communication between different parts of the world that we should very soon find we had the advantage of the lower rate without any increased cost by way of subsidies paid by the several colonies. These are some of the advantages of a monetary character which federation has to give. They are worthy of consideration, and I think that, added to all the advantages which other members of this

Conference have already clearly pointed out, they will have weight in influencing the people of these lands in favour of Australasian Federation. But the question remains — what kind of union are we going to have? What sort of union will best meet the needs of this present time and the aspirations of the people of these lands? I confess, as I have already said, to a feeling that we have not yet exhausted the possibilities that exist in the matter of a Federal Government under the Federal Council Act. That measure might easily be amended so as to render it more suitable to the existing needs. I am aware that our venerable friend, Sir Henry Parkes, has told the world in a memorandum of his that there is no man or political party in New South Wales influential enough to induce that colony to join the Federal Council — as it exists, I presume. But possibly some slight alterations might make it acceptable even to our New South Wales friends; and if that measure, with a little improvement, would meet the needs of our time, it would be better, perhaps, to seek to bring into existence a union on such a basis as that affords, rather than some new-blown Constitution, which will not be, as Dr. Cockburn says, the gradual growth from our people and their existing conditions, but an exotic transplanted from Canadian or American soil, and which possibly might not flourish so well here as would an indigenous product. I do not

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say that this is the best method of growing up into union — I do not even say it is practicable — but I do say that in discussing this great question of federation it is very important for us to consider whether a union may not be procured which will meet all our needs by working under the Federal Council, or whether some important amendments might n organization and general defence; and others, whose views are of great weight in a matter like this, consider that that is practicable; and if the Federal Council is competent to do this, involving as it would a Federal Executive and a Federal Treasury, as necessary to carry it out, would it not also be competent to take control of federal Customs and of the postal and telegraphic services, as well as to legislate on any questions remitted to it by any of the local Legislatures? There is no reason that I know of why we should not work on to a larger union from the Federal Council. The crux in the matter will be the question of representation. The Federal Council being a Legislature of one House only, it would, I think, be essential that the colonies should be equally represented upon it. Democracies, however, stand in fear

of such bodies, because they have too much power over the purse; but even if we adopted the bi-cameral system, which appears to be most in favour in self-governing communities, and is apparently in favour here, I take it that the representation in the Senate must be by colonies, and must be equal. But in that case money votes initiated in the Lower House could be rejected by the individual power of the other Chamber. I cannot see therefore why, if such a body can do this, a Federal Council might not be entrusted with the power both to initiate and carry a money vote. I make these remarks not with the view of showing that the form of government set out in the Federal Council Act should be adopted by us, but rather by way of suggestion, so that the question may be fully considered, in preparation for the larger Convention which we hope will be held before many

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months are past. I hope that the form of union which is eventually adopted will be of such a character, and on such lines that all the colonies will from the outset be prepared, and even glad, to join it, so that we may all start together as one great confederation. I shall certainly support the motion, even if it is altered as proposed, because I shall regard it as a general expression of the opinion of this Conference that a federal union of some kind should be established. I sympathize somewhat with the remarks of Mr. Playford and Sir James Lee Steere as to the vagueness of the motion, and in their desire that something more practical should be submitted. But perhaps we have after all secured by the discussion that has taken place, which has embraced many of the details of the subject, all we could hope to secure at a Conference of this kind by a general resolution. It will be of great service in promoting the cause of federation, and will materially assist the delegates to the proposed Convention. Debates will follow in the several Colonial Parliaments when the recommendations of this Conference are submitted to them, and these also will help to pave the way for the final settlement of the question. I think, therefore, we may congratulate ourselves on the fact that the proposal originally made by Sir Henry Parkes that a convention of delegates to be appointed by the several Parliaments should at once be held was not agreed to by the colonies, and that we have taken the somewhat roundabout, slower, but safer course of discussing the matter first in a preliminary Conference, and preparing the minds of the people for the great work which lies before us. Whoever are the members of

the promised Convention, they will have a most onerous and honorable position to fill, and work to do; but they will come to their work so prepared for it that they will be able to formulate a scheme which may for many generations exist as evidence of the wisdom of those men who will be known in future history as the founders of an Australasian Empire.

Sir JOHN HALL

— Sir, some remarks which fell from the last speaker on the subject of the position taken up by the

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delegates from New Zealand in regard to the resolution of Sir Henry Parkes induce me to say that although I rise to support the suggestion of my honorable colleague the Colonial Secretary for New Zealand, that for the present the proposed federation should be confined to the Australian Colonies, yet I earnestly assure members of the Conference that that suggestion comes from no want of appreciation on our part, or on the part of those who have sent us here, of the value of a united Australasian Dominion, and from no indisposition to do all that circumstances will allow to further so great a cause. Were it not that this discussion has almost exhausted the subject, I should venture to trouble the Conference with some remarks upon the necessity for this great work, and the good it will do for us and our children. But the subject has been so ably treated by previous speakers, that I should be wasting your time by recurring to it. I think it rather my duty to say a few words in addition to those uttered by my colleague, to show why it is that New Zealand does not see its way for the present to join in this movement. The speeches of Sir Henry Parkes and other gentlemen must have carried conviction to the mind of every listener that the time has arrived when a movement should be made in this direction, and I cannot help congratulating my venerable friend, whom I had the pleasure of working with at it Conference held in Melbourne nearly a quarter of a century ago, that it has fallen to his lot to initiate the greatest movement towards the erection of a complete edifice of self-government which has ever been attempted in Australia. I thank Sir Henry Parkes for the admirable way in which he has brought this subject before us, but he must allow me to say that in one respect he was inaccurate, in so far as his speech applied to Australasia. He stated that Nature had made no impediment to the federation of the Australasian Colonies. Nature has made 1,200 impediments to the inclusion of New Zealand in

any such federation in the 1,200 miles of stormy ocean which lie between us and our brethren in Australia. That does not prevent the existence of a community of interests between us. There is a community

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of interests, and if circumstances allow us at a future date to join in the federation, we shall be only too glad to do so. But what is the meaning of having 1,200 miles of ocean between us? Democratic government must be a government not only for the people, and by the people, but, if it is to be efficient; and give content, it must be in sight and within hearing of the people. If members the Conference had lived in New Zealand, and knew how little we learn through the public press of what is going on in the adjoining colonies — no more, in fact, than of what is going on in Europe, Asia, and America — they would realize that no Dominion Government, the laws and executive acts of which are to be binding, on New Zealand, could, under existing circumstances, give satisfaction to the people of that colony. There would be practically such an absence of influence or of control on our part its to prevent such a Government ever being popular. My attention has been called to another impediment arising out of this distance by a remark which fell from Mr. Deakin. That gentleman stated with great force — and the statement must appeal to all thoughtful men — that a Dominion Parliament, exercising control over a large continent and dealing with large interests, would surely attract to political life many able, educated, intelligent citizens, who up to the present time have refrained from taking upon themselves a share of the burdens of Government. That may be a great advantage resulting from a Dominion Government; but we in New Zealand, and you in Australia perhaps to a less extent, have very few men of realized wealth and leisure. Our most intelligent, energetic citizens are those who are still fighting the battle of life, who could not afford to absent themselves for three, four, or five months at a time from their business, and to agree that we are to be governed by a Dominion Parliament would mean, not that we are to include, but that we are to exclude from it, a great many of our best men. Mr. Bird threw out some hints from which one must infer that he expected some concession to be made in the matter of representation to the smaller and the remoter colonies.

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No doubt remoteness from the seat of government reduces very largely the possibility of any influence being exercised by the

distant constituencies. The same proportionate representation granted to a constituency near the seat of government and to a constituency remote from the seat of government would practically give the former much greater influence than the latter. So much is this said to be the case that, on the occasion of the last redistribution of representation in the United Kingdom, Mr. Gladstone stated as a reason why a relatively larger number of members should be given to Ireland the fact that a great part of Ireland was remote from the seat of government. If the fact of a part of Ireland being 36 hours' journey from the seat of government justified a larger amount of representation being given to that country, what number of representatives would the people of New Zealand not require in order that justice might be done to them? They would require a number which we cannot believe a Dominion Parliament would accord to them. I am anxious that honorable gentlemen who regret and rather deprecate our refusal to federate with Australia should be good enough to carefully consider these reasons. I can speak for my fellow-colonists in New Zealand as well as myself when I say that we should be glad to join if we could do so with fair regard to our own interests. And, if at the present time we cannot become a member of the Australian Dominion, we are anxious to go as far as we can in any action which will promote the interests of all the Australasian Colonies. But there are other reasons why we do not see our way to join. The first and most pressing reason given for the creation of a Dominion is the necessity of organizing the military defences of Australia. The arguments set forth by Sir Henry Parkes on this subject, in the paper which has been circulated by him, appear to me quite irresistible. To think that Australian military forces, organized by five or six different Governments, paid by five or six different Governments, acting under the authority of five or six different Governments, can equal in efficiency to any degree the same number of men belonging to one Government and

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acting under one head, is, I think, the merest dream. Students of history will agree that no lesson is more clear than that when allied forces have been opposed by an army belonging to one Government, and acting under one head, they have always been at a disadvantage. The history of the great war at the commencement of the present century certainly tells us that if the allied forces opposed to Napoleon Bonaparte had not been composed of the forces of separate Governments, whose commanders were jealous of each

other, and were constantly disagreeing among themselves — if there had been unity of purpose and obedience to one will amongst them, as there was in the French army — the fate of that war might have been very different. It would be a tremendous mistake if we Australians were to hug ourselves with the belief that anything like a temporary arrangement for uniting the forces of the separate colonies could provide effectually for the military defence of Australia. This is a pressing and urgent reason why a Dominion Executive and Parliament should be created. But I ask honorable gentlemen to consider whether it is possible that a military force in Australia, divided from New Zealand by seas patrolled by an enemy's cruisers, could be of any advantage to New Zealand, or a New Zealand — force, under the same circumstances, to Australia? Mr. Bird has reminded us that in a well-known emergency the settlers of Australia came to the help of their brothers in New Zealand, with a promptitude and generosity which has made a lasting impression in the memory of the people of that colony. That, however, was at a time when Australia was in no danger; but in the event of our being involved in a great war, the same danger which menaced New Zealand would menace Australia, and she could not then spare any of her military forces, as she did on the occasion alluded to. We must come to the conclusion that, under such circumstances, an Australian army would be of no use to New Zealand. Naval defence is an entirely different question. The naval defence of these seas must be undertaken by one fleet, because the same enemy which threatened one part of Australasia would threaten the other. In this defence the

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New Zealanders have been perfectly ready to co-operate. If further measures are required, I feel sure that they will be ready to do their part without grudging or hesitation. While on this point, I may say that I sincerely hope that the outcome of this movement towards an Australian Dominion will never be that we shall have to rely solely upon a naval force created by a Dominion of Australia. It would be a sad day for these colonies when they had not the immense naval force of the mother country to protect them. We would be living in a fool's paradise if we believed that any navy these colonies could support could cope with the naval forces that would be brought against us by Great Powers of the old world. Honorable gentlemen may, perhaps, say to the delegates from New Zealand — “If you are unable for these reasons to work with us, why did you come here?”

We came here because we were invited to do so. It would have been discourteous and ungracious for us not to have come to a Conference convened for the consideration of so important a question, and to ascertain whether there was any way in which we could co-operate for the common good of Australasia. I still hope there may be some way. There is every disposition on our part to unite as far as possible with you. I hope that we may be able to take some steps towards the removal or diminution of those barriers which so impede commercial intercourse between different parts of Australasia. I agree with my honorable colleague, Captain Russell, upon almost every public question excepting that of free trade and protection. I have for 25 years been in favour of a protectionist policy, and I was in favour of it when it was not as popular as it is now. I believe that the manufactures and industries of a new country will never grow into vigorous life unless in the first instance they have some protection against the cheaper productions of older countries. It is impossible for them to thrive unless, for a time at any rate, they have given to them some compensating advantage against the cheaper labour, cheaper capital, and greater experience of older countries. But that does not apply as between the several colonies. The cost of production

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in the several colonies is pretty well on a level, and Victoria has no more reason to fear New Zealand than New Zealand has to fear New South Wales or Queensland. I much regret the large and increasing barriers that are being erected to commercial intercourse between the colonies. I must say for New Zealand that, although we have to a certain extent adopted a protective policy, in no one case has that policy been directed against our neighbours. On the contrary, we allow preferential duties in favour of some of the products of Australia as against the products of other parts of the world. I wish I could say as much for our neighbours in Victoria. I do not abandon the hope that it may be agreed to be mutually advantageous to facilitate the exchange of the products of the colonies, some of which are fitted by soil, circumstances, and climate to the production of one class of goods and some of another, and to diminish some of the barriers which at present impede that exchange. Increased commercial intercourse will lead to increased social intercourse, and the more we know of each other the better friends we shall be, and the more likely it will be that we will be prepared to agree to a more intimate union than is at present

practicable. There are other subjects on which we shall be very glad to work with our Australian brothers. I believe that an Intercolonial Court of Appeal might be advantageously established, but I cannot agree with those who think that it must be a final Court of Appeal. They will never get that so long as the Queen, the fountain of justice, is at the head of the Empire to which we belong. But if we do not get that, I submit to Mr. Playford, who seemed to think that this would be a measure disadvantageous to the poor man, that an Intercolonial Court of Appeal would, on the contrary, render practical to the poor man, who cannot afford to have recourse to the Privy Council, the means of appeal in the colonies.

Mr. PLAYFORD

— The rich man will go further.

Sir JOHN HALL

— I believe that in nine cases out of ten the decision of an Intercolonial Court of Appeal would be satisfactory and final.

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Mr. PLAYFORD

— I do not think so.

Sir JOHN HALL

— A principle of the British Constitution is that the Sovereign is the fountain of justice, and if Mr. Playford's experiments were tried it would cause greater dissatisfaction than results from the present system. The inability of New Zealand at present to join with Australia in this great work of federation should be no difficulty to Australia. On the contrary, I submit that it will greatly facilitate and simplify your proceedings, because if New Zealand were brought into the federation, her peculiar position would necessarily introduce a great many difficulties in the framing of the Constitution from which, if you were dealing with the Australian continent, you would certainly be free. I think, therefore, that honorable gentlemen should congratulate themselves on being freed from the complications to which they might have been introduced if they had had New Zealand to consider. Their task will be simplified. It may also be simplified in regard to the nature of the subjects which will be entrusted to the Dominion Government. We have been told by Sir Samuel Griffith, in sagacious and practical language, that, if they are wise and prudent, the framers of the proposed Constitution will be content "to take as much as they can get." I was sorry to hear Mr. McMillan state, as I understood him, that New South Wales would never be satisfied to take part in

anything less than an absolutely complete federation, including a Customs Union. The honorable gentleman's expressions remind me of the advice given by an English statesman to a young Parliamentary hand, who had declared that he would never agree to a certain proceeding. The statesman said, "I advise my young friend never to use the word 'never.'" I hope that Mr. McMillan, when he has gained more Parliamentary experience, will see the inexpediency of committing himself so positively to a refusal to accept less than he at the present time thinks desirable. Although some honorable gentlemen will not be bound to follow the Canadian and the United States' example, I think we should not refuse to be helped by them. If the framers of that Constitution had said they would not form any

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confederation unless they could get the whole of the North American Colonies to join, the Canadian Dominion would never have been formed. They were content to accept at first the greater of the Canadian Colonies, strong in the belief that the experience of working that limited confederation would induce other colonies to come in. I suggest to my Australian brethren that they should do the same. As Sir Samuel Griffith has said: "Take what you can get." Take what subjects you can get; take what colonies you can get; in the conviction that the union of Australia and Australasia is so beneficent a work, is so certain to conduce to the prosperity and happiness, aye, and the liberty of the people, that, if a partial Dominion is formed, it will be the will of the people before long to make the Dominion a complete one. One proposed feature of this Dominion will, I trust, be loyally adhered to, and that is that it shall be a Dominion under the Crown of Great Britain. I am induced to say this because one hears, not in this Chamber, but outside, allusions to Australian youth which knows no loyalty to the old country. Speaking for my fellow settlers in New Zealand, I can say that they are thoroughly loyal to the old land. We try to educate our children in a knowledge of the history of our great mother country. We try to teach them that that great history — with its glorious associations — are part of a precious heritage; that they do not belong to a people insignificant and little known in the records of Empire, but to a nation which has accomplished great things in arms and still more in the more noble arts of peace, in self-government, and the enjoyment of individual liberty. We teach them that they belong to a nation which is first in these respects in

the history of the world. We are attached by the fondest ties of affection to the old country, but we are also attached by something more permanent and durable, that is by a conviction that our connexion with the old country will best serve our material interests and be the best safeguard of our liberties. These are the days of great armaments, both military and naval. These are the days of rapid communication, and although during the last great war in which England was

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engaged — the Crimean war — such a thing as the advent of a large foreign naval force in these seas had never to be dreamt of, can we doubt that, in the event of our being now engaged in a great naval war, many months, weeks, or days would elapse before formidable enemies would make their appearance at our doors? We cannot hope, nor, I submit, can an Australian Dominion hope, to be able to maintain a naval force so large, so modern in its construction, so perfect in all the latest appliances of naval science as to be able to cope with the forces of the old world Powers. We know that if there is one thing more than another which these great nations hunger and thirst for, it is land with a temperate climate, which is open to settlement, and upon which they can pour their surplus population without losing their allegiance. And can we doubt that the one thing they would have in view would be to possess themselves of, or to prey upon, these colonies. We feel, therefore, that the protection of Great Britain, which we are sure will be afforded to us in no grudging manner, will enormously serve our best interests. For these reasons New Zealand land will not have part or lot in any movement which involves separation from the Empire. We do not question the right of others to work out their political salvation in whatever way they may think proper, but we would earnestly advise them to think twice, thrice, indeed many times, before they allow any proposal of that kind to be seriously considered. This union of the Colonies of Australia is, in my opinion, sure to come. I have no more doubt that it will come, whether temporary difficulties bar the way or not, than that I have that the sun will rise to-morrow. Without any want of respect to the originators of the Federal Council, which has its friends here, I may congratulate my honorable friend, Sir Henry Parkes, the patriarch of Australian statesmen, upon the proud position of being the man to propose the laying of the foundation stone of so great an edifice. But, Sir, we are not really laying the foundation stone. I was going

to say that we were preparing the foundation, but the foundation already exists. The foundation exists in that feeling of kinship among Australasians to

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which so much eloquent allusion has been made. That is the foundation upon which we are preparing to build upon interests which are common, upon community of race, language, and history. In conclusion, I must say that I almost envy my Australian brethren the opportunity of joining in the great work before them. I cannot help regretting that, for the present, circumstances render it impossible for New Zealand to do so. It is said that history repeats itself, and we shall, I feel confident, have another instance of it. In the Northern Hemisphere the old Empire has shown to the world how it is possible to combine the greatest amount of individual freedom and liberty with most absolute security for life, property, and order; and I believe it will be our great glory that in the Southern Hemisphere, and in these Southern Seas, we shall repeat the lesson which the dear old mother country has taught the North, and that this great Australian Dominion will prove a centre of liberty, civilization, and light throughout the length and breadth of the Pacific.

Mr. J. M. MACROSSAN

— Before I enter upon the subject on which I wish to speak, let me say that I appreciate the motives of the delegates from New Zealand. I cannot help saying that I approve of their conduct. Whether they join the Australian Union or not, they can always be satisfied that they will have the best wishes of their Australian brethren for the material progress and prosperity of the colony they represent. I thoroughly approve of the resolution proposed by Sir Henry Parkes. I approve of the resolution word for word, with the exception, perhaps, of the word “Australasian,” to which the New Zealand delegates have alluded. Although certain members of the Conference have thought such a motion is too vague and indefinite, I consider Sir Henry Parkes has shown his wise discretion in proposing it. Judging from the speeches which have been made, Sir Henry Parkes must have had the prescience that if he had proposed a motion more precise and definite, we probably should never have arrived at a unanimous decision upon it. Therefore

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I approve of the motion most heartily. At the same time, I expect we shall have to go further in other motions which are to follow. Although the motion proposed by the Premier of New South Wales

may be considered to be an abstract one and vague, the speeches made by the honorable members of the Conference have been very far from vague. They have been very definite indeed. Many of the speakers entered very closely into the details of what they considered should form the union which Australia should adopt in the future. After the speeches which have been delivered, I stand in the position of having nothing to say. All the members of the Conference, with the exception of myself, have spoken, and they have exhausted the subject of Australasian Federation. Therefore, I am in the position of the needy knife-grinder who had no story to tell. Nevertheless, honorable gentlemen have left me some grounds, I will not say of criticism, because I do not wish to criticise the speeches of my confreres, but some arguments to advance which may be considered to have an important bearing on the subject under consideration. Objections have been taken to different points in what may be considered our future union. I shall not, however, deal with them at present. I shall, however, deal very briefly with some of the advantages of Australasian Federation, which some members of the Conference have perhaps overlooked. Those who have spoken have dealt more or less with what is called a Customs Union. But there are other matters which, although not as important as that of a Customs Union, and which do not present such great difficulties, have still an important bearing on the subject of federation. I must say, at the outset, that I believe in federation complete and simple. I believe we shall do no good in Australia until we have a complete federation. I should like the advocates of an incomplete federation to point out how we are to get along better, under such a system, than we have got along up to the present time, under the Federal Council. To premise what I have to say I will state, in a few words, what I consider to be complete federation, by enumerating some of the subjects which the Dominion Government

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of Canada have power of dealing with exclusively. First, there is the public debt and the public property; second, the regulation of trade and commerce; third, the raising of money by any mode or system of taxation; and fourth, the borrowing of money on the public credit. The seventh item amongst the exclusive subjects dealt with by the Canadian Legislature has reference to military and naval defence and service. The control of these matters is, I think, indispensable to a complete Australian Federation. There are many

other subjects of legislation which might be spoken of, which I consider to be indispensable; but those I have enumerated are certainly indispensable. I consider that the dealing with the public debt and the public property ought to belong, exclusively, to our Federal Parliament, when we have the happiness to establish it. The subject was slightly touched upon by Mr. McMillan this morning. That honorable gentleman alluded to the public debt, and he spoke of the probability of a Federal Government being able to borrow money at a lower rate of interest than the several Governments of Australasia are at present able to borrow. But we can go further than that. I think that a Federal Executive would not only be able to borrow at a much lower rate of interest than are the several Governments at present, but that they would be able to convert existing debts to a much lower rate of interest than the several Governments are at present paying. By this means we would probably save a million or two millions of money. I look upon the unification of the debt as a *sine qua non* to the establishment of a Federal Government and Federal Executive. This brings me to a few remarks I have to make on the observations of Mr. Bird, one of the representatives of Tasmania. That honorable gentleman seemed to be under the impression that if a Federal Customs Union were established, and if the Customs barriers were abolished between the different colonies, the colonies would suffer through being obliged to raise money to make up for the loss. I, myself, do not like the expression "Federal Customs Union," and I would rather speak of it as the giving of power to the Federal

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Government for raising money by any mode or system of taxation. Well, the honorable gentleman overlooked the fact that if a federal government has the power given to it of raising money by any mode or sy different colonies will be relieved from the interest they now pay upon their public debts, and, as I shall show presently, that will be full compensation for the abolition of the Customs barriers between the different colonies. The same consideration occurs in connexion with the matter of defence. Mr. Bird seemed to think that if a Federal Government took up the duty of defence, the different states would be obliged to pay certain sums towards that defence. If defence is given — as I think it must be given — to a Federal Executive, that Executive must undertake the whole control and expense of it, and not the states. This must be done if defence is to be effective. The several states will not be asked — at least I should

hop they will not be asked — for anything in the shape of requisitions. Our experience, up to the present, in the way of requisitions, has not been very fortunate. A Federal Government must take the expense of a Federal Defence upon itself, and relive the several states of that defence.

Mr. BIRD

— Where will you get the money from?

Mr. MACROSSAN

— The Federal Government will get the money from the proceeds of taxation which the separate colonies at present impose upon people belonging to those colonies. I do not know whether the honorable gentleman is aware of the total amount of taxation which is at present levied upon the different colonies of Australasia, exclusive of New Zealand. In anything I have to say at present I wish it to be understood that I exclude New Zealand, as the delegates from that colony have no intention of entering into a union at the present time. I was rather startled last night by the statement of Sir James Lee Steere, the delegate from Western Australia, when he said that the abolition of the Customs duties would lead to a deficiency of

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two millions a year. I thought that this could not be possible, and I took the trouble of examining the statistics of Australasia for the purpose of ascertaining whether the statement was correct or not. The result was that I found the honorable gentleman had made a mistake. The total amount received from all sources by the different colonies, excluding New Zealand, amounted, in the year 1888, to £8,655,661.

Mr. PLAYFORD

— But you are not going to give the whole of that up to general revenue?

Mr. MACROSSAN

— I hope so. My idea of federation is that the General Government will have the sole power of raising money by any mode or system of taxation.

Mr. PLAYFORD

— Then you snuff out all the local Governments.

Mr. MACROSSAN

— No; the honorable gentleman is mistaken in thinking the local Governments will be snuffed out. The total interest paid on the public debt of the whole of the different colonies amounts to

£4,865,991. My figures are taken from the Government Statist of Victoria, so that I presume they are correct. The difference between the total amount of taxation raised in the different colonies and the total amount of interest paid on the public debt is £3,589,650. I think that this completely answers the statement made by Sir James Lee Steere yesterday evening, which startled me so much, and other members of the Conference as well.

Sir JAMES LEE STEERE

— My statement is correct, and the honorable gentleman's statement is incorrect. I have taken my figures from the official records.

Mr. MACROSSAN

— My statement is based on the figures to be found on page 456 of the *Victorian Year-Book*, 1888-9. If my statement is incorrect, Mr. Hayter is also incorrect. I prefer to believe that Mr. Hayter is not incorrect.

Mr. CLARK

— The figures are correct, but it is the use you make of them.

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Mr. MACROSSAN

— It is Mr. Hayter's business to be correct in his statements. I have taken the figures as they stand, and I have used no others but those contained in the book. The source I have mentioned is the source from which the money will come, and there will be other sources as well. The representative of Western Australia also stated last night that, including New Zealand, we owed £168,000,000. I will now leave New Zealand out of the question. Leaving that colony out of the question, we owe £130,000,000. Of that £130,000,000, seventy per cent. has been contracted for the purpose of making railways and telegraph lines. Taking every colony in Australia, including Tasmania, the railways are actually paying, according to Mr. Hayter, 3.55 per cent., so that in reality, at least two-thirds of the public debt of Australia produces almost sufficient to pay the interest upon the capital will have in a few years, that the interest will be so reduced by the unification of the conversion of the debt, that the railways and telegraph lines of Australia will pay more than they have actually cost. Thus the balance of thirty per cent. Of the debt will be very easily met by the surplus amount I have mentioned as existing between the debt and the total amount of taxation. I believe that the abolition of the Customs duties between the different colonies will lead to a loss, but I do not

believe it will lead to the loss of £2,000,000, as suggested by Sir James Lee Steere. It is absurd to think that it will lead to a loss of this character. My honorable colleague, Sir Samuel Griffith, thinks it will probably lead to the loss of half a million. Personally, I think it will lead to the loss of about a million. We have, however, no means of ascertaining what the actual loss will be. I think it is far more likely that it will not exceed a million, than that it will reach two millions. A point which has been overlooked by members of the Conference has reference to our railways. If the Federal Government takes over, as it must, the whole of our debt, it will, of course, take over the property upon which that debt has been contracted. This naturally

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follows in any matter of State business. Some objection may, perhaps, be raised in reference to the management of the railways by the Federal authorities, who may not be so conversant with local wants and requirements as the present Governments. In order to meet that objection I would point out that in three of the colonies I know of, and perhaps in the fourth, Railway Commissioners have been appointed for the control and management of the various railways. All that the Federal Government have to do in a case of this kind is to make the Railway Commissioners federal officers, and the management will remain the same as at present. A system of this kind will have the advantage of still further removing the management of the railways from that political influence, the existence of which was the chief reason why Commissioners were first appointed. The result will be very advantageous. I believe that the people generally will approve of a Federal Government taking over the management of the railways. If the management of the railways is left entirely and solely under the control of the different local Governments, the same wars of tariffs will go on in the future as they have done in the past. Human nature will always remain the same. Whether we have a Federal Government or not we cannot alter the human nature of the people of Australia; but if we place the management of the railways under the control of a Federal Executive we shall be relieved from any apprehension of a federal war, whilst the railways will still be managed as well as they are now, and by people who will be as conversant with local requirements as they are at present. These are two advantages which we shall gain from federation. Then there is the question of the public lands. I confess I have not quite made up my mind on

that question, although I may say that I think the public lands should be under the control of the Federal Executive. We have two examples before us of the federation of peoples of our own race, in the cases of Canada and America. In the United States of America the Federal Government has the full and sole control of all the public lands, and no one can say that the public lands of the United States have not been well

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administered and well managed. In Canada, the Dominion Parliament left the control of the public lands to the local Governments. Whether the public lands of Canada have been is well administered as the public lands of the United States I cannot say; probably other members of the Conference are better informed on that point than I am. But we have these two opposite systems to consider between this and the meeting of the Federal Convention, which I hope to see assemble in a few months. In the meantime, I think myself that the balance of opinion is in favour of the Federal Government having control of the public lands. Now these are some of the advantages of federation which members of the Conference who have already spoken have not examined perhaps as closely as I have; at any rate, they have not broached them. I shall now come to some of the objections which have been made to federation, notably by the representatives of the two colonies of Western Australia and South Australia. The colony of Western Australia, through its representative, Sir James Lee Steere, has expressed a fear that, if the Customs revenue is taken away from the local authority, they will have no means of carrying on their present local Government. Now, I have pointed out what I believe to be a mistake which that honorable gentleman has made in his calculation, but the honorable gentleman should also recollect this, that it will be within the power, and no doubt will be the duty, of the Federal Government to subsidize the different local Governments to whatever extent may be deemed fit. That is the case in the United States of America, and that is the case in the Dominion of Canada. In Canada, a certain amount of subsidy is provided by the North American Act; and in America, a certain amount of subsidy is apportioned amongst the different States in the Union for certain special objects, according to the amount of revenue which the National Government has the means of distributing. I do not think that any colony, and least of all a colony like Western Australia, which has so small a population at the present time, and no doubt has difficulties to encounter which

the greater colonies have not, need be afraid that the Federal Government

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would not do justice to it and see that justice was done to it in every respect as far as revenue was concerned. I believe that the Federal Government would not take advantage of the position of a colony like Western Australia to injure it, or in any way to impair its local administration. The two gentlemen from South Australia, although they are in favour of federation in the abstract, seem to be in the concrete rather afraid of throwing down the Customs barriers. Well, I really don't know why they should be afraid of doing that. South Australia is inclined to be protective, as all the colonies of Australia are, more or less, with the exception of New South Wales, but South Australia will be placed in exactly the same position as the other colonies will be placed, if a uniform tariff be adopted. The representatives of South Australia are afraid, no doubt, that Victoria has got the advantage of starting in the race, but I think that they need not be afraid of that. South Australia is able to produce many articles much cheaper and better than Victoria, articles of very common use, such as flour, for example. Now, I think that if the gentlemen representing South Australia will compare the position of their colony with the position of Queensland, so? It is in the nature of States to be selfish, and I don't think that we should allow that notion, or that fact rather, of the selfishness of Victoria to stand in the way of a complete federal union of the Australasian Colonies. I believe that the people of Queensland are not afraid to throw down the Customs barriers, neither are they afraid of any start that Victoria has got in the race, although this colony has got as large a start, in the way of protection, against Queensland as it has against South Australia. I know that in several items of manufactured goods which the Victorians pride themselves on manufacturing, we, in Queensland, are able to hold our own

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even under the most open free trade, and if we cannot continue to hold our own in the future as we have done in the past, then I think we ought to go to the wall. But although Victoria will, no doubt, have a slight advantage after the throwing down of the Customs barriers, still I believe she will not have that advantage very long; and as far as Queensland is concerned, and I think the same may be said of sections, at all events, of South Australia, the distance and the extra cost of freight ought to be a sufficient protection on almost every item which is manufactured in Victoria. Then, I know that the

colony of South Australia has been extremely anxious in the past to enter into a reciprocity treaty with Queensland, and, that being so, what objection can it have to such a complete system of reciprocity as the throwing down of all the Customs barriers in the colonies would be? No reciprocity treaty would give equal advantages to that. Different Governments of South Australia have, to my knowledge, made it their business for several years past to try and induce different Governments of Queensland to enter into negotiations with them for the purpose of adopting a treaty under which certain products of South Australia would be admitted free into Queensland, or admitted at reduced rates of duty, and certain products of Queensland would be admitted to South Australia duty free or at reduced rates of duty; and if different Governments of South Australia have been so anxious for that limited measure of reciprocity, why then cannot they adopt the higher and greater form of reciprocity — free trade with all our colonies? I really think that the South Australians are standing in their own light, although I don't believe for a single moment that the people of South Australia, when the question put by both of their representatives at this Conference comes to be settled, will declare against free trade between the colonies. I am a protectionist in principle in my own colony, and I believe that one outcome of the establishment of a Federal Parliament and a Federal Government will be intercolonial free trade and protection against the outside world. Now, anyone who is at all acquainted with the

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history of America must know that the greatness of America has partly risen from the fact of there being free trade between all the states, from north to south and from east to west, with protection against the whole world outside. Nothing has contributed more to the advantage of America than that simple fact. Of course, I know that I am speaking in the presence of a great free-trader — Sir Henry Parkes — who does not believe in protection at all. At the same time, he must admit that it is much better to have free trade between all the colonies than to have only one colony a free-trade colony, even although the union may ultimately lead, as I think it will, to protection in all the colonies as against the outside world. Now, Sir, I come to some of the difficulties which have been stated by gentlemen who have spoken before me, some of them by my own colleague in the representation of Queensland, Sir Samuel Griffith. One of these objections is that the people of the different

colonies are not prepared to go the length that we, the delegate's in this Conference, are prepared to go. Another objection is that the people of the different colonies don't know each other sufficiently, and that they are opposed to the centralised system of Government, and my honorable colleague specially instanced Queensland as being opposed to a centralised system of Government. Now, Sir, I believe that the people of these colonies are far more ripe in the cause of federation than some honorable gentlemen in this Conference give them the credit of being. I thoroughly believe that if the questions are sometimes put to-morrow, as certain questions are sometimes put in Switzerland and in other countries under what is called the Referendum, the majority of the people of Australia would vote for federation as against no federation. And I believe, also, that they would give their votes intelligently, knowing what federation meant, what sacrifices would have to be made by the different local Legislatures; knowing, also, that it would mean the establishment of a Federal Executive and a Federal Parliament, with which they would have very little or no intimate connexion. Now, if my honorable colleague believes that, as I think he does, why should he or any other member of

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this Conference be afraid to give expression to the opinion? Why should we, who believe so thoroughly in federation, be afraid to raise the standard of federation which we feel ought to be raised, but which seemingly we are too timid to raise for fear of offending the susceptibilities of timid conservative people? Then, again, my honorable colleague thinks that the people of Queensland might be opposed to federation because they are opposed to centralization, being separationists in some parts of the colony; but the honorable gentleman ought to know, and I think he does know, that those people who are actually the strongest separationists are the most ardent of federationists.

Sir SAMUEL GRIFFITH

— Hear, hear.

Mr. MACROSSAN

— The whole of the people of Northern Queensland, who are separationists, are as strong in the principle of federation as I am, therefore the argument that the people are opposed to federation because they are afraid of centralization has no force or effect whatever, as far as Queensland is concerned. Centralization has no terror for any one who thinks upon the subject, if sufficient local

autonomy is left to the local Legislatures. If we were to have a Legislative Union it would be a different matter; if we were proposing to destroy the local Legislatures it would be a different thing entirely; but if we leave sufficient authority, as we ought to do to the local Legislatures, Federal Government or centralization can only have the effect of making men believe that which we wish them to believe — that they are first Australians, and then Queenslanders, South Australians, or Victorians. Then, again, on the other hand, we must, I think, give to the Federal Parliament the full control of the waste lands of the Crown. I have said already that I am in doubt whether I would give the Federal Parliament the control of all the Crown lands, but there is a large amount of waste lands of the Crown almost outside of civilization which I think the Federal Parliament should have the full control of; and the Federal Parliament should also have the same control over the territorial jurisdiction of such outside parts as

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portions of Western Australia and the Northern Territory for the formation of new states. Every power and authority now exercised by the Imperial Parliament over those parts of Australia should be exercised by the Federal Parliament, and I believe that those powers would be exercised by the Federal Parliament in a more beneficent and intelligent manner than obtains at present, because the power would be exercised by those who know the character of the country and the requirements of the people they are dealing with. I believe also that power should be given to the Federal Parliament — as it is given to the Imperial Parliament — to cut up, if thought necessary, the different existing colonies of Australia, and form them into smaller states. I consider that the colonies of Australia are too large for good government. Some of the existing colonies, such as Queensland, South Australia, and Western Australia are far too large for good government.

Mr. PLAYFORD

— No.

Mr. MACROSSAN

— I do not say South Australia only — New South Wales is also too large. If we look at the geographical position and area of the United States of America, we shall find that not one of those states is as large as the colony of New South Wales. Texas, the largest state in the Union, is only about one-third, or, at most, perhaps half the size of Queensland. There has been an agitation going on in

Texas for years for the cutting up of that state into several smaller states. I believe that the small extent of territory in each state in America has had much to do with the good government which obtains in that country, and that Victoria has been the best governed colony in Australia because of the smallness of its territory.

Mr. PLAYFORD

— Query.

Mr. MACROSSAN

— There is no query about the matter. To a large extent, the good government which has prevailed in Victoria has arisen from the smallness of her territory. Large

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states are never so well governed as small ones, and, therefore, the Federal Parliament ought to be empowered to cut up the larger colonies into smaller colonies, as the Federal Government of America has cut up the larger states into smaller states when it has been deemed expedient and just to do so. This may be an extreme opinion, but it is one I have held for a long time, and it is one which I am certain will not be opposed by my constituents in Queensland. I have heard a good deal from the speakers who have preceded me in regard to the Constitutions of Canada and the United States. Some reference has also been made to the establishment of a Federal Court of Appeal. The only representative, however, who really approached the subject, seemingly, with a full knowledge of it, was Sir John Hall. It must be known to every member of this Conference that the Sovereign is the fountain of justice, and that a subject cannot be prevented from appealing to Her Majesty for justice if he has not obtained it elsewhere. Therefore the establishment of a Federal Court of Appeal would not prevent an appeal from that judiciary to the Privy Council in London.

Mr. PLAYFORD

— We want the Court of Appeal in the colonies to be a final Court of Appeal; and a Court of Appeal in the colonies will be a Queen's Court as much as the Privy Council is.

Sir HENRY PARKES

— It would not be of much use if it were not so.

Mr. MACROSSAN

— The Federal Court of Appeal will be a court under the Crown, no doubt, but no one can prevent an appeal being made to Her Majesty, who sits figuratively in the Privy Council.

Mr. PLAYFORD

— Her Majesty will also sit figuratively in the Court of Appeal in the colonies.

Mr. MACROSSAN

— I would be quite as anxious as Mr. Playford to prevent any appeal going beyond the bounds of

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Australasia if it could be done, but the limitation does not exist in Canada. All appeal lies in Canada to the Privy Council in London, though on in certain cases.

Sir SAMUEL GRIFFITH

— Only by special leave of the Privy Council.

Mr. MACROSSAN

— There are some other points in the Canadian Constitution which I certainly would not like to see brought into the Australasian Constitution. First, there is the question of the Senate. The Canadian Senate is a body appointed by the Governor in Council for life, and I would be utterly opposed to the adoption of that plan here. I think the Senate ought to be a representative body, and that to allay the fears of the smaller states, such as Western Australia and Tasmania, the second chamber should in some way represent the colonies themselves as separate sovereignties. I regard the Senate of the United States as being one of the grandest representative bodies in existence. It is quite equal to, if it does not surpass, the British House of Lords. It is the best elective House of Legislature in the world, the reason of that being that it represents the different states, and is composed of men who have had vast experience of political life in some capacity or other before entering the Senate. Then, in Canada, the Governor in Council has the power of vetoing the legislation passed by the different local Legislatures. That is a power I would not like to give to any Federal Government established in Australia. When we have established a Federal Constitution in Australia, I think the Governors of the different colonies should be elected by the people of each colony, and that the Governor should only have a veto upon the legislation of the Legislatures of the colony over which he presides. Those are two very material points in regard to which I differ with the system that prevails in Canada. I think that too much authority is given to the Federal Government in that country, and too little to the local Legislatures. I think that a happy medium might be established between the Canadian system and that which obtains in the United States.

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Coming to another point, Mr. Playford complained in a kind of way that this movement for federation did not originate with the people of the colonies. I would like to ask him what great movement has ever originated with the people? Have not the people always been urged on by their leaders in every matter of improvement and reform?

Mr. PLAYFORD

— The people have always forced their leaders.

Mr. MACROSSAN

— It is the leaders who begin reforms, and the people take it up from them. We can move the people if we try to do so, and if we believe in federation it is our duty to endeavour to influence the people to bring it about. Mr. Playford is under the impression, I suppose, that the United States of America in forming their present Constitution had fewer difficulties to contend against than we have in these colonies, and that in America the movement originated with the people. The fact is it was quite the opposite.

Mr. PLAYFORD

— Did not the action of Great Britain move the people?

Mr. MACROSSAN

— The difficulties the Americans had to contend against were enormous. The only real difficulty we have is the fiscal one. The Americans had that and half-a-dozen others besides. They had the fiscal difficulty to a larger extent than we have. They had also the difficulty of slavery, the difficulty of dislike and hatred existing between the different inhabitants of different states, and the difficulty of living under a Government which had come to be despised. Our Governments are not despised. The Americans had also the difficulty of being so impressed with democratic ideas that the people would not trust a man to represent them for more than twelve months without retaining the power of withdrawing their confidence from him and withdrawing him from the Assembly into which they had sent him. The sturdy independence of the old Puritan spirit was such that they would trust no member of Parliament. We have no fear of tyranny in these colonies, or that a Federal

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Government will not act honestly within the limited sphere of its jurisdiction. But the American Government was scarcely a Government at all, and at the same time the people were averse to having a Government which exercised more power than the Articles

of Federation gave to the Congress, at that time. The Convention which established the present Constitution of America sat four years after the war with Great Britain was finished. There was no fear of any war at that time, but the country was tumbling into a state of anarchy. Rebellion had existed for months in Massachusetts, and there had been riots in other states. In America, the impelling power to federate was greater than in Australia, but the difficulties were also greater. With us, the impelling power is the desire for nationality, and the desire to abolish the Customs tariffs. When the American Convention was held, it was not held at the instance of the people — it was held in a sneaking kind of way. James Madison, who was an advocate for a strong Central Government, was actually afraid to bring forward a motion in his own State of Virginia for the holding of a Convention. He got a man who was opposed to the idea to do it, so fearful was he of the effect on public opinion of a proposal to have a strong government. The father of one of the American Presidents, Mr. Tyler, was the man who submitted the motion. Then, when the Convention was held, all the States were not represented at it, and many of the members were afraid to do anything, because they were sent there simply to reform the Articles of Confederation, and not make a new Constitution of their own. They were afraid — the same as some timid men in Australia might be afraid — of Federation; they were frightened to do anything to alter the existing system. Nothing done by the members of that Convention would have had any good result at all but for the admirable conduct of its President, George Washington. At that very time the different members of the Convention showed a cowardly fear — which sometimes exists, and should not exist in free States — of offending the people they represented.

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Sir HENRY PARKES

— I think you will find that Edmund Randolph was the President of that Convention.

Mr. MACROSSAN

— No; George Washington was the President, and the short speech of a line or two which he made turned the fate of the Convention. He said —

“If to please the people we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise

and the honest can repair; the event is in the hand of God.”

That is what we should do. We should raise a standard which we believe in — that is the standard of a complete federation — and we may depend upon it that if we do so the people will carry it on to victory. If every man in this Conference will do what he believes inwardly to be his duty, there need be no fear of the result. What would the local Legislatures surrender after all? They would surrender a little authority and a little dignity. The people would surrender nothing; and the sacrifice which the local Legislatures would make would be fully compensated for by the great gain that would accrue in the union of Australia.

The Conference adjourned at twenty minutes past four o'clock until the following day.

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Thursday, February 13, 1890

Debates of the Federation Conference, 1890. Held in the Parliament House, Melbourne 1890.

Thursday, February 13, 1890

The Public were admitted to the Conference Chamber at half-past Eleven o'clock a.m., the PRESIDENT (Mr. D. GILLIES) being in the Chair.

Union of the Colonies

Discussion on Sir Henry Parkes' motion in favour of an early union under the Crown of all the Australasian Colonies (adjourned from the previous day) was then resumed.

Sir HENRY PARKES

— Mr. President, I can safely say that I came to this Conference with no desire to even allude particularly to the colony which I represent. I came here not as a resident of New South Wales, but, I trust, in the spirit of an Australian citizen. In submitting the proposition which I had the honour to place before you I did it in a way which I thought could not possibly give any offence, or raise any feeling of acerbity. I even tried to suppress my own passionate yearnings in many respects. I endeavoured to be calm and circumspect, and I thought I tried to keep well to the subject in hand. Probably I ought not to feel any surprise at the debate taking a wider range than I anticipated. It seemed to me, however, that as we contemplated the calling together of a Convention to consider the real matters attaching to the formation of a Constitution, we had little to do outside that simple question. Therefore I cannot admit that the resolution which I placed before you was in any sense bald, or of a merely abstract character. Nor can I admit that I would have been justified in going one step further than I went. As the correspondence which led to this Conference will show, we are not here to deal with doctrines, but to say whether we can or cannot assent in the name of the free peoples of this continent to steps being taken in order to weld them together. If I am not surprised at

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other delegates having, as I think, departed from what I expected to be the business of the Conference, I am, nevertheless, surprised that

I should have been personally treated with, I might say, rudeness; nor can I conceive what offence I have given unless it be that I am the oldest servant of the Australian people. I am equally unable to imagine anything more personally offensive than for a gentleman to tell another to his face that although making certain professions there is strong reason for believing that he is not sincere. To me no deeper offence could be offered. But I have had to encounter another thing which gave me a sort of fear that I was to be overwhelmed. In fact, Mr. Playford's behaviour reminded me — I think the allusion most appropriate — of the fable of “The Wolf And the Lamb,” for he appeared determined to pick some kind of quarrel with me; why, I do not know. I had not disturbed the running waters, so I can only conceive the position to be that I am the lamb with whom the South Australian wolf is trying to quarrel on account of some imaginary act which I have never committed. What did he tell me? He ventured, and I must say I think it was a piece of presumption, to lecture me on my sentiment of loyalty — on my want of loyalty. He undertook, indeed, to challenge my loyalty to my Sovereign. Why, Sir, the fact is that I seized the earliest opportunity, after arriving in Melbourne — at the banquet given by yourself — to express my opinion that the colonies should not, as a matter of common wisdom, think of separating from what I took leave to call the grand old mother country. I am not a man, Mr. President, much accustomed to repeat a thing which I have once tried to say plainly, and though I may have failed last Thursday night to give expression to my feelings of loyalty in the delicate way and with the peculiar kind of eloquence in which the honorable gentleman would have expressed his, I am quite sure that I made my true meaning sufficiently clear. I really don't know how any true subject of Her Majesty could have said more. Certainly, I don't know how he could have said more becomingly. Because my notion of loyalty is not a lip service. My

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sense of loyalty is a steady consistent adherence to the principles of the institutions under which we live, and a devoted homage to the Sovereign who uses her position to further the constitutional life of the nation. That is my idea of loyalty, and I have acted up to it at all times, and under all circumstances, throughout my life. Then the honorable gentleman said he had a command to satisfy the people of South Australia on one or two things concerning my public character. Sir, I take the liberty of doubting that he had the

command of any ten men in South Australia to do any such impertinent thing. If I have ever been well received in any Australian colony, I have been well received in South Australia whenever I have visited it, and I have no reason whatever to suppose that there is any urgent inquiry there as to what I may have done or not done, or that he had any mission of the kind he mentioned. He wanted to be in a position, forsooth, to satisfy the people of South Australia as to my conduct with respect to the Federal Council, and be instanced the undoubted fact that I framed the first Federal Council Bill. That is an undoubted fact, but he might have gone further. If he had given himself the trouble of referring back to the year 1867 he would have found that then, at my instance, a law was introduced to and passed by the New South Wales Parliament to establish a Federal Council, and that that law is at this moment on the New South Wales Statute Book. It is a fact that, twenty-three years ago, the Legislature of the colony I have the honour to represent carried an Act to constitute a Federal Council for the purpose of considering the vexed question of Postal Communication, and if the other colonies, or any of them, had copied our example we could have met at the present moment under that law without any preliminary conference whatever, with authority to adjust all questions arising in regard to mail communication. Again, it is quite true that in the Conference of 1881, I being one of its members, a Bill was framed by me which was undoubtedly the basis of the present Federal Council Act. But when I did that I took care to leave on record my reasons for the step. I will read the resolutions

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on the subject which I brought forward. I am not quite sure, nor could I ascertain without searching through the papers, whether I actually submitted them or not, but that is not a material point. Here are the resolutions: —

“1. That the time is not come for the construction of a Federal Constitution with an Australian Federal Parliament.

“2. That the time is come when a number of matters of much concern to all the colonies might be dealt with more effectively by some federal authority than by the colonies separately.”

I can imagine some member of the Conference, Sir James Lee Steere for example, stating that this just fits the case. But I will go on: —

“3. That an organization which would lead men to think in the direction of federation and accustom the public mind to federal ideas would be the best preparation for the foundation of a Federal Government.

“The Bill has been prepared to carry out the idea of a mixed body, partly Legislative and partly Administrative. Care has been taken throughout to give effective power to the proposed Federal Council within prescribed limits without impairing the authority of the colonies represented in that body.

“No attempt has been made to constitute the proposed Council on any historical model, but the object has been to meet the circumstances of the present Australian situation, while paving the way to a complete federal organisation hereafter.”

Pursuant to this resolution a Bill was drafted, so that it will be observed that even at that time, nearly ten years ago, I sought to give strength to the Federal Council. Then came the Convention of 1883. I have, however, a pretty distinct recollection that the first movement towards that Convention was not to favour federation at all, but to support the annexation of the Island of New Guinea. The correspondence which led to that Convention will show that throughout the earlier stages of the affair the idea was simply to back up the action of the Queensland Government in taking possession of New Guinea in Her Majesty's name. I have good reason to recollect this part of the case, for although I was not in office at the time, a very influential resident of Queensland, who occupies at this moment a very high position there, appealed to me to write a letter to the Queensland Government offering them whatever support might be

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supposed to attach to my influence, which I did. I wrote at once, approving, with some qualification, of the policy of the act which had been committed. Another thing is that the Convention of 1883 met in December, I having in the previous July, quitted the shores

of Australia on my way to visit America and England, so that the introduction of the federation question took place after I had left the Continent. In truth, I had up to then heard nothing about it. But if I were permitted to say all that is within my knowledge, I could tell this Conference, and I would especially like to tell the representatives of Queensland, that I exerted whatever influence I had in London to forward what I understood to be the main object of that Convention. For example, I had a long correspondence with a very powerful member of the British Government, the Lord Chancellor, and I telegraphed to Sir Alexander Stuart (what became of my telegram I do not know) informing him that if he would abstain from seeking to mop up all the islands of the Pacific and simply ask to obtain the control of New Guinea I believed he would succeed. I believe now that he would have succeeded, and that the flag of England alone would now be floating over the portion of New Guinea which was then free for occupation. The member of the British Government with whom I had the long correspondence was the Earl of Selborne, who was understood at the time to be the Minister most opposed to what had been done in Queensland, and he took chiefly one ground, namely that of affording protection to the native inhabitants concerned, fearing that a misuse would be made of the occupation of the island in order to flood the neighbouring market with cheap labour. I think that what I have said will show that I was no hindrance to the proceedings — so far as I knew them — intended to be introduced at the Convention. Mr. Playford asked how it was that, having prepared Federal Council Act, I was not prepared to advise the Wales to authorize the colony to join that body. Sir, I stated the reason why as early as I could, as soon as I had, after my return to the colony, an opportunity

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of doing so, and I have repeatedly said the same thing since. Upon reflection, and after further examination of the great and complex question before me, I became satisfied that the body proposed to be created under my Bill would never succeed, and of course, having become satisfied that it would never succeed, I was not foolish enough to persevere with the business, although I had in a measure originated it. Is it fitting that a man who had become convinced by further inquiry and reflection, and by a more close examination of authorities, that something he had proposed was not the right thing to meet what had to be met, should still, for the sake of identifying himself with the subject, persevere with his proposition? Certainly

such a course is not one I would follow, and I seized the earliest opportunity of stating to the world that I had become convinced that the Federal Council scheme would never succeed. One of the reasons for the stand I took will, I think, commend itself to every person however much or little he may be acquainted with the principles of government — every person who is capable of examination and reflection. It was that a body so appointed and so limited in number and authority, and consequently so powerless to acquire prestige, as the Federal Council necessarily is, could never work in harmony in the face of any display of hostile feeling on the part of any of the great Parliaments of the Continent. Take the case of New South Wales. Our Parliament consists, with its two Houses, of more than 200 members. Is it likely that a legislative body of that sort would submit to the least movement on the part of the Federal Council in disaccord with its own views on any great question — a question of national magnitude? When such a movement came to be reviewed by that Parliament, or by any other Australian Parliament holding anything like the same position, what might not be expected? No body designed for the government of men is worthy the support of any rational being if it is not so formed that it will endure conflict, not only in times of peace but also in times of pressure and emergency. Why its very purpose must be, on occasions, to breast the storm — to control the

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elements — not simply in days of calm and peace, but in days of trial and national agony. Therefore, having become convinced that the Federal Council scheme would not succeed, although I had myself framed the measure under which it was constituted, I, like a sensible man, decided to advocate it no longer. I was not to be swayed in the matter by any such reason as that contained in the fact that the paternity of the body in question was ascribable to me. At the same time, I was not the leading spirit in opposition to it. Be it remembered that I did not return to the colony of New South Wales until the end of August, 1884, the Convention having been held, as I have mentioned, the preceding December. I was absent at the time, and never raised my voice in the business. In fact, I could not by any possibility have exerted any influence with regard to it until the end of August, 1884. Moreover, I did not even write a letter to a newspaper, or express my views in public, until, the time having arrived for me to do so, I gave utterance to them in my place in Parliament, stating them as I have stated them to this Conference;

an state to Sir James Lee Steere also that I hope he will accept it without my taking up the time of the Conference by answering him in particular on this point. Mr. Playford also told us that I had been false to some promise in regard to the exclusion of Chinese. But I may say for myself that I thought I had been singularly conspicuous in my resolute opposition to the introduction of Chinese; for at the very time the Conference the honorable gentleman alluded to sat in Sydney, there was before the Legislative Council of New South Wales a Bill introduced by me, which had been carried by an immense majority through the Legislative Assembly of New South Wales, and which was a severer measure in the direction of exclusion than any other law on the subject in these colonies. What gave some umbrage was the fact that I declined to withdraw that Bill because the

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Conference was sitting. I declined to do so because, for one reason, I had already gone through the toil and unpleasantness of passing it through the Legislative Assembly. Some of my friends, who held more moderate views on the question than I did, also thought that the Bill ought to be taken back, but I and my colleagues thought otherwise. We had had great trouble and labour in the matter, and had been successful so far, and we did not feel justified in throwing away what we had accomplished; the outcome being that the measure became law soon after the meeting of the Conference. Of course, the Emperor of China could most reasonably object to what I had done, but I do not know that Mr. Playford represents His Imperial Majesty. How any Australian Colony could complain of my taking securer steps than any it had taken in order to effect the common purpose in view I cannot understand. Remember, it is not two years since this Chinese Conference sat, and that what I undertook — I and my honorable colleague, Mr. J.F. Burns — to do was that as soon as any two other colonies adopted the model Bill agreed to at the Conference, we would take measures to bring our Act of Parliament into accord with theirs. Well, I have not done that, but inasmuch as my law is more effective than the others, or, at all events, quite as effective, I don't see that much can be complained of, except, as I have said before, by the Emperor of China. He has good grounds for complaint against us. All that we in New South Wales need to do is to repeal the section imposing a poll tax of £100 on each Chinese entering our ports, and we intend to do that. We have not done it already because we have been overtaxed

with other work, which we thought ought not to be interrupted in order to amend the Chinese Act. Under these circumstances I fail to see how we have committed any breach of faith with the other Colonies. If the case had stood as Mr. Playford placed it before the Conference, complaint might have been made that we had agreed to introduce a Bill and had failed to introduce it. But, as a matter of fact, all we have to do is to weaken the Act we have passed by making it less drastic, not more so — by making it less effective for the

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work in view, not more so. I have now explained my most reprehensible conduct on these two important questions, and I do not fear that the explanation, whether satisfactory or not to my friends here, will be at all unsatisfactory to my constituents, the people of New South Wales. I also heard a remarkable doctrine from Mr. Playford, to which, as I have been drawn into this thing, I will make some allusion. He told us that this cause of federation is a thing that has arisen from what we call the “statesmen” of Australia. Now I don't know quite what they are. When I have heard persons talk of “statesmen,” I could generally utter a sort of secret prayer that I might never be included in the category. The honorable gentlemen says this movement has arisen with the statesmen, and that no movement or measure can succeed unless it arises with the people. A little later he stated that the people “drove” the statesmen. Well, all through my life, and all through my reading, I have heard, in connexion with the English nation, and the great nations that have sprung up from her, of “the leaders of the people.” The expression has been “the people and their leaders.” Now, however, I hear, for the first time, of the statesmen and their drivers. I don't understand this strange doctrine, and I venture to say, in contradiction of it, that there has not been one great movement for the benefit of mankind that did not in the first instance arise in some pregnant far-seeing human mind. A great thought has been communicated to other minds, it has been propagated by contact with other minds, and not until the real leaders of the people have become seised of it have the people themselves been roused to its truth, its importance, its grandeur, and its necessity to their welfare. That has been the history of every great movement known to England — of every great movement in the world. If we waited until the many, or any considerable number, originated the affair, it might be talked of often, it would be a long

time before it came to the light. I don't think I need offer any apology to the honorable gentleman from South Australia after his fierce attack on me. I really thought at the

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time, looking at him, that I had something to fear. And I must assure Mr. Playford that I cannot accept him as an interpreter of my loyalty, and that I have no fear that the time will ever come when I shall need him as an apologist for it. Now, I have a word or two to say to the honorable gentleman who represents Western Australia. I can make great allowances for the youth and inexperience of Mr. Playford, but I can make none for Sir James Lee Steere. He comes before us as a superior personage, and he ought to set us an example, which I for one should be extremely glad to follow. I cannot but take exception to what that honorable gentleman has stated. The honorable gentleman leaped up and at once committed what I think was an insult to every one of us — certainly it was not a compliment. These are the honorable gentleman's very first words: —

“I cannot hope that any effort of oratory or rhetoric on my part will be sufficiently great to assist the imagination of members of this Conference, because my mind is eminently a practical one, and I have little imagination in my constitution. I think, if I may — say so without offence, that the debate that has hitherto taken place has had rather too much of an academic character, and has been a little too full of sentiment. We should now take the more practical view of the question.”

Well, I shall show you in a moment or two what the practical view of the question is. But Sir James Lee Steere was not satisfied with this assumption of superior importance, but he went on to question my sincerity; and, not satisfied with that, he questioned the sincerity of the people of New South Wales. One purpose for my waiting for or seeking to get permission to speak this morning, was in order that I might obtain the official, report of the proceedings of the Conference, from which I purpose quoting. Sir James Lee Steere said: —

“It is a very happy omen indeed that in discussing this question we have with us representatives of New South Wales, because, whether it is true or not, there has been an impression throughout the Australian colonies that the cause of federation has been delayed in consequence of New South Wales refusing to take any part in the Federal Council. I am very glad

indeed to see the representatives of New South Wales present now; because I hope that before this discussion census either One or the other of those representatives will give us their reasons for having hitherto refused to join that body.”

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Then he went on to say that though I had professed myself in favour of federation for five-and-twenty years, there was good reason to doubt my sincerity, and good reason to doubt the sincerity of the people of New South Wales who supported me. Then, a little further on, he used these words in continuing his address: —

“I shall welcome most gladly any scheme that may be devised to enable its to federate, if only for certain purposes. If we only federate for the purpose of defence it will be well to have had a Conference for that. Mr. Deakin remarked that it was all very well to ridicule the idea of the colonies being attacked by a foreign foe, but I do not see anything ridiculous in the idea. A day may come when England is at war, and our coasts may be ravaged by hostile cruisers, or attempts be made to land a foreign force on our shores. It is absolutely necessary that we should be prepared with a federal defence force. For that reason alone, if for no other, I shall be glad to see federation accomplished in some form.”

Here, Mr. President, comes in the practical operation of this gentleman's practical mind. The colonies, unitedly, have 31,000 men for defence purposes. Western Australia herself has 600 men, and no doubt it would be a most practical solution of the difficulty for the colonies, with their tens of thousands, to join with the 600 for the defence of one of the longest portions of the sea-coast of Australasia. That, certainly, is a very practical question. But that, I think, is not the way in which we shall arrive at any safe conclusion on the main question of uniting the whole of the colonies. With regard to my own course, I have explained why I could not join a Federal Council, which, before it received the stamp of Imperial legality, I had come to the opinion would never work for the benefit of the Australian colonies. I have been spoken of as formulating — which I have not done — a Constitution for these colonies similar to that of Canada. I venture to say that I have never alluded to the Canadian Constitution in any way that would justify the inference that I have any intention, so far as I may have the power, of copying it. I only alluded to it once, and that was in my letter to Mr. Gillies, which opened the correspondence on this subject. Since then I have

never alluded, except by way of illustration,

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to the Dominion Government, either in speech or in writing. This is what I said in my letter of October 30th, 1889: —

“The scheme of Federal Government, it is assumed, would necessarily follow close upon the type of the Dominion Government of Canada.”

Of course there must be some indication of the form it might take, and I go on to explicitly explain, fortunately for me, what I meant by that allusion: —

“It would provide, for the appointment of a Governor-General, for the creation of an Australian Privy Council, and a Parliament consisting of it Senate and House of Commons.”

But I added these words: —

“In the work of the Convention, no doubt, the rich stores of political knowledge which were collected by the framers of the Constitution of the United States would be largely resorted to, as well as the vast accumulations of learning on cognate subjects since that time.”

I therefore simply indicated that, what I wanted, and what I believe the people of New South Wales want, is a thoroughly organized Federal Government, consisting of a Governor-General, to represent the Sovereign, of a Privy Council, which, at a later period, I explained should include the creation of a judiciary, and a Parliament, consisting of an Upper Chamber and a House of Commons. I went on to explain that in constructing this form of Government we should resort to all stores of learning which were open to us, and, though the sentence is a short one, it is sufficiently explicit to show what I mean. I then went on to point out, and am glad I did so, because it saves me from much misrepresentation now, that we did not want a Federal Government alone for the purposes of defence, but for many other, and, to my mind, many higher purposes. My words are these: —

“Although a great and pressing Military question has brought to the surface the design of a Federal Government at the present juncture, the work of a national character which such a Government could, in the interest of all the colonies, most beneficially and effectively undertake, would

include the noblest objects of peaceful and orderly progress; and every year the field of its beneficent operations would be rapidly expanding.”

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I thus showed clearly enough what I meant, as far as it can be stated in a letter of this kind, and in the few words I used on the only occasion when I alluded to the Dominion of Canada at all. I think I have a right to complain of Sir James Lee Steere, as an educated gentleman, being little disingenuous with me. I will point out what I mean. The honorable gentleman quoted two or three words used by the Premier of Queensland, but he did not quote the context which explained what Mr. Morehead meant. He quoted the words that, in the judgment of the Queensland Government, a Dominion Parliament would be more advantageously brought about by a process of development than by an act of displacement — and he stopped there. But Mr. Morehead did not stop there, and I am going to read what he said, in the name of Queensland: —

“As, however, previous communications and the reports of your public speeches have led me to the conclusion that your concurrence on this point is not to be looked for at present, and as this Government are exceedingly anxious that there should be no action or abstention from action on their part which would tend to render abortive any legitimate effort towards the establishment of a Federal Constitution, it becomes desirable to adopt some course which will neither imply disregard to your objection to the character of the Federal Council, nor prevent the Governments represented thereon from availing themselves, for consultative purposes, of the machinery provided by the Council, in order to facilitate whatever further steps may be deemed necessary to bring about a complete federation of the Australian Colonies.”

I am perfectly satisfied with what the Government of Queensland said to the Government of New South Wales in this correspondence, and I think their conduct was not only straightforward and intelligible, but, in a manner, generous. I have had no complaint or doubt about Queensland from that time to the present knowledge, and the principles of Government, which I only wish I could equal. The object of this Conference, I was going to point out, is expressed in a few

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words by yourself, Mr. President. In your letter, addressed to myself, of the 13th of November, you, after expressing doubt as to whether my proposal was the best, admitted that it was very

desirable that the whole question should be considered. You then say: —

“To ensure that consideration, I would suggest to you that, instead of going through the form of the Parliaments appointing representatives to a Convention, it should be accepted as sufficient if the representatives of the various colonies at the Federal Council were to meet yourself and representatives from New South Wales to discuss and, if deemed necessary, to devise and report upon an adequate scheme of Federal Government.”

From that time, on from the date upon which I accepted this proposal, I have regarded this Conference as essentially a consultative and preparatory body, to consider whether it were advisable to take further steps towards ascertaining the verdict of the Australian Colonies on the one great question. And, as I have already said, up to this present hour, I have adhered to that regard of its character, and if I have broken through the restraint which I desired to place upon myself, it has been, to say the least of it, thoughtlessly provoked. Now, the honorable gentleman was pleased to characterize the resolution I submitted as a bald resolution. I cannot see its baldness. Another honorable gentlemen characterized it as an abstract resolution. I contend it is nothing of the kind. An abstract resolution would be something partaking of this form: “It would be highly to the advantage of the Australian Colonies to have their coasts securely defended.” That would be an abstract resolution, and, I think, a very good model of one. But this resolution of mine states all the facts which are necessary at this stage. So far from being abstract, it is very definite, very precise indeed, and it asks you to assent to a number of facts as proved truths, and proved truths with a practical bearing upon the condition of these colonies at the present time. It seems to me that unless we can believe that, we ought not to carry this resolution. The resolution says —

“That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by all early union under the Crown.”

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Nothing could be more definite; nothing could be more expressive. The resolution goes on to recognise the valuable services of the

members of the Convention which founded the Federal Council; for in the light of the resolutions which I submitted to the Conference of 1881, that Council has been of great service to Australia. I will quote the words of my resolution, proposed two years before the Convention of 1883 met. The third of my resolutions stated —

“That an organization which would lead men to think in the direction of federation, and accustom the Public mind to federal ideas, would be the best preparation for the foundation of a Federal Government.”

I readily admit that members of the Convention of 1883, and the Federal Council itself, have rendered important service in the light of the resolutions which I submitted in 1881, in directing attention to a question, in accustoming men to the federal idea, and in a variety of ways leading on to the great end which every thoughtful man in the whole of these colonies has kept in view — the complete federation, at some time or other, of Australasia in one great nation. This resolution goes on to state that the time has now come for this higher act, and it declares to what, in the four grandest elements of national life, we had arrived at that time — in population, in wealth, in the result of a wise use of the energy, mental and physical, of the population, and in our application to the grand work of discovering what we ourselves possess in the resources of the country, and in our power to govern. These, I contend, are the four great elements of national life — numbers, the proper application of the strength of those numbers, the wealth arising from their co-operative action, and their capacity to manage their own affairs. And this resolution declares that all those grand conditions exist. Then the resolution goes on to say that no Government should be sought to be established as a central authority without due regard to the just claims of the several colonies. To call a motion of that sort abstract is simply a misuse of terms. If it had said more, as was pointed out by several gentlemen present, it would have been a mistake. It said enough, and on that broad resolution

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any structure whatever can be founded which the judgment of Australia may approve, and which the creative powers of Australia may call into existence. The Attorney-General for Tasmania, whom I am very glad to have met here for the first time, alluded somewhat more elaborately than I did to the warning which the attempts at Government in the United States hold out to us. I am anxious to

state the case more definitely, and with the clearest accuracy that I am master of, because it seems to me that the early years of the existence of the United States supplies sounder lessons for us in this work than are to be found in the mother country or any other part of the world. Lest I should be mistaken, I am not going to speak of the advantages of the American organization. I am not going, to speak upon the results that have, followed that great organization. I am only going to allude to the process by which the American Constitution came into existence, as exemplified in a more forcible way than anything in the wide world can exemplify, the danger of these colonies going on longer in a separate condition. I say fearlessly that any person who really advocates the separation of these colonies — the continuance of that separation — can be no other than an enemy to Australian welfare; and I think I can prove conclusively, from the highest witnesses that history can produce, that the attempt to go on in that way in America is the most awful warning to us. I do not withdraw the adjective, I say the most “awful” warning. As I am anxious to be quite clear, I shall state five great events which mark the foundation of the present Great Republic. The first blood was shed at Lexington in April, 1775. A party, I think of some 800 English soldiers, who were stationed in Boston, went out to the village of Concord to capture some munitions of war possession of the American colonists. At Lexington they came upon a party of the patriotic colonists, and killed some eighteen of them. They did not get the munitions of war, because the Americans were on the alert and carried them to a place of safety, and the 800 English soldiers had to return to their quarters in Boston. But the hardy old Puritans — and here we

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were amongst Puritans, but not throughout the struggle — waylaid them at every yard as they had to make their way back through the forest, and of the 800 only 500 reached their quarters in Boston. They were shot down like dogs in revenge for the first blood they had shed. That is the first great event in this rebellion. On the 4th July, 1776, the Declaration of Independence was approved. This, you will observe, was a considerable time after the blood-shedding at Lexington, because we never should forget, and no Englishman ought for a moment to forget, that there never were a people more loyal to the Throne of England than those Americans who were driven into rebellion by such practical men as Lord North and George III. They endured pains and penalties without number; they

endured pains and penalties which can never be properly described rather than forsake the standard of England, and it was only by the blundering — the wholly incredible blundering — of such men as George III. and Lord North (and they were practical men) that the American Colonies Were lost to Great Britain. It is worth while pausing to consider for a moment that when this Declaration of Independence was agreed to the delegates to the Convention were split up by the most incredible dislikes, antipathies, and attempts to undermine each other's influence. Though they all assembled with halters round their necks, and every man Jack of them would have been hanged if they had not succeeded in their object, they could hardly keep their hands from each other's throats. I mention these things as a fair warning for Australia. I only want to state the facts that the Declaration of Independence was agreed to in July, 1776; that the articles of federation and perpetual union were adopted on the 15th November, 1777; and that the Independence of the United States was acknowledged by England on the 20th January 1783. The event that led, as you no doubt all know, to the close of the war was the battle of York Town, and the 8,000 English troops coming before Washington and laying down their arms, or the complete outgeneralling of Lord Cornwallis by that great soldier George Washington. The Constitution of

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the United States became the supreme law of the land by the ninth State required to give it validity signing it on the 21st June, 1778. So it will be seen that the Articles of Confederation did not come into force until one year four months and eleven days after the Declaration of Independence. During that time there was hardly any Government, notwithstanding that Washington had to contend against the experienced troops of England. The Constitution came into force just ten years and seven months after the Articles of Confederation, or five years and five months after the close of the war. For five years, therefore, during which this young country was in the throes of a terrible war, the people were carrying on the conflict under the Government of separate States with separate sovereignties. For five years afterwards they carried on their peaceful operations under the separate Government of these sovereign states. If it was necessary, I could bring before you hundreds of witnesses of the highest standing to show the disastrous effects of that temporary Government of the disunited States; but I shall only bring one — the one man without whose marvellous skill

as a soldier, without whose unequalled rectitude as a man and a great citizen, and without whose discernment and whose power of resource, which never failed him, the United States would never have accomplished their independence, and without whose wise counsel, whose great example, and whose commanding influence in peaceful times. they would have broken down — George Washington. All through the awful time that he was fighting against the Crown of England for the independence of the United States hardly a day passed over his weary head without bitter complaints from him of his want of support. I will not, however, quote from the scores and scores of his letters complaining of the disorganized state of the Government under the Articles of Confederation during the war, but I will come to the time of peace. The disorganization, the feebleness, the inadequacy of the Government for any rational purpose was so great that the prophets of evil, the marplots — and they are always too plentiful all over the world — were pointing out with

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sinful jubilation that the states would soon break down, and that they could not hold out much longer; and it is said that the old king revelled in the anticipation of the collapse of this young Republic. But I will come now to the opinions of George Washington after peace was proclaimed — after the independence for which he had fought so well, setting an example which can never be exceeded — and whose independence he, and he alone, won. In 1784, a year after the independence of America was acknowledged by the Crown of England, he writes thus to one of his compatriots: —

“The want of energy in the Federal Government; the pulling of one state and parts of states against another; and the commotions among the eastern people” —

They had broken out into riot and actual rebellion in several places.

— “have sunk our national character much below par, and have brought our politics and credit to the brink of a precipice. A step or two more must plunge us into inextricable ruin. Liberality, justice, and unanimity in those states which do not appear to have drunk so deep of the clip of folly, may yet retrieve our affairs, but no time is to be lost in essaying the reparation of them.”

He writes to another friend thus: —

“However delicate the revision of the federal system may appear, it is a work of indispensable necessity. The present constitution is inadequate; the superstructure is tottering to its foundation, and, without help, must bury us in its ruins.”

That was after ten years of Government by a cluster of separate states. Again, writing to Edmund Randolph, on the occasion of his appointment to the head of the Congress, he says: —

“Dear Sir, — It gave me great pleasure to hear that, the voice of the country had been directed to you as chief magistrate of this commonwealth, and that you had accepted the appointment.”

Of course, no one will confound this with any appointment to the Presidency, which did not come into force till some years afterwards. The letter proceeds: —

“Our affairs seem to be drawing to an awful crisis. is necessary, therefore, that the abilities of every man should be drawn into action in a public
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line, to rescue them, if possible, from impending ruin. As no one seems more fully impressed with the necessity of adopting such measures than yourself, so none is better qualified to be intrusted with the reins of Government.”

Here, then, I bring one great witness out of hundreds to show, not simply the inadequacy, but the impossibility of governing the people by a number of authorities, and it seems to me that this one case supplies a warning to us not to attempt anything that would disorganize authority and separate the powers which are always most wanted at a time when it is most difficult to obtain them — which are always of most value to the citizens governed at a time which allows of no processes to bring them into existence. If they do not exist already, the country that trusts to such helps as those is lost; and Washington saw clearly enough, from an experience which no other man living had obtained, that America would have been lost had it not been for the wise counsels which led to the adoption at last of the present Constitution and Union Government under it, which now rules between 60,000,000 and 70,000,000 of free subjects. I will endeavour to state as briefly as I can, and, of

course, with as much force as I can, the great objects of a Central Australian Government. I omitted entirely some of those objects in my opening speech, because I had really been in a condition in which I could give attention to nothing up to the morning on which I spoke. I would willingly have left the Conference that day for the mere purpose of rest, and it is no wonder to myself that I lost sight of some of the more important of those objects. Two of the most important, from a practical point of view, relate to the Asiatic races and to the islands of the Pacific. No one, I presume, will doubt the principle of growth in the Australian people. What we are to-day is nothing to what we shall be this day twelve months, and if men could go away beyond the reach of the telegraph and post office for ten years, and then return, they would hardly believe that the Australia of the year 1900, was the same country as the Australia of 1890. The elements of growth among us are simply marvellous, and they will go on in an increasing ratio as time progresses. Who knows what troubles

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may arise in relation to those countless millions of inferior members of the human family who are within easy sail of these shores? Who knows what will take place in the next decade in the empire of China? There are many strong evidences that the thin end of the wedge of change has been driven into that empire, which remained in seclusion for centuries and centuries; and looking to the weak organization of the governing powers, who knows what new forms of socialism may not split up the empire of China with its 400,000,000 men and women? Who knows what form the policy of that vast empire may assume, and who would dare to foreshadow how intimately it may concern the free peoples of this country? I spoke just now of the efforts of New South Wales to restrict the tide of Chinese immigration. I hope I shall be permitted to state here what I have often stated in other places, in order that there may be no misunderstanding as to what my view on this point is. I am not one of those, as I have repeatedly declared elsewhere, who regard the Chinese people with any feeling of loathing. I am not one of those who wish to look down upon them as a people who are in their habits particularly inferior to us. On the contrary, I believe them on the whole to be a law-abiding, industrious, frugal, and peaceable people. I have never opposed the Chinese on any ground derogatory to their character as members of a civilized community, but I have opposed their entrance into Australia, because I believe it

is my highest duty and the highest duty of every person who has imagination in his composition to do so. I believe it to be the duty of every one to endeavour to preserve these Australian lands which were acquired according to the rights of nations, for a people modelled on the type of the British nation; and it is on that ground, and oil that ground alone, that I have opposed the introduction of the Chinese. I wish to refer to the question now in a much higher light. I cannot lose sight of the fact that these people number upwards of 400,000,000, that they are a hardy race that they are an adventurous race, and, what is of more importance to us, that they are an imitative race. What we can

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do they will try to do, and they will, with greater or less success, accomplish it. It is said that Napoleon I., who certainly, in the qualities of statesmanship, was amongst the giants of the world, once expressed his opinion that it was only necessary for the Chinese to acquire European arts, especially the art of ship-building, in order to conquer the world. The saying, whether correctly attributed to Napoleon or not, conveys the truth that there are elements of power in this nation, because there is no power except in the number of human minds and human organisms. It is population alone which gives the foundation of power in every structure of government under the sun. And I say again, it is in the highest degree necessary, and it may be necessary to the security, to the integrity, and to the honour of Australia, that there should be a central power to do what is wise and fitting the occasion in regard to these multitudes of Asiatics. Turning from that field to the field of the South Sea Islands, I have no doubt whatever in my mind that if there had been a central government in Australia — if Australia could have spoken with one voice in the year 1883, New Guinea would have belonged to Australia.

Sir SAMUEL GRIFFITH

— Hear, hear.

Sir HENRY PARKES

— I have no doubt whatever of it, and I do not think that my person with a mind accustomed to the contemplation of events, or at all acquainted with Australian history, can doubt it. We know what has followed. As was pointed out by my colleague (Mr. McMillan) with great force and accuracy yesterday, those great armed powers of Europe which are shut in from the sea are not only wanting more earth for their multitudes to live upon, but are

wanting the earth which fronts the ocean in any part of the world. I am treading somewhat on dangerous ground, and I do not care to pursue this idea, but we all know what has occurred. We know the tortuous ways in which persons who have had to negotiate with England have acted, and with what marvellous tenacity they hold to any authority in the Southern Seas. Now, Australia

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ought to be mistress of the Southern Seas. The trade, the commerce, and the intercourse of those groups of rich islands ought to Centre in our ports, and with these advantages we ought, to hold the mastery of the hemisphere. That is our destiny, and it will come. But why should we not let it come with the least pains and penalties, with the least delays, and with the least possible loss of time and opportunities. These are two very great objects which can only be properly attained, properly promoted, by a Federal Government. I think I agree in the main with Mr. Macrossan's view as to the necessity of giving power, all the power necessary, to this Government, if we assent to create it. I also agree with Mr. Playford, and it affords me unspeakable happiness to do so, that it will be the duty of the Convention, if it is called into existence, to jealously watch the rights and privileges of the provincial Governments. I agree entirely, and I have as much interest in it — as a citizen of New South Wales — as any of the members of the Conference, I agree entirely, I say, in not stripping the colonial Governments of my power which they can hold, consistently with due power being given to the Government which represents them all. But there are even higher objects than these waiting to be achieved by an Australian Government, a Government that can appear everywhere as representing the whole people, a Government to which the doors of every Court will be thrown open, and before which no nation would appear except with respect and proper appreciation of its present and future importance. There is the national credit, which has been alluded to already, and I will only pass it by with one word, that the credit of Australia under the powers of a Federal Government would, I think, be second to none — certainly it would be second to none excepting England. She would stand amongst the best before the world. Is that no light object? Is that no object in the direct material interest of Australia? There is a higher object still — the object of a national influence. What influence have these detached colonies? It is surprising that they have so much; but the influence of the proudest — we will

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say Victoria — is nothing to the influence of an Australian nation, an Australian Government. She would be able to influence the destinies of civilized men in all parts of the world. It cannot for a moment be doubted that there is another object scarcely less than this — and I hope Sir J. Lee Steere will not consider that I am merely dealing with imaginary things — there is the object of exercising national power in the community of nations all over the world. Who can doubt that our national power would be incalculably increased by its being exercised by one strong intelligent head? And there is, highest of all, the object of national honour. Why should not the name of an Australian be equal to that of a Briton? Why should not the name of an Australian sailor be equal to that of a British sailor? Why should not the name of an Australian citizen be equal to that of the citizen of the proudest country under the sun? All those grand objects would be promoted by a national organization. But there is something more. Make yourselves a united people, appear before world the as one, and the dream of going “home” would die away. We should create an Australian home — our rich men would find avenues for the employment of their talents, and for the expenditure of their superfluous fortunes on the spot — the Governor-General of Australia would be able to hold a court that would be as attractive as that of the monarchs of the old world, which is not a light thing to be passed over as a mere matter of sentiment. We know what was said by a wise minister to a European potentate who declined to do some trivial thing on the ground that it was only a ceremony. “My liege,” said the Minister, “you are only a ceremony.” He knew how much the world is moved by the forms, by the ceremonies, and by the social influences which are brought to bear, and which are inseparable from a high state of civilization. We should have “borne” within our own shores; “home” with all the lofty ideals for the mere socially ambitious. We should have avenues of employment for the most gifted among our sons, and there would be no object of ambition superior to what would be presented to them on the spot which gave them birth. For some

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years past, I have enjoyed the acquaintance of a man who is perhaps the highest student of the materials of history living in our country. A few years ago I was introduced to Mr. Lecky by Lord Tennyson. I have had frequent opportunities of enjoying his conversation under his own roof, and I am in correspondence with him now. On

Tuesday last, I received a letter from Mr. Lecky on the federation of the Australian Colonies, and I don't think it out of place — and I am quite sure that, if it were possible, I should have his permission — to read it to the Conference. He writes to me on the occasion of my sending him the federation papers, and his letter is dated December 28, 1889. It is as follows: —

“DEAR SIR HENRY, — I have been reading, with great interest, the papers you were kind enough to send me. Your great work seems marching steadily to its consummation. If a federal system such as you propose, had existed in the American Colonies — ”

Let me say, here, that if there is a man living who has ransacked the archives for the materials of American and English history, it is Mr. Lecky. He knows, probably, more than any other Englishman about the events which led to the loss to Great Britain of the American Colonies. He writes: —

“If a federal system such as you propose had existed in the American Colonies in the last century, it is probable that their quarrel with England would have been avoided.”

I have already pointed out, what history points out, how anxious the whole of the great men who founded the American Union were to avoid a separation. There never was a more loyal subject of the British Crown than George Washington, and there was not one of the great men who had a hand in framing the Constitution who would not gladly have allowed the country to remain a part of the Empire. Mr. Lecky proceeded —

“The only wish of Grenville was, that they should have an army for their own protection.”

Let me pause here. In what was considered to be a most propitious change of Ministry, under the leadership of Lord Grenville, the object was not to endanger the connexion, not to

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tyrannize over the American Colonies — but, on the authority of this great historian, that the American Colonies should have an army for their own protection. They could not, however, agree to give it sanction, on account of the awful dismemberment arising from the existence of so many separate Governments.

“The only wish of Grenville was that they should have an army for their own protection; but there was then no single body which could represent them all, and it was the extreme difficulty of obtaining the concurrence of a great number of separate Legislatures that induced him to adopt his fatal plan of taxing them by means of the British Parliament.”

We now have it, on the authority of Mr. Lecky, than whom there can be no better, that Lord Grenville's object was not to tax the American people, and he would not have done so if he could have got the assent of any single body to the formation of an army, or if he could have avoided the chaotic cavillings of the thirteen separate Legislatures, and induced them to tax themselves. Mr. Lecky further states: —

“If America had then been constituted as Australia would be upon your plan, no difficulty would have arisen, and it is totally certain that British taxation would never have been proposed.”

I do not know whether the word “totally” is a correct rendering or not. In conclusion, Mr. Lecky says —

“You seem to be engaged in a work of unity and conciliation, the most appropriate and noblest employment of old age.

“Believe me, dear Sir Henry Parkes, with best wishes,

“Faithfully yours,

“W.E.H. LECKY.”

Something has been said by several honorable gentlemen, and especially in those model addresses which were delivered by the delegates from New Zealand, in both of which the highest tone of the gentleman was preserved with the resolute determination of the citizen — perhaps overmuch said, about loyalty. As I observed just now, I do not think that I need any witness to my loyalty; but I cannot shut my eyes to the fact that the future is in the hands of the all-wise God. It is impossible to forecast what the march of events may bring forth — it is very unlikely, indeed, that I shall live to see them — but I trust I am gifted

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with sufficient foresight to contemplate in some measure what may

occur. It may be — because the greatest events are often sent on their sliding-plane of operation by the most trivial circumstances — that the Australian people may not always live under the English flag. I pray God they may. I believe they can have no higher destiny. A religious poet says —

“Prayer is the soul's sincere desire,
Uttered or unexpressed,
The motion of a hidden life,
That trembles in the breast.

My whole being trembles with an unuttered prayer of that kind, that the whole of the British possessions may remain for ever forming parts of one beneficent Empire such as the world has never seen. I can see no permanent obstacles to such a grand consummation; I see no reason why the Australias should not become a Federal Dominion, a result which we are all, I hope, now trying to bring about. The North American Colonies will, I think, become more completely a Federal Dominion by some reform of their present Constitution. Our South African possessions may, with great care — and great care will be necessary — become also a cluster of states; and I can see no reason on earth why this comparatively great independent congeries of states should not unite with the mother country in forming an Empire such as has never yet been formed, and which would carry our language, our laws, our social habits, our literature, our great stores of science, to all parts of the habitable globe. My prayer is that wise counsels and unforeseen beneficent influences may bring this about. But it may be otherwise; it may be, as many very respectable and reputable citizens dream, that we shall form a nation by ourselves. But whatever is the future destiny of Australia — whether it is the grand destiny of forming part of this new Empire that ought to rule, in the interests of peace, the whole world, or whether it becomes a separate nationality — what we are attempting to do now is commended by wisdom, commended by foresight, commended by every principle of national morals, and will be equally beneficial to the

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people whatever course events may take. I trust that this Conference will lead to a better understanding. I deny that I have been the means of any disturbance. Whatever quarrels may have taken place,

New South Wales has never been the aggressor. I say that very deliberately. If a Conference assembled, as it did assemble, and certain members of that Conference, including the representatives of New Zealand, went behind the back of the Conference, and voted in their own interests on what they were to consider in the interest of all the colonies, New South Wales had no part in it; she was the victim. If a tax, which to my mind is the most barbarous that we could conceive, is levied upon the live stock of the country — upon the food supplies of the people — we are not the authors of it. If there is not free intercourse across the River Murray we are not to blame. We established free intercourse between South Australia, Victoria, and New South Wales at a cost to our taxpayers of £60,000 per annum — it existed for some time; it was at length abrogated, but not by New South Wales. A few months hence it will be 36 years since I was elected to the Legislature of New South Wales. I am not going to state these few facts for the purpose of enabling any one to write my biography, but for another purpose. Since then I have been elected to that Legislature considerably over 30 times. I have passed through more than 30 contested elections, I have been at the head of five administrations, and I have sat in every Parliament, and voted, with one exception, on every great question. Now I am going to state why I gave you these facts. In no parliament, in no public group meeting, in no group of my fellow-citizens, in no intercourse with any personal friend, has the word “retaliation” ever fallen from my lips. Retaliation between nations is an abomination to me; and whatever provocation the colony of New South Wales has had, I have held this doctrine to my angry fellow colonists who have appealed to me time after time, that nothing, would induce me ever to give my adherence to the wicked principle of retaliation. One Christian people has no moral right to retaliate upon another, unless they desire to set the world by the ears. Where

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does such a policy as that lead to? For the most part our markets have been thrown open to all of you. I believe with my colleague that New South Wales could better than any of the other colonies endure to live alone; and I believe that if any of the colonies have an interest higher than the rest in this question of federation it is the smaller colonies. I ask, with every respect, how would it be possible for Western Australia to remain outside a federation of the colonies? I live in a Sydney suburb, which is separated from the

city by one of the arms of Port Jackson; and this Sydney suburb contains more than two-thirds of the population of all Western Australia. Its 30,000 inhabitants, however, send only four members to our Parliament, whereas the 44,000 in Western Australia have a Parliament of their own, with the incalculable advantage of Sir James Lee Steere as its president. Surely the great colonies — great in population, great in wealth — have less interest in federation than the smaller colonies. I think we could defend our ports a little better than Western Australia could defend hers if a time arose for defence; I think that from our resources, our position, the undoubted skill and enterprise of our people, we are as well able to take care of ourselves as are the people of Western Australia. But all through these negotiations I have not only said that we are willing to come into a Federal Dominion with the smallest colonies, but I have said that we seek no advantage for ourselves; we do not wish to make any condition whatever: we are prepared to trust to the wisdom, to the honour, and to the justice of a Federal Parliament, and to commit all our interests to it. That is our position, and unless we are willing to trust to a Federal Parliament, I cannot understand how we can hope to federate in any way which will be worthy of the name. As I did not wish, in the first place, even to mention the name of New South Wales, I am still, if possible, more unwilling to introduce the subject of its fiscal policy. I have no fear of the policy of New South Wales being reversed. I have confidence that that policy will gain strength in the next appeal to the people, and I tell this Conference that, whether we federate or not, I shall not abate

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one jot of my efforts to promote the noble policy of freedom for the exertions of civilized men. I only mention my determination, as a citizen of New South Wales, to still promote our own policy, first, that there may be no misunderstanding in the matter, and, secondly, to show the genuineness of my professions. We are told that we shall be overwhelmed in the Federal Parliament by those who favour the opposite policy. Even if that fact could be demonstrated to me, it would in no way turn my course in seeking to build up in these colonies a Federal Dominion. I would still vote for the same policy; and, though the first wave of Parliamentary authority might be against it, I should have no less confidence in its ultimate triumph believing as I do that it is based on principles which are eternal — the principles of justice, of freedom, and of human

brotherhood — of the ultimate ascendancy of which I have no fear. That in no way intimidates me, or qualifies my desire to enter into a Federal Government. I have thought it necessary, after what has been said, to speak thus plainly. I should have been perfectly willing, as I said at the opening of my speech, to have left the name of New South Wales out altogether, but other gentleman were not willing to take that course. I have stated my views very briefly on those points which have been introduced into the discussion. But the main object for which, representing New South Wales, I stand here, is to say that we desire to enter upon this work of federation without making any condition to the advantage of ourselves, without any stipulation whatever, with a perfect preparedness to leave the proposed convention free to devise its own scheme, and, if a central Parliament comes into existence, with a perfect reliance upon its justice, upon its wisdom, and upon its honour. I think I know the people of New South Wales sufficiently to speak in their name; and I think I can answer for it that an overwhelming majority of my countrymen in that colony will approve of the grand step being taken of uniting all the colonies under one form of beneficent Government, and under one national flag. Of course I must trust to honorable gentlemen not inferring that when I

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talk of a national flag I mean anything that is not perfectly in accord with the flag of England, I only mean a flag to represent the whole of the people within the shores of Australia. I came here with my mind quite untrammled, quite unbiased, anxious to join the other colonies, and it is my most firm belief that if we arrive at this great end of forming an Australian Dominion, we shall do the grandest work that is possible to our hands and to our generation. Even if honorable gentlemen doubt that this end can be attained now — and I do not doubt it — there can be no doubt it will be attained in a short time. The great living principle of federation has seized the hearts of the Australian people, and it will warm their nature, take deeper root, and have more splendid attraction as events disclose themselves. And whether we are a federated people within the next two years, as we may be and ought to be, or not, we shall be a federated people within the next decade, if not much sooner. I pray God that this event will come about by the wisest counsels, that it will not be delayed, and that it will be crowned with every kind of happiness for the United Colonies.

The PRESIDENT

— Gentlemen of the Conference: As a member of the Conference, I desire to take this opportunity of addressing myself to the important question which has been under our consideration for the past few days. I congratulate Sir Henry Parkes on his second powerful and eloquent speech in which he has dealt with the great issues before us, and, I venture to think, dealt with them satisfactorily. There was only one part of the address he has just delivered, however, which I make bold to say might perhaps have been better left out, namely, his references to some of the statements made by members of the Conference. I am quite certain that those statements were not made with my intention of creating any ill-feeling in the Conference, much less with a view of embittering this discussions, and I regret that my honorable friend, Sir Henry Parkes, should have thought that the observations made by Mr. Playford and Sir James Lee Steere were of such a character

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as to call for serious comment. I noticed that Mr. Playford was a little warm while he was speaking, but his observations certainly did not convey to my mind any idea of intentional affront. Under these circumstances, and seeing that the deliberations of the Conference have been so well conducted, with such excellent taste and judgment, as well as with great ability, it might perhaps have been better if the observations of Sir Henry Parkes to which I have referred had remained unsaid. No doubt, on a point of that kind, every man is entitled to consider his own case, and as Sir Henry Parkes thought proper to believe or think that the statements made by Mr. Playford and Sir James Lee Steere improperly reflected upon him, undoubtedly he was perfectly justified in resenting them under the circumstances. There was one other point in which I think Sir Henry Parkes was scarcely fair — I do not mean to say that he was intentionally unfair — but having taken the views he has advocated for a number of years and Pressed them so forcibly, I think he was not altogether fair in his remarks with regard to the federal Council. May I be permitted to draw attention to the fact that his observations appear to me to be scarcely consistent with a portion of the resolution which he has submitted to this Conference? A portion of that resolution gives great credit to the founders of the Federal Council for the good work they have done; but if the Federal Council is, in his Judgment, wholly useless, then a part of his resolution is inconsistent with his own opinions.

Sir HENRY PARKES

— I certainly did not say the Federal Council is useless.

The PRESIDENT

— I understood the honorable gentleman to convey the idea that from the very time he heard of the formation of the Federal Council the reason he did not urge New South Wales to join it was that he believed its works would be useless, and that it would be utterly impossible for the Council to do any good at all. And the honorable gentleman made a comparison between its numerical smallness and the large legislature

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of New South Wales, to the effect that inasmuch as the Federal Council was a small and the legislature of New South Wales was a large body it was wholly out of the question that the Legislature of New South Wales could think of remitting any question to the Federal Council, because they could not allow 200 members of Parliament in New South Wales to be overruled by a handful of men in the Federal Council. Now, I venture to submit that that is hardly putting the question in its proper light, and I desire to make one or two observations upon that point, with a view of justifying not only the existence of the Federal Council, but the work it has been enabled to do. It is well known, and has been set forth by Sir Samuel Griffith and other members of the Conference, that the Federal Council was originally established to do work which no one colony could do for itself, to legislate upon subjects in which all the colonies in the group were interested, and upon which it was desirable that legislation should take place, but upon which none of the colonies was able to legislate alone. The necessity for a legislative body like the Federal Council has been shown over and over again. A number of Intercolonial Conferences have been held from time to time, but in nine cases out of ten in which they came to agreement on the questions remitted to them for consideration, as to the lines upon which each colony should legislate by itself, from one cause or another the majority of the subjects on which agreements were arrived at were never legislated upon at all. Changes of Governments, changes of situations and circumstances, intervened to prevent local legislation on many of the subjects in reference to which the basis of legislation had been laid down by the representatives of the different colonies in the Conferences to which I have alluded. I dare say it was not the deliberate intention of any of the governments represented at any one of those Conferences not to legislate on the subjects in question, but changes

of government, or other circumstances over which they had no control often occurred to prevent such legislation, and the agreements between the representatives of the colonies came to naught,

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notwithstanding that it was a patent fact to all Australia that uniform legislation was absolutely necessary on important questions on which there was great confusion, and in reference to which it was impossible for each colony to legislate separately on its own lines. The desire in everybody's mind was that there might be created a body which should have the power to legislate upon subjects in reference to which the representatives of all the colonies were agreed, but upon which the colonies could not legislate in their local parliaments. That was the origin of the Federal Council, and notwithstanding the number of gentlemen occupying seats in the legislature of New South Wales, and the number of gentlemen occupying seats in the legislatures of the other colonies, I venture to think that it would be in no way disparaging to them to remit any subject they might think proper to remit to the consideration of the Federal Council; nor would it be derogatory to them if the Federal Council should come to conclusions on the subject, and give legislative shape to those conclusions. As a matter of fact the Federal Council has legislated in a variety of ways on important matters, and, I believe, wholly to the satisfaction of the colonies represented, and I submit to Sir Henry Parkes that the only reason why the Federal Council has not been of greater value is simply owing to the fact that the whole of the Australian continent was not represented in that council. Had the whole of this vast continent been represented, I am confident that the Federal council would have been able to do work which would have met with the approval of all the Australian Colonies. The Federal Council is a legislative body, and has no administrative power, and it was never contemplated from the first that it should have administrative power, unless great changes were made in its Constitution which might bring that about, but I venture to think that the powers of the present Federal Council, if all the colonies of Australia were represented in it, are such as would enable the Council to do great and good work for the people of this continent. As I have said, notwithstanding its restrictions, the Federal Council has already done good and valuable work, and the only reason

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it has not been able to do still more is because one of the principal

colonies of Australasia has not been able to see its Way to join the Council. Of course the Federal Council would not require to do work which each of the colonies is able to do for itself. Passing on to the subject under the consideration of this Conference, I may be permitted to say that the importance of our meeting here on the present occasion cannot be over valued. We have heard many eloquent speeches dealing with both the sentimental and the practical sides of this great question, many of the speeches, such as large portion of the speeches of Sir Henry Parkes, dealing with the bright and noble aspect of the question, and forecasting to some extent the great future that is awaiting Australia. I am confident there is no one who has paid the slightest attention to the increase of population in these colonies, to the increase of their wealth and resources, and, as Sir Henry Parkes has pointed out, their capacity for self-government, but will be ready to admit that Australia has within itself all the elements of a successful and prosperous national life, and that the colonies ought to be quite prepared to adopt the policy of creating a Federal Constitution and a Federal Government. Well, we have met here on this occasion for the purpose of endeavouring to come to a conclusion among ourselves, after full discussion, as to whether the time is ripe for creating that Federal Constitution, and I now propose to consider very briefly how far our discussion has advanced the proposals which have been submitted to us. Have we been in a position to come to the conclusion that we can well establish a Federal Constitution, consisting of a Federal Parliament and Federal Government? I think the course we have pursued in having a meeting of this kind has turned out to be a wise one, as I believe that if we and the other colonies had accepted the proposal made by Sir Henry Parkes in the first instance, for each of the Parliaments of this continent to appoint delegates to a Convention for the purpose of setting forth the principles of a Federal Constitution, and, in fact, drafting a Federal Constitution, there would have been very little hope of those Parliaments appointing delegates to that Convention

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within any reasonable time. We have had an opportunity, however, of discussing this question on the present occasion, and exchanging opinions, not as to what the future Federal Constitution should be, but with the object of determining in our own minds whether we believe the time is ripe for federation, and whether the views of the people of this continent are so far advanced that they are prepared

by their representatives in Parliament to send delegates for the Purpose of considering this great question of a Federal Constitution. Now, I believe that in all the references which have been made to the desirability of framing this Constitution, while there is no doubt whatever that Sir Henry Parkes clearly indicated that it should consist of a Governor-General, two Houses of Parliament, and a Federal Government no doubt responsible to the Federal Parliament; and while it is quite true that this is the main principle in the Constitution of the Canadian Dominion, yet I nevertheless agree with Henry Parkes that it would not necessarily follow that the whole of the provisions contained in the Constitution of the Canadian Dominion should be inserted in our Federal Constitution. In fact, in a communication I addressed to Sir Henry Parkes at an earlier stage, I expressed these views, I think, quite clearly. In my letter, dated 12th August, 1889, I stated: —

“I gather from your letters, especially from the last one, that your proposal is to create a Federal Parliament of Australia, consisting of two Houses with an Executive Federal Government, constitutionally responsible to the Federal Parliament, the Crown, no doubt, being represented by a Governor-General. This, of course, would be a federation on the same lines as the Dominion of Canada. Whether the Parliament so created would, in other respects, be the same as that of the Dominion would depend on the powers granted to it and those reserved to the local Parliaments.”

So that it was clearly indicated, as far back as August last year, that while it would be quite possible to agree to a Federal Constitution on the same lines as that of the Canadian Dominion, yet at the same time it did not follow that the whole of the provisions should be copied from the Dominion Constitution, because, as has been recognised throughout this discussion, the great

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difference which might lie between the two would consist in the powers which would be given to the Federal Parliament and the powers which would be retained by the local Governments. I confess that when the proposal was lately made by Sir Henry Parkes to meet for the purpose of discussing this question, I did not in any way feel over-confident of our success. I can quite conceive that while you may get tens of thousands of men to agree that a grand federation of these colonies must come sooner or later, it is a totally different thing to be able to arrive at a satisfactory answer to

the question as to whether the time is ripe now, and as to what the character of the Federal Constitution ought to be; and that we may be no nearer a practical settlement, even if we arrive at the conclusion that the time will come when we shall have a Federated Australia, or even if we resolve that the time is ripe for considering the question. I think, therefore, that it would not be out of place if I should endeavour to collect generally the views of honorable members who have addressed themselves to this subject, in order to see how far we have been able, up to the present, to come to some understanding. To start with, it has been acknowledged on all sides, even by the representatives of South Australia and of Western Australia, who, perhaps, are least strong for a great Federal Constitution, that we ought to have a Federal Parliament; and Mr. Playford expressed himself very strongly indeed that the time will come when a Federal Parliament will be established in Australia. His language was, "Sooner or later it will be established." Now, the first thing that suggests itself to one's mind is this: Does that mean that he is prepared, and others with him, to take steps for the purpose of inducing the various Parliaments of Australia to appoint delegates to a Convention for the purpose of laying down the principles upon which that Constitution is to be based.

Mr. PLAYFORD

— Undoubtedly.

The PRESIDENT

— Then the question arises: On what is that Federal Constitution to be based? What form shall it take?

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I venture to think that that will be a question that will ultimately present the great difficulties. That we should federate is also agreed, But what is not agreed upon, and that which we cannot possibly upon which we should federate. Now, there agreed. That we should federate as soon as possible now determine, is the exact terms is no one who is more anxious to see a great federation — a federation complete in the largest sense — than I am; but I confess that I see great difficulties — not insuperable, but great difficulties — in the way of bringing about this federation, and I am very much afraid that even when delegates are appointed to the convention our troubles will only have just begun. I have no doubt whatever that upon a number of important general principles we shall be able to agree, but at the same time I think it will be a great mistake if we under-estimate the difficulties that lie immediately before us. Those

difficulties are not few; they are numerous, and at the same time they are great. Taking even the various views which have been expressed by members of this conference on the question of our tariffs — of the Customs duties — I am afraid it is only too obvious that there will be great difficulty in coming to an agreement. But I say that, although there may be great difficulties in being able to come to an agreement, that is no reason why we should not attempt to overcome those difficulties and arrive at some common understanding. And when we meet, as I hope we shall shortly meet, in the convention, I believe we shall be able, in thrashing out the whole of these questions, to come to a solution that will be satisfactory to the whole of our Parliaments. In fact, on the subject of the Tariff, I feel perfectly confident that, even if we are not able at once to level the barriers between the colonies so far as Customs duties are concerned, we shall be able to arrive at some modification which will be satisfactory to all, and that modification may be a very reasonable one. It is quite possible that South Australia may not be prepared to agree to the abolition at once of the whole of the Customs duties between the colonies; but if she is not, surely it will be possible to make some provision by which the time may be postponed for

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bringing that about, but in which a time shall nevertheless be definitely fixed when the abolition shall take place. A few years one way or other is nothing in the life of a great nation, and if only we are able to find a solution that will effectually overcome the difficulties and give us such a Federal Constitution, we will not require to re-open the question at any future time. After all, the important question which will have to be considered by the various Parliaments is: Is the time ripe for federation? But I think they should also consider this other question. If we are not in a position to enter into the consideration of that great question now, and lay down the lines upon which our Constitution is to be based, when are we likely to be able to take up the subject more advantageously? A number of the members of this Conference have clearly indicated that the present time is as good as any other time, and that the future, so far as we know, may present even greater difficulties than does the present. I think that might be used as an argument to induce the various Parliaments to send delegates to the Convention. It might be well to point out that while at present we have peace and quiet generally, and on the whole there exists a friendly spirit

among the colonies, it is impossible to tell, if we put off the creation of this Federal Parliament, at what period in the future the time will be more appropriate for the consideration of the question. The financial question will be one of very great difficulty, but I believe it can be solved, and if the Parliaments come to a determination that federation shall be brought about in the best way possible, I believe that all difficulties will speedily vanish. At the same time I think it would be a great mistake for members who vote for this resolution to come to the conclusion that the carrying of this resolution really settles everything. It settles only one great thing, and that is very important — that the time is ripe for the federation of the Australian colonies. Having settled that question, we should all feel bound to make every possible effort to induce our respective Parliaments to appoint delegates who will be in a position to consider, not only the general principles, but also the details of the great

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measure which we will be called upon to submit. Now, a number of the members of the Conference have discussed at some length the question as to what the nature of the federation should be. Should it be like the Dominion of Canada, or should it take in some of the provisions of the Constitution of the United States. I have no doubt in my own mind but that we shall find the Canadian Constitution is about the best basis that we can select. Whatever modifications we may make in that Constitution — whether we shall grant the same powers to the Federal Parliament as does the Constitution of the Canadian Dominion, or whether we shall allow the local Governments to retain larger powers than the local Parliaments of Canada have under the Dominion Constitution — will, no doubt, be a matter for earnest consideration. But I venture to think that, simply to create a Federal Parliament with little or no powers — that is to say, Only such powers as the local Parliaments cannot exercise — would be a great mistake. I believe that we can leave to the local Parliaments vast powers, giving them the whole internal administration, and everything required to secure the progress and prosperity of their respective colonies, and at the same time be in a position to grant great and varied powers to the new Federal Parliaments which we shall bring into existence. I have always felt, however, that as we shall then be in a position to discuss these matters in detail, the less this Conference goes into detail perhaps the better, lest views may now be expressed by honorable members which may hamper them in dealing with the subject afterwards.

Under these circumstances I felt, before coming to this Conference at all, that it might be better that some general resolution such as this should be submitted, and that there would be much more likelihood of its being successful than it it were to submit a series of resolutions on which we proposed to lay the basis of the new Constitution. One important consideration which, I think, ought to weigh with us is this, that, in order to make the Convention a success, the various Parliaments, in appointing their delegates, ought to leave their hands untied and untrammelled. The consideration of the various

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difficult and important questions, and the working of them out, in my judgement renders it indispensably necessary that resolutions ought not, in the interests of the whole country, to be passed by any Parliament tying the hands of its delegates either in one direction or another. If their hands were tied on one or two important questions, the result would be that they could scarcely give us the benefit of their valuable advice when we were discussing those questions. I have always felt that had there been very serious difference of opinion at this Conference, a great responsibility would rest upon all the members if they refused even to submit their various parliaments the proposal to consider a new Constitution. If two or three colonies stood apart, and declined to join in our movement, the chances are that movement might not be successful. But there is every probability, if all the members of the Conference are prepared to make a recommendation to their several Parliaments, that those Parliaments will undertake to seriously consider it. If, on the other hand, there is any one representative who declines to ask the consent of his Parliament to the appointment of delegates to a Convention, it would be extremely unfortunate, and a very great responsibility for any delegate to undertake. However great the difficulties I saw before me, I would feel that I undertook a great responsibility if I undertook not to recommend to our Parliament the appointment of delegates to a convention simply because of those difficulties. Difficulties are made to be overcome, and I think there is something of the true ring in the words put into Richelieu's mouth when he said, "There is no such word as fail." If we have a good work before us, there is no doubt whatever that we ought to be strengthened rather than weakened by what are known as difficulties. Mr. Playford, in speaking on this subject, intimated, as an objection, that this movement had not sprung from the people.

Surely the honorable gentleman will go with me in saying that, whether a movement springs from the people or not, so long as it be a good and a wise movement, and one to promote their interests, we should not think of objecting to it. Whatever the interests of these colonies

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are, I think they can best be promoted by union, and though for many years there may be difficulties in dealing with some subjects, these difficulties will and can be overcome, simply because experience has shown that they have been overcome elsewhere. What has been done elsewhere ought not to be too difficult for us to do. All we have to do in approaching this question is to approach it in a determined spirit, first believing that the movement is a good one, and then putting our shoulder to the wheel in order to carry it through. I think we have great reason to be encouraged by what we know to be the opinion of a great portion of the civilized world in regard to this movement. England recognises that if we are a federated people, if we are united, if we have a Federal Parliament with a general Government, a power will be created on this Continent, which, in the future, will be of the greatest value to the Imperial Government and the whole of the Empire. Feeling that the creation of a great power like this will not only strengthen ourselves, but at the same time strengthen all those belonging to us, they recognise that it is a matter of the utmost importance that we should, at any rate, take the first step in recommending our several Parliaments to appoint delegates to a Convention to frame a Federal Constitution. I feel perfectly convinced that if we do that, and are prepared to bring the same spirit to bear on the movement as was done in British North America, where men of all parties met together for the purpose of subordinating their difficulties, and placing them — as a sacrifice on the altar of their country, federation will be accomplished at a very early date. Seeing the unanimity which to so large an extent prevails amongst us at the present time, I feel confident that the people of these colonies, knowing that the members of the Conference have their interest at heart, will support the Convention in any recommendations it may make. The Convention will have an opportunity of presenting its conclusions to the various Parliaments, and I have no doubt whatever that these conclusions, being based on reason as well as justice will commend themselves to their good judgment. The interests of the colonies

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ought to prevail before any individual interest. Yet it is not difficult to see that individual interests will be pressed to the front. I am confident that those interests will require to be considered, and, whatever may happen, justice ought to be done. The colonies united have a great future before them, but, disunited, they will never be able to accomplish the great end to which they ought to look forward. I feel pleased indeed that we have had such a successful discussion, and I have been extremely pleased at what I conceive to be the moderate view of the majority of honorable gentlemen present. It indicates, I think, a great future, and a great future before these colonies means more than we can at present understand. Should a Federal Parliament be created, and a Federal Government formed, they will be able to do work which the colonies, disunited, would never be able to do. As has been frequently pointed out, had we had a Federal Parliament in the past, the work that Parliament would have been able to do would have been great indeed — far greater than has been yet accomplished. I trust that the remaining resolutions which are to be submitted will be discussed in the same spirit as the resolution now before the Conference, and which has been supported on all sides. To those who have taken a prominent part in the idea of a Federated Australia — many of them outside this Chamber — the conclusions we arrive at will be deemed of great importance. The good wishes of the whole of the community will be with us in our movement, and whatever difficulties may arise in the future, will be solved by consideration of mutual interest, and, if necessary, compromise.

Mr. PLAYFORD

— I think I have an opportunity now, if I choose to avail myself of it, of replying to what has fallen from Sir Henry Parkes to-day in regard to a speech I made upon this question a short time ago. But I intend to adopt that honorable gentleman's precept, not his practice. The honorable gentleman's precept was that he did not believe in, nor did he practise, retaliation. I do not on the present occasion intend to resort to retaliation, and I shall, therefore, leave all that he has

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said in regard to myself unanswered, leaving it to the good sense of the people who have taken an interest in what has been done here to judge whether the attack upon me was warranted by the facts of the case or not.

On the motion of Sir HENRY PARKES, his proposition was

amended by the substitution of the words “Australian” and “Australia” for the words “Australasian” and “Australasia,” as they occurred in the resolution.

The motion, as amended, was then adopted.

Captain RUSSELL

— Mr. President, I feel sure that I shall only be consulting the wishes of the Conference if I merely formally move the following proposition, which appears on the notice-paper in my name: —

“That to the Union of the Australian Colonies contemplated by the foregoing resolution, the remoter Australasian Colonies shall be entitled to admission at such times and on such conditions as may be hereafter agreed upon.”

It is, in fact, a corollary to the resolution just passed. I understand that the members of the Conference are good enough to consider that at such a time as the remoter colonies shall feel the influence of that centripetal force which will draw them all into contact — believing that a day will come in which that force will make itself felt — they ought to be then admitted into the Union, and that therefore it would be a great pity if they should have no voice in the Convention which will assemble to discuss the question. With that feeling, and with the belief that New Zealand will send delegates to the Convention, as well as that the remoter Australasian Colonies will to part in the Union, I submit that it is desirable that they should have some say in the formation of the Constitution under which they will eventually be governed. After the exhaustive debate we have had, it would be merely traversing ground twice turned over to say anything further on the subject.

Sir JOHN HALL seconded the motion.

The proposition was agreed to.

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National Convention

Mr. DEAKIN

— Sir, I beg to move —

“That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective colonies to appoint delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution,”

with one alteration. I propose to insert after the word "National" the word "Australasian," an amendment which will perhaps meet the view just expressed by Captain Russell. By introducing, the word "Australasian," it will be made perfectly plain that it is the desire of this Conference that the representatives of the remoter Australasian Colonies should take part in the Convention as well as the representatives of the colonies of the Australian continent. The adoption of a Convention as the means of promulgating a Constitution has the sanction of experience, both in the United States and Canada. The Convention which assembled in the United States deliberated with closed doors, and after some length of time presented a Constitution to the country which was not considered by the country itself, but which was considered by Conventions nominated specially for that purpose, so that, in the instance of the United States, a Convention was twice introduced and the adoption of the Constitution as well as its drafting was by Convention only. In Canada a Convention also sat for a considerable period, and brought forward as its result seventy-two resolutions embodying its recommendations, which, having been approved by the local Parliaments, were sent straight to the Imperial Legislature, and received the sanction of the Queen without having been submitted to the people of Canada. I take it that by universal consent in these colonies no Constitution will be sought to be obtained without the direct consent of the whole of the people of Australasia. The method to be followed may possibly be the submission of the scheme which this Convention drafts in the first instance to the local Parliaments, and then to the country at the succeeding general election. Let me now, in passing,

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suggest that while this course of procedure has all the sanction of precedent, and while possibly it may be the course which will most commend itself to the judgment of the Parliaments of this country, it is not necessarily the only means by which the finding of that Convention might be tested at the bar of public opinion. In the work on *The American Commonwealth*, by the Right Honorable Professor Bryce, which I have already alluded to, he points out that the practice of obtaining not only an indirect verdict of the people at a general election, but the practice of obtaining a direct verdict of the people on questions submitted to them, is growing in favour in both the old and the new world. At the same time he calls attention to the difficulties which surround a question which is sought to be

decided at a general election. At page 72 of the second volume of the work I have referred to, Professor Bryce says —

“A general election, although in form a choice of particular persons as members, has now practically become an expression of popular opinion on the two or three leading measures then propounded and discussed by the party leaders, as well as a vote of confidence or no-confidence in the Ministry of the day. It is, in substance, a vote upon those measures; although, of course, a vote only on their general principles, and not, like the Swiss Referendum, upon the Statute which the Legislature has passed. Even, therefore, in a country which clings to and founds itself upon the absolute supremacy of its representative chamber, the notion of a direct appeal to the people has made progress.”

And a few pages further on he points out that Professor Goldwin Smith deplores the want of an arrangement in the Canadian Dominion by which direct issues may be submitted to the people. For the consideration of the Conference — not because it is a matter upon which it can arrive at any conclusion, but in order that thought may be stimulated by the contemplation of alternative methods — I desire to call attention to the fact that there are innumerable precedents in the United States for the submission of constitutional amendments direct to the people. I ask whether, under certain circumstances, some of our colonies may not prefer to adopt this method. In the United States each of the several states has a Constitution, which is as much to its citizens as that of the United States is to the whole people.

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Those Constitutions, during the present century, have been amended and re-amended. In every case, a Convention has been called to consider whether amendment was necessary. The Convention has drafted the proposed amendments — in some cases amounting to the establishment of a new Constitution — and these have then been submitted directly of the vote of the whole body of the people of the State concerned. The simple “aye “ or “no” of the majority of the electors has accepted or rejected them. That has been done on scores of occasions, and in almost every State of the Union. One of the notable features of this system is that the people, having once exercised this power, have sought to use it again and again, not merely in constitutional amendments but in other matters, and have thus proved their appreciation of such powers. We cannot but recollect that, although the verdict of a general election may be

decisive, it is a verdict which is obtained at some cost, both to the main question submitted and to the minor issues submitted with it at the election. Let us presume that a Convention has agreed to propose a certain definite Constitution, which has been considered and approved by the several parliaments, and that they desire to obtain the judgment of the people of each colony upon it at the next general election. How can the verdict of the people be sought upon this question, and this question alone? Is it not inevitable that it must be associated with issues as to the fate of the Ministry of the day, issues as to the principal proposals of that Ministry, and issues as to local proposals which may seem to be of more moment to certain constituencies? The question of the acceptance or rejection of the Constitution must be confused at a general election with personal issues, with political issues, with platform issues. Is it not certain that the verdict must be more or less confused by the introduction of these conflicting issues, so that it is just possible that in some colonies, owing to the confusion, an apparent verdict might be given against the Constitution, while, if that issue had been submitted alone, the public would readily have endorsed it. It is also perfectly possible that while there may be other grave issues which the

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people desire to pronounce upon, yet, feeling themselves to be federalists in the first place, they will vote for men who approve of the Constitution, without regard to the principles which they profess in any other connexion. And if we suppose that in any or several of the colonies the Federal Constitution is happily carried by a majority of the representatives, yet those representatives may be men who remain in the House dealing with important local issues upon which they do not represent the feelings of their constituents. It is therefore clear that, if remitted to a general election, the proposed Constitution must suffer, or, if it does not, that local interests must suffer. If our union depends upon general elections, the Parliaments returned to federate may be Parliaments out of touch with the popular sentiment of the several colonies on matters of vital importance to their people. I will content myself with this simple reference to a question the solution of which lies with the several Parliaments themselves. The resolution now being moved is purposely left vague as to details. It simply recommends that a National Australasian Convention should be appointed. It does not presume to suggest any particular method by means of which the

members of the Convention should be selected; this and all other details it leaves to Parliament. I re-echo the fervent hope expressed by our President, that the Parliaments of Australasia, in appointing their delegates, will see fit to leave them absolutely uncommitted on any point or points of policy — that they will select the best men available, whether from political circles or outside them — men whose judgment, whose ability, whose knowledge of political affairs, whose experience of the world, and whose aspirations they are acquainted with, and in whom they have confidence, and that, having chosen them, they will not tie their hands upon any particular matters, but leave them untrammelled to give the best verdict which their conscience and judgment can attain to. I would repeat, if I were not afraid of enfeebling it, the eloquent appeal of Washington to the delegates to the American Convention, that they should not choose any but the best proposal, and

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thus, unfurling a standard they could proudly defend, leave the issue in higher hands. It must be remembered that the proposed Convention can impose no Statute upon any colony or Parliament. If the best men of Australasia frame a Constitution for a Federal Dominion which any colony is unable to accept, that colony will reject it, and remain outside the Union as long as it may desire to do so. Consequently, there is no risk in sending delegates absolutely free to the Convention. I am perfectly certain that in the Convention any of the delegates who are trammelled — if there should be any who are trammelled — will meet their associates with a feeling of inferiority, and that the restrictions imposed upon them will be a serious bar to those minor concessions which must be made if the meeting is to be a success. Whatever the Convention may accomplish, we may be sure of this, that the finding will not be exactly what any one person, party, or colony may desire; compromises will have to be effected, and it is therefore essential that the delegates should be free to do that which they find to be best both in the interests of their own constituents and in the interests of the whole people. The task which lies before the Convention is not that of creating a new Constitution. Any assemblage meeting with the design of shaping out of the inner consciousness of its members some novel form of government, which might appear to be theoretically perfect, would fail to do any useful or practical work. It is scarcely necessary to remind honorable gentlemen that the Constitutions to which attention has

been most directed in this Conference have assumed their present form by gradual growth, and have not been, in a mechanical sense, the work of human hands. The British Constitution itself, to which all students of constitutional history have turned with so much admiration, is essentially a growth and not a creation. That Government which has been supposed by some persons to be an artificial creation and not a natural growth — the Government of the United States — is a closely-allied offshoot from the British Constitution. The differences introduced were in each case founded on precedents in the State Governments, except indeed

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in the instance of the separation of the legislative, judicial, and executive authorities, which plan was obviously taken from the reigning school of French thinkers. Mr. Alexander Johnston, in an elaborate article which some time ago appeared in the *New Princeton Review*, shows that each and every provision of the American Constitution is to be found in some of the Constitutions of the several states prior to the formation of the Union, with the exception of that providing for the election of President, the one proposal which has not fulfilled the intention of its founders. In their essence, the principles of popular government in the United States are closely allied to those of the mother country. In the same manner, the Constitution which the North American Provinces adopted was obtained wholly and solely from practical experience, either of the English Constitution or of the working of their colonial Constitutions. With you, Mr. President, I think that if we have regard to the fact that the United States Constitution separates the legislative, judicial, and executive authorities, and that it does not allow of the presence of responsible Ministers in the Legislative Chamber, the chief model of our Federal Constitution, in relation to its form, will be taken from the North American Provinces; that we, like them, will have a Governor-General and two Chambers of representatives; that there will be Ministers present in those Chambers who will introduce legislation, and be responsible to Parliament for their administration of the affairs of the country. We have so much experience of the working of such Governments, that there is no doubt that the proposals of the coming Convention will follow the lines on which we have gained our present development of free institutions. With regard to the first and popular Chamber, I presume that it will be as directly representative of the people as the British House of Commons, or the Assemblies of these colonies.

With regard to the second Chamber, there are different circumstances to be taken into consideration. If we look at the Upper Houses of these colonies, we shall find that they differ considerably. While some of them

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are composed of nominee members, others are elected; and the question of the form the Upper House of the future Dominion of Australia shall take is one of the problems on which the minds of the members of the Convention will be most exercised. I trust that they will recollect that in the two colonies which have Upper Houses elected by a more or less restricted franchise of the people, a feeling prevails that these bodies are not sufficiently amenable to Public opinion. A strong desire exists that the Upper Chambers should be brought into more close relation with the electors, and thus with the Chamber which represents the whole body of the people. We need not attempt to forecast the course the Convention may take with regard to the conditions under which the Federal and Colonial Legislatures shall exercise their several powers. The cardinal distinction between the United States and Canada is that in the United States the Central Government has its powers limited, while in Canada the Provincial Legislatures have their powers limited; and it appears to me that the model of the United States, preserving state rights with the most jealous caution, is that most likely to commend itself to the people of these colonies. And, Sir, confident that the Convention will bring to the consideration of this question all the knowledge and experience of government which we have been enabled to obtain in these colonies, I trust it may not neglect the very valuable criticism of Professor Goldwin Smith, as applied to the Canadian Dominion Government. Let us hope that it will provide the elastic remedy for any errors which may creep into the scheme as first adopted, which is so useful in each of the State Constitutions of the American Republic. It is but reasonable that the people of these colonies should be enabled, when necessary, to revise the Constitution under which they live without the disorganization of their local Parliaments, or in other words, that when the need for an amendment of the Federal Constitution arises (as it has arisen repeatedly in regard to the Constitution of the United States, without any sufficient means for the distinctly affirmed will of the people to secure the amendment it desires) we shall possess

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the power of obtaining a direct reference of the issue to the electors

independently of all other issues, and without affecting their choice of representatives. The ablest jurists in the United States consider the great difficulty of amending their Constitution to be a serious defect; but they find no such defect in their State Constitutions, where a safety-valve has been provided in the appeal to the people; and recognising this, I trust that the members of the Convention will shape the Constitution they propose for all Australian Dominion in such a way as will not only allow it to answer to the needs and necessities of our time, but render it capable of answering to all our future needs, sufficiently pliant to adapt itself to the course of circumstances, related to our national characteristics and capacities so that it may unfold with their unfoldment, expand with our expansion, and develop with our destiny. They can only accomplish this by making, in all things, the nation the sole judge and the sole arbiter of legal forms which may confine but should sustain our national life.

Sir JOHN HALL

— Mr. President, I am very pleased that the alteration suggested by the last speaker in the terms of his resolution enables the New Zealand delegates to support it, and therefore I have much pleasure in seconding the motion. I understand that Mr. Deakin proposes it shall read that the colonies are to be requested to appoint delegates to a National Australasian Convention. I will only say I am glad of the opportunity of expressing the appreciation, which I feel sure will be shared by my fellow-colonists, of the consideration which this Conference has shown, in the amendments that have been agreed to on the suggestion of Captain Russell, to the position of the remoter Australasian Colonies. I feel strongly that great consideration has been shown to us, and I believe that it will bear good fruit. It will give evidence to the residents in the remoter Australasian Colonies that in this Convention to which they are asked to send delegates their interests will receive full and fair consideration. I will not follow Mr.

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Deakin in his speculations as to what the proceedings of this Conference may be. I agree with him in regard to the terms on which delegates should be appointed to this extent, that they should not be absolutely fettered, but don't let us go to the other extreme; don't let us request that they shall be appointed without full information as to the wishes and aspirations of the people they represent. That would be going to another extreme, and I am afraid

that if we did that, if full consideration were not shown to the feelings of the people of the several colonies, it might perhaps tend to make the deliberations of the Convention much less successful than they otherwise would be. I was very glad to hear the honorable member suggest that provision should be included in the new Federal Constitution for such amendments of it as experience might from time to time show to be required. That will enable us not only to admit such colonies as may be willing to join, but also to include such subjects as it may be desirable to include within the province of the Dominion Parliament. I say, let us do what we can. If we cannot include all the colonies at once, don't let us despair; let us include those who will join, trusting to the forces which I am sure will make themselves felt on those who remain outside the Dominion, to come in as soon as they call. And if we cannot at once include all those subjects which an individual entertaining a high sense of the value of local government would grant should be included, let us at all events secure the inclusion of those subjects upon which nearly all will agree a Dominion Parliament should legislate, trusting to the working of the Constitution to show whether further powers should be granted hereafter to the Dominion Parliament, by the means which Mr. Deakin has just suggested. In this way, I think, we shall lay the foundation of a power which will ensure such an organization of the forces possessed by the British race in these seas as will bring about the fulfilment of that great destiny which I am sure is in store for us.

Mr. PLAYFORD

— Mr. President, it appears to me that there are two points which ought to be considered in connexion

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with this resolution, namely, when shall the members of the Convention meet, and where shall they meet? It may be said that we should leave those questions to the different Legislatures of the different colonies, but I think the Legislatures will look to us for some little indication at all events of our views as to when and where the Convs “to meet in Hobart some time early in 1891.” I do not want to go into the questions raised by Mr. Deakin, who was followed by Sir John Hall, because I think they are so much like “the flowers that bloom in the spring, tra la,” and have “nothing” to do with the case.” I don't say this offensively, and I hope Mr. Deakin will not call me a wolf afterwards, but really the question we have to consider, as members of the Conference, is, in the words

of the resolution, the desirability of taking such steps as may be necessary to induce the Legislatures of their respective colonies to appoint delegates to a National Australasian Convention. And if we are going to discuss the whole question of federation over again, we may be here until this day month. Therefore, I don't propose to go into it, but I do think that we should indicate where and when we desire the Convention to meet. I fix upon early in 1891, because it is the most convenient period of the year for the delegates of the various Australasian Colonies to meet. They will mostly be members of the Legislatures, and the respective Parliaments will no doubt be out of session at the beginning of the year, and as that is the hottest season, and the Convention will have a considerable amount of work to do, I think it is extremely desirable to fix upon Hobart as the place of meeting, because that is about the coolest of the colonies in the summer months, and the delegates would get on much better there than in any other part of Australia. Melbourne has this year lost all her credit for having a decently cool climate, and has got the reputation of being considerably better than Adelaide.

Sir HENRY PARKES

— Why not suggest Auckland as the place of meeting?

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Mr. PLAYFORD

— The New Zealand delegates have said that their colony cannot see its way to join the federation, I am sure that Auckland is very warm.

Sir JOHN HALL

— Say Wellington, then.

Mr. PLAYFORD

— Auckland would be about the very warmest spot we could possibly fix upon. It is true that Mount Eden is close at hand, but we should not be able to get to Mount Eden. I think it is highly desirable we should fix upon a time for the Convention, otherwise the question may be postponed for another year, and that will mean until two years hence. The question of federation is under the consideration of the people of the different colonies, and we should “strike while the iron is hot.”

Mr. BIRD

— Mr. President, I rise with very much pleasure to support the proposed addition to the resolution now before us. I think the fact that we have in Hobart about the coolest locality that can be found in the Australasian Colonies in the summer months, is of itself

sufficient to justify the choice of that city for the place of meeting for the Federation Convention. I fancy I detect an incredulous smile on the faces of some honorable members, no doubt in view of the fact that we have had some weather in Hobart this summer almost equal in intensity of heat to the weather we have recently experienced here, but I can assure them that such heat is quite exceptional, and certainly there is not the continuity of it that we have had to endure of late in Melbourne. Gratified though we have been by the superabundant hospitality we have enjoyed, I am sure we would not like to spend five or six weeks in such weather as we have experienced during our present sojourn in Melbourne, and the Convention would probably occupy that length of time. As to the time of meeting, I agree with Mr. Playford that early next year is the latest period to which we should defer the assemblage of the Convention, in view of the public interest that has been awakened by the discussions at this Conference.

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Sir JOHN HALL

— Mr. President, may I suggest to Mr. Playford that in putting before us two distinct propositions in one amendment, he is placing the members of the Conference in a difficulty. The time and the place of meeting are two distinct subjects. If the honorable member will divide his proposition, I shall be prepared to vote for meeting early in 1891.

Sir HENRY PARKES

— Or earlier.

Sir JOHN HALL

— Or earlier, if practicable.

Sir HENRY PARKES,

— And as to the place of meeting, say Lord Howe Island

Sir JOHN HALL

— I am not prepared to vote for the place of meeting at the present time.

Mr. PLAYFORD

— I am quite prepared to divide the amendment. The time and the place are two distinct questions.

Mr. McMILLAN

— Why fix the place now?

Mr. PLAYFORD

— We can leave the place out if you like, or we can make it the top of the Blue Mountains.

Sir HENRY PARKES

— Why not the crown of Mont Blanc, if you want a really cool place?

The PRESIDENT

— If agreeable to honorable members, I will divide the amendment. The first part fixes upon the place at which it is proposed the Convention should meet, namely, in Hobart.

Sir HENRY PARKES

— Mr. President, before you put the question to the Conference, I would suggest that the place of meeting should not be included in the resolution. So many circumstances may arise to determine that point, that I think it would be very unwise for this Conference to come to any binding decision with respect to it. It would probably be a much wiser course to appoint some Minister of the Crown — yourself, Sir — as convener, with power to name the time and place of meeting.

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Sir SAMUEL GRIFFITH

— Sir, the time and place of meeting are distinct questions, but they may be mutually interdependent. We cannot tell when all the Parliaments will have appointed their delegates, we cannot foresee what delays may occur — I hope they may not be many — but a number of incidents might occur to prevent the holding of the Convention at a time and place appointed nearly twelve months beforehand. All of us who have had parliamentary experience know how absolutely impossible it is to fix even six months in advance when and where a Conference or Convention shall meet. If the Convention is to be held in January, then Hobart is the best possible place to meet, but some of the Parliaments may be in session in January. The place is dependent on the time of meeting, and the time is dependent on the place. In 1883 a committee was appointed to supervise the resolutions of the Convention, and Mr. Service, as the prime mover, was appointed convener, and authorized to take the necessary steps, which is really the only practical way. Supposing some important Parliament is prevented from coming to a conclusion to appoint delegates, it would not be desirable to hold the Convention without them. Some Parliaments may appoint delegates with particular restrictions, or decide that it is not desirable to move further without a reconsideration of the matter, and so on.

Mr. PLAYFORD

— Unless you fix a time you leave the door open to all sorts of things, and, naturally, the opportunity will then be seized by some to defeat the object in view, and any number of years may pass before we will get a Convention. If, however, we state definitely that the Convention ought to meet early next year, some effort will be made to carry out the arrangement. Ministers will tell their Parliaments — “If you delay that will simply mean that nothing will be done.” All the different colonial Legislatures will meet before January next, so that there will be ample time to appoint delegates. Asking the various Parliaments to sanction a Convention, and getting them to appoint delegates, are two very different things. If it is the

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wish of the Conference, I will excise the words relating to the Convention meeting at Hobart. It would strengthen the hands of the Governments concerned if the time was definitely fixed for early in 1891.

The PRESIDENT

— It is often very difficult, on an occasion like this, to satisfactorily fix either place or time. I suggest that the various Parliaments should be simply asked to appoint delegates to the Convention, leaving the time and place of meeting to be decided upon subsequently, after consultation between the Governments interested. If the matter is so left, and I have the honour to be one to communicate with other Governments on the matter, I shall be very happy to give every possible assistance. No doubt, as Sir Samuel Griffith has pointed out, there will be, in several instances, a number of difficulties in the way, but I think every effort will be made to overcome them. Unquestionably the proper season for meeting will be early in the year.

Mr. PLAYFORD

— I still consider that the Conference ought to express the opinion that the Convention should be held early next year. We need not be particular as to the month or day. My judgment tells me that that will be a wise course to follow, in order to get the delegates elected before the close of this year.

Mr. CLARK

— I think the views of both Mr. Playford and the President would be met if after the word “appoint,” and before the word “delegates,” in Mr. Deakin's motion, the words “during the present year” were inserted.

Mr. PLAYFORD

— I ask leave to withdraw my amendment in favour of that just suggested by Mr. Clark.

Mr. Playford's amendment was withdrawn.

Mr. CLARK

— I now beg to move the amendment I have indicated.

The amendment was agreed to, and the original motion was amended accordingly.

Sir SAMUEL GRIFFITH

— Sir, before the amended motion is put, I would like to offer a few remarks on the general Question.

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I came here with the view of getting information, for the sake of both myself and the colony I have the honour to represent, upon the real present attitude of the people of this continent on the question of federation. I came here with an inquiring mind, for I confess I had great doubts on many points — doubts to which I gave expression the other day. At the same time, I was perfectly clear about what it was desirable to attain to if we could attain to it. I am now, however, very glad to say that during the discussion a great deal of light has been thrown on the subject, and the uncertainty I felt has been almost entirely removed. One great doubt was as to whether fiscal difficulties would prevent federation. I was under the impression that the idea of asking the several colonies to break down their respective Customs barriers was an utterly impracticable one; still, I thought that obstacle was not sufficient to prevent federation for other purposes. But the arguments I have listened to have shown me that my fears were groundless — that the obstacle was one which need not be feared. It has been very clearly pointed out that any discussion between delegates to a Convention appointed with limited powers will be attended with great inconvenience. I see no reason why the representatives of the various colonies should not, with the most perfect confidence, ask their Parliaments to confer plenary powers on their delegates. I am satisfied, if that is done, that those delegates will be able to use such arguments, derived from discussions at this Conference, as will overcome all opposition, I am glad to acknowledge that it is the discussion which has taken place which has brought about that change in my mind, for I certainly came here under a different impression. There can be no doubt that the Convention should meet as soon as possible. I am satisfied that the fiscal difficulties can be

over come by a Convention. Many ways have been suggested, and many more may be suggested. I am perfectly convinced, however, that those difficulties can be overcome, and that the Convention will be able to make arrangements which will be satisfactory to the whole of the colonies. I have previously doubted whether it will be necessary to suggest

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a limitation of the powers of the Convention, but now I have no doubt whatever upon that subject, and I can cordially approve of the proposition in the form it is now before the Conference.

The motion was then agreed to in the following amended form:

—

“That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective colonies to appoint, during the present year, delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution.”

Mr. DEAKIN moved: —

“That the Convention should consist of seven members from each of the self-governing colonies and four members from each of the Crown colonies.”

He (Mr. DEAKIN) said:—

Here again, I wish to make a slight amendment, by inserting, after the word “of” in the first line of the motion, and after “and” in the second line, the words “not more than.” The understanding which has been evolved in the course of the previous discussion is that, as the delegates will vote by colonies, it will be immaterial what number of delegates any particular colony sends to the Convention. At the same time, it will be considered essential that some maximum number should be mentioned, in order that there might be a limitation upon an undue attendance from one or more of the colonies. The number seven suggested itself, but I know of no reason why honorable gentlemen should not alter that maximum as they may deem fit.

Mr. McMILLAN seconded the motion.

Sir JOHN HALL

— I cannot allow one remark of the proposer of this motion to pass without some challenge. Mr. Deakin said it was understood that

the convention would vote by colonies. I do not know where that understanding was arrived at, and I would suggest that such an understanding must land its in practical difficulties when the Convention meets. Where there are only two representatives from a colony it will be quite easy, upon simple propositions, such as those which

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have been before this Conference, to agree how the vote of that colony shall be given. But if complicated questions of detail arise, it may be very difficult for the representatives of a colony to agree as to how their vote shall be given. I would submit for the consideration of honorable gentlemen whether that is not a serious consideration, and whether the question as to how the votes should be given — by colonies or individuals — should not be left to the Convention itself. With reference to the numbers of the representatives of the self-governing colonies, it seems to me that six would be a more convenient number than seven. An arrangement of this kind would allow two representatives to be appointed by the upper branch of the Legislature, and four by the lower branch. A seventh representative will come in something after the fashion of the fifth wheel of a coach.

Mr. DEAKIN

— I desired to point out that the matters cannot be left to the Convention. The question must be settled before the Convention assembles, otherwise the Conference will require to fix the number of representatives each colony must send. Whilst I fully admit the difficulty to which attention has been called, I would point out that it has been the practice, in cases of this kind, where an equality in voting has existed among the representatives of a colony — say, three taking one side and three the other — for the senior member to have a casting vote. One advantage in having seven representatives would be found in the fact that a casting vote would not be required. A difficulty which suggests itself is, that some of the colonies may not desire to send so many as six representatives; if we vote by colonies this will be immaterial. By the time the Convention is held, Western Australia may be a self-governing colony, and if the meeting takes place at Hobart, that colony may not desire to send the number suggested.

Sir SAMUEL GRIFFITH

— It seems to me to be impossible to fix the number. My opinion is that upon more important matters the voting will have to be by

colonies, as it was in Canada and United states, and as it has been in Australasia in previous

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important conferences. Mr. Macrossan informs me that the difficulty as to an even number of votes is not an insuperable one, because the practice in America has been that where the delegates of the States are equally divided in number no vote is recorded. Upon minor matters, no doubt the Convention would decide to allow the majority to rule, but on great questions of principle the colonies must vote as colonies.

Mr. McMILLAN

— The Convention will make its own rules.

The amendment was agreed to, and the motion was then carried in the following form: —

“That the Convention should consist of not more than seven members from each of the self-governing colonies, and not more than four members from each of the Crown colonies.”

Federal Council

Mr. DEAKIN moved: —

“That as some time must elapse before a Federal Constitution can be adopted, and as it is desirable that the colonies should at once take united action to provide for military defence, and for effective cooperation in other matters of common concern, it is advisable that the Federal Council should be employed for such purposes so far as its powers will permit, and with such an extension of its powers as may be decided upon, and that all the colonies should be represented on the Council.”

He (Mr. DEAKIN) said

, in moving this resolution I wish to explain to the representatives of New South Wales and New Zealand, why it seemed desirable that there should be an opportunity afforded of considering this question before the proceedings of the Conference closed. Those honorable gentlemen will recognise that there is no attempt, either patent or latent, to in any way coerce them. Such coercion is absolutely impossible, and it is frankly recognised as impossible and also as undesirable. The passage of a resolution to compel any colony to enter the Federal Council against its will would be most injurious. No union could be satisfactory or profitable to those

associated in it unless it was entered into with a free will, and with a cordial desire to

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obtain the objects of the union. It is therefore under no mistaken apprehension of what even the carriage of this resolution would involve that I venture to place it upon the notice-paper, but I placed it there being sure that the relation of the Federal Council to the proposed Federated Parliament would certainly assert itself during this debate, while there would be no means of testing the general feeling in regard to what that relation should be unless we had a substantive motion of this kind dealt with. The proposition is submitted to give those members of the Conference who desire it an opportunity of stating to the representatives of the great colonies outside the Council why they belong to the Federal Council, why they intend to continue to belong to it, and why they cherish an ambition that the other colonies should also join it. The occasion for the assembling of this Conference alters in many ways the position of all the colonies in regard to that Council. I hope that it will alter entirely the attitude of New South Wales and New Zealand. For my own part, I can perfectly well understand that men whose minds have been filled by the vision of a Federated Australasia, with a General Parliament and an Executive Government, may well feel disposed to consider that the Council is a body too imperfect to meet their desires. But now that, happily, the representatives of Australasia have fallen into line, have passed the motion submitted by Sir Henry Parkes in favour of a Federal Union, and a further consequent resolution, pledging us to endeavour to induce our Legislatures to appoint delegates to a Convention to frame a Constitution, and a new era in Australasian history having thus been heralded, I think the members of the Conference must confess that the circumstances are so changed as to present this issue to them in an entirely different aspect to that in which it has hitherto appeared. I say this, not because an apologetic tone requires to be adopted in regard to the Federal Council. As one in no way concerned in the formation of that body, I am myself satisfied that if the thing remained to do again it ought to be done, that it was a thoroughly wise procedure to form the Council, and that

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it has accomplished a great and good work in the Federal cause. But with regard to the representatives or the two great colonies who stood out of the Federal Council, I ask them if, prior to the assembling of this present Conference, they regarded the Federal

Council as being too incomplete to justify their adhesion to it, will they not now consider that, pending the passage of a measure which will give Federal Australasia its Legislature and Executive, there is room which can well be filled by the Council — that it can do work for them in the interim which ought to be done, and which they cannot do for themselves. If the representatives I refer to will take that view, they will not find themselves in any conflict on the general question with members of the Federal Council. It has always been regarded as a temporary and tentative body, and its authors and members have always accepted as an axiom the doctrine that it was to be employed only until we could find some body more powerful than itself to take its place. The very resolution on which it was founded, passed in the Convention of 1883, ran as follows: —

“That this Convention, recognising that the time has not yet arrived at which a complete Federal Union of the Australasian Colonies can be attained, but considering that there are many matters of general interest with respect to which united action would be advantageous, adopts the accompanying draft Bill for the Constitution of a Federal Council, as defining the matters upon which, in its opinion, such united action is both desirable and practicable at the present time, and as embodying the provisions best adapted to secure that object, so far as it is now capable of attainment.”

Three times over in that resolution it is indicated that, in the opinion of the founders, the Council was intended only to have a temporary existence, until a Federal Union could be established. Then, no later than the commencement of last session, resolutions were carried in favour of an alteration of the Constitution of the Council. Those resolutions increased the number of representatives — to thirty or thirty-four members if New Zealand and New South Wales joined — and provided that each colony should determine whether its representatives should be nominee, elective, or representative. By proposing this increase in the number of members one of the chief objections Sir Henry Parkes

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has raised is removed, because the proposal is to increase the Federal Council until it forms a body nearly as large as our Upper House. And this extension of the numbers of the Council was only proposed as a step preliminary to asking for increased powers for that body so as to make it more useful and authoritative than at

present. Even in doing this the Council was true to its traditions, and recognised that it was still a temporary and tentative body. A resolution passed at the last meeting of the Council says: —

“The Committee (on the Constitution of the Council) desire to add that they recognise that further amendments of the Constitution of the Council will from time to time become necessary, until complete Parliamentary Federation is eventually obtained; but they consider that a substantial advance towards that end will be made if effect be given to the foregoing recommendations.”

So that, even when recommending an increase in the number of members, the Council repeated its cardinal doctrine. Mr. Kingston, the South Australian representative, who took an active part in bringing forward this amendment, was only deterred from submitting a further resolution by the feeling that the Council ought to adopt this proposal for an increase of its members before any further step was taken. He, however, gave notice of the following resolution, which, though not adopted, was generally approved by the Council: —

“That, in the opinion of this Council, it is desirable that, after the Constitution of the Council shall have been amended by the increase of the number of its members, the Council shall, on behalf of the colonies represented, consider the question of Australasian Parliamentary Federation, with a view to making recommendations thereon to the local Legislatures.”

So that if the Federal Council had obtained the increase it sought, it might at this very time be considering the question this Conference is now considering. Thus the members and authors of the Federal Council, so far from being opponents of Australasian Federation, are its warmest supporters; and they have never taken any step, from the beginning, without recording the fact that the work doing was only work introductory to the establishment of a complete Federal Parliament.

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Without quoting further, I think that what I have cited should be sufficient to prove to the representatives of the two colonies who remain outside the Council that if they, having endorsed the resolutions which this Conference has carried in favour of federation, should now enter the Federal Council they will not enter a body with which they will be out of sympathy or a body which is

deaf to their appeals for federation, but one which has proved itself to be loyal to the cause we are assembled here to advance. They will not find that members of the Council desire to maintain it at the expense of a higher organization, or that they are desirous of clinging to their dignity when they see an opportunity of making way for a greater power. With the exception of the representatives of two of the colonies represented here to-day, every member of this Conference is a member of the Federal Council, and the cordiality with which we have endorsed the proposal for a Federal Parliament is a proof that if the motion had been submitted in the Federal Council they would have endorsed it with the same heartiness. Under these circumstances, the representatives of the Australasian Colonies can have nothing to fear for Federation from association with the Council, and nothing to dread in the way of its antagonism. They may now not unreasonably ask — “What advantages would arise from our becoming members of a Council which will shortly be absorbed in the greater Australasian Parliament?” The answer is that, first of all, the earliest possible time at which an Australasian Parliament could assemble for the transaction of business would probably be about two years. In the uncertain course of political affairs this interregnum may be extended to three or even four years. It might take a still longer period than that, but it is certain that we have to face a period of two years without any federal authority; and the question I would like to put to the representatives of these colonies is, whether they consider that during these two, three, or four years, as the case may be, there is not good work to be done in connection with the Federal Council? I would say, in anticipation of objection, that if it be urged that the colonies which now stand aloof

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might, in joining the Federal Council, lead some of the members of the group to waver in their energy as regards federation, those colonies could join, as South Australia did, for a definite term of years. It is perfectly possible for both the colonies in question to fix the time for which they would Live the Federal Council its trial, supposing that the Federal Parliament did not come into existence. As to the results to be obtained by their entrance into the Council, I will not weary the Conference with citations from the Federal Council Act, but I will quote the list of questions which the Council is enabled to deal with, with which none of the Parliaments it represents can deal with in the same manner, while it is highly

desirable that they should be dealt with. These questions are:— Relations of Australia with the Islands of the Pacific, prevention of the influx of criminals, fisheries in Australasian waters beyond territorial limits, the service of civil process of the courts of any colony within Her Majesty's possessions in Australasia out of the jurisdiction of the colony in which it is issued, the enforcement of judgments of courts of law of any colony beyond the limits of the colony, the enforcement of criminal process beyond the limits of the colony in which it is issued and the extradition of offenders, the custody of offenders on board ships belonging to Her Majesty's Colonial Governments beyond territorial limits, and any matter which, at the request of the Legislatures of the colonies, Her Majesty, by Order in Council, shall think fit to refer to the Council. These are the matters with which the Council has authority to deal. Surely it cannot be said that nothing could be done under any of these heads during the next few years which would not be well worth doing in the interests of the different colonies. For instance, if we dealt with the purely legal questions — such as the enforcement of civil and criminal process and of judgments, the law relating to companies, and the estates of lunatics, on all of which matters our legal procedure is at present in an unsatisfactory condition — surely we would have done something worth doing. In addition to that, power is given to the several Legislatures to refer questions to the Federal Council, and upon these

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the Federal Council may legislate. Foremost among the many questions which the Imperial Government has allowed to be referred to the Federal Council is that of general defence. Sir Samuel Griffith, in the course of his first speech, drew attention to the anomalies which would exist if the forces engaged under the laws of the different colonies were sought to be employed in colonies other than their own. At the present time, the militia of Victoria would be beyond the control of our law directly they crossed the River Murray, and the militia of New South Wales are in exactly the same position if they enter our territory. Discipline would, of course, be impossible under these circumstances. Again, the resolution to which, under the guidance of Sir Henry Parkes, we have assented, affirms that the time has arrived in which a Federal Executive and a Federal Legislature are necessary. The occasion for calling this Conference and coming to such a resolution was the report of Major-General Edwards on the state of our defences. This

very question is capable of being dealt with, though in a partial manner yet to a most valuable extent, under the provisions of the Federal Council Act. It is true that there cannot be a Federal Army such as a Federal Government could establish and maintain; nor is that desirable under the present Council. But what the Federal Council could do would be to pass a law making the militias of the various colonies one force, capable of acting anywhere, by making them amenable to discipline when outside the colony in which they were enlisted. If we recognise the imminence of the danger to which we may be exposed during the next few years, none of us, I am sure, will say that this is not a work that is well worth doing. And who can tell that the need for this general defence may not occur before the Parliament of Australasia is called into existence? I will point, in conclusion, to two other provisions of the Federal Council Act which are not without importance. Section 16 gives the Governments of any two or more of the colonies power, upon an address of the Legislatures of such colonies, to refer for the consideration and determination of the Council any questions relating to

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those colonies or their relations with one mother, when the Council shall have authority to consider and determine by Act of Council the matter so referred to it. There are matters of intercolonial agreement, or requiring intercolonial agreement, and which are at present matters of comparative disagreement, which might be on their way to settlement before we have a Federated Australia; and if the interested parties think proper they could refer these questions to the Council, and thus obtain at once the assistance of a body capable of solving and settling them. That, I think, is a power of extreme practical value. Another power is given which is of less practical value, but not of less importance, in section 29, which authorizes the Federal Council to make such representations or recommendations to Her Majesty as it may think fit with respect to any matters of general Australasian interest, or to the relations of Her Majesty's possessions in Australasia with the possessions of foreign powers. No one could have spoken more sympathetically or powerfully than Sir Henry Parkes did when he referred to the threatened influx of Asiatics into Australia, or to the possible domination of the Pacific Islands by foreign powers. We may not obtain notice of any intended action on the part of foreign powers in time to constitute a Federal Parliament to deal with such questions,

and we may, at any moment, find ourselves, by their action, plunged into a serious crisis. The powers given to the Federal Council are all I think useful, are all such powers as we might require to exercise in the interest of Australasia during the next few years; and yet they are all powers that we shall be unable to exercise with full strength and authority unless all the colonies of Australasia join us. If New Zealand and New South Wales could see their way at the present juncture to make their entrance into the Federal Council, the number of members could be increased, its powers, if they were considered to be insufficient, could be enlarged, and we should at all events have in an incomplete form an Australasian Union which would enable us to cope with many difficulties which may confront us at any moment, and with which at present we are

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unable to cope. The question we put to the delegates from these colonies is: What possible reason can there be for refraining to join hands even in this small work of federation now, especially as we have agreed to join hands in the larger work that lies before us. We are all of one mind in regard to the constitution of a Dominion Parliament and Executive for Australasia, and surely the greater includes the less. We are of one mind in regard to the desirability of facilitating commercial intercourse between the colonies as much as possible, of giving to the citizens of all the colonies similar laws, of providing for our united defence, and of being able to forestall foreign aggression by making in a constitutional manner, proper representations to Her Majesty. These powers are now within our reach; and we ask with surprise, why we should allow them to lie idle because we see greater powers promised in the future? I will consent to stand second to none in respect to the ardour of my desire for the creation of a Federal Parliament, and I yield to none in the loyalty of allegiance which I promise to such a body. But I have an equal loyalty to the Federal Council as it exists to-day, because, after all, it is our only Federal institution, our only accomplished union. It has done useful work, and it may do more useful work. Why should we despise the day of small things, especially when those small things may at any moment become of the largest and last importance to us. It might become of vital moment to Australasia that the colonies should speak with one voice on some instant question of foreign policy, or pass some drastic law for the protection of our shores such as the Federal

Council Act empowers us to pass. Why should we not receive the assurance of the representatives of New South Wales and New Zealand that they will do what in them lies to join us in such tasks, as they are prepared to join us in establishing an Australian Dominion? We know they cannot bind their Parliaments, but if they would only seek to induce their Parliaments to enter temporarily into the Federal Council, and wed with us from to-day, instead of putting off our marriage for two or three years, they would give striking evidence of the strength of the

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federal spirit. I trust that the expressions which have fallen from them as to their ardour for the federal cause in general will be repeated with reference to this particular federal cause, and that we will be able to welcome at the next meeting of the Federal Council representatives from all Australasia. If that were so, the one reason for the partial character of the success achieved by the Federal Council would be removed; its great and immediate success would be assured, and it would become a body that would win the gratitude of the people of Australasia by the practical work it would do for them without delay while it would not fail them in the day and hour of their need, if a time of peril should arise within the next two or three years.

Dr. COCKBURN seconded the motion.

Mr. McMILLAN

— Mr. President, after the very great harmony and unanimity which has occurred throughout the proceedings of the Conference, it is a matter of great regret to the delegates for New South Wales that they cannot agree to the motion. Certainly if anything would have led us away from our allegiance to what we believe to be the opinion of our own people, it would have been the Charming eloquence of our friend in whom the Church has certainly lost an extraordinary light, for if ever eloquence was fitted to convert the sinner from the error of his ways, that eloquence belongs to the Chief Secretary of Victoria. Put the fact is we are absolutely powerless. The Federal Council has existed for the last five years, and during the whole of that period, by every proof we can obtain — the utterances of public men, the sentiments of public meetings, the expressions of opinion in the best papers of the colony — we have reason to believe that if our colony were polled to-morrow a large majority would be against entering the Federal Council. Consequently, representatives of the people and as owing our

authority to the people, we must bow to that opinion, whether it be reasonable or not. But apart even from that view of the case, it seems to me that if this motion were carried we would be open to the very grave charge of putting forward a

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lesser issue and shadowing the larger one to be put before the colonies as the result of this Conference; and popular opinion might be inclined to say that instead of the first resolution being the principal one proposed in the Conference the last resolution was the real thing which the members of the Conference had in view. I don't think, Sir, as far as New South Wales is concerned, that she will be a block to an early decision of this federation question. I believe that in the shortest time mentioned for the commencement of the Convention's operations New South Wales will be ready to take her part in the proceedings. There is no doubt that the question of military defence, as brought before the colonies by General Edwards, presents a great and a real danger, and in the present state of affairs in Europe it is impossible to say that certain contingencies may not occur; but as representatives of the people of New South Wales, and feeling certain that public opinion, by a large majority, is against any idea of our entering the Federal Council, we must absolutely decline to vote for this resolution.

Captain RUSSELL

— Sir, I regret that I must come to the same conclusion as Mr. McMillan. There are several reasons why I arrive at that conclusion. First of all, and possibly when that is enunciated you will say it is unnecessary for me to go any further, this question was not relegated to us as delegates, and therefore we have no power to deal with it; secondly, the question has not been raised in our colony, that is to say, the people of New Zealand have not for years considered this matter; but I believe that, if there was to be any test of public feeling on the subject, public opinion in New Zealand would be found rather adverse to than in favour of our joining the Federal Council. I say that with regret, because personally and individually I think there might be much to gain if we were able to join. All the matters that have been so ably alluded to by Mr. Deakin, and many other subjects besides those, might come before the Federal Council, and even supposing New Zealand should not join ultimately in the great Federal Union

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of Australia, still she would gain enormously by having laws passed affecting criminals and great social questions which might be dealt

with by the Federal Council, in such a manner as to be very beneficial to the people of Australasia. But, unfortunately, we are not in a position to join the Federal Council. It is an open question, however, whether in the cause of Federal Union it would be wise to give increased powers to the Federal Council. It may be very true to say it is absurd that a lesser power shall not be granted to these colonies which are anxious to assume far greater powers; but we must bear in mind that, in passing through life, we continually find people, after taking a smaller quantity, satisfying themselves with that smaller quantity, and not going on to take possession of the larger quantity which was within their reach. Take in illustration a simple every-day incident that has, no doubt, very frequently come under the notice of honorable members. A man builds a house of wood, with small rooms, and of insignificant appearance — a shanty, in fact — intending, however, to erect a very much bigger house in two or three years. Time passes by, the years roll on, but the man and his family are still to be to my own colony I will endeavour to bring the matter before the people of New Zealand, and that it shall be submitted to my Government, who will give the subject their calm and careful consideration before the next session of Parliament.

Mr. MACROSSAN

— Mr. President, taking into consideration the views of the representatives of New South Wales and

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New Zealand, and the fact that there will be no meeting of the Federal Council this year, I think it would be as well if Mr. Deakin were to withdraw his resolution. It has too much the appearance of trying to coerce New South Wales and New Zealand to join the Federal Council. We are all very anxious they should join, but if they don't see their way to do so, I think we should not put forth any effort that would have the appearance of seeking to force them to join.

Mr. CLARK

— Sir, I also concur in the opinion expressed by my honorable friend, Mr Macrossan, that Mr. Deakin would take a wise course in withdrawing his motion. Although we know that the honorable gentleman has no such intention whatever, his resolution might, in the eyes of some persons, have the appearance of being an attempt to compel New South Wales and New Zealand to come into the Federal Council. I have very much felt the smallness of that

Council as an obstacle in the way of its usefulness. An increase of its members by the addition of four representatives from two such important colonies would undoubtedly impart new life and new vigour to the Council, enabling it to do very much better work in the future than it has done in the past; but notwithstanding the advantage which I see would accrue from the entrance of New South Wales and New Zealand into the Council until the larger federation is established, I yet believe that there is a good deal of weight on the arguments submitted by Captain Russell, that if the whole of the colonies are once represented in the Federal Council, particularly with increased powers and increased representation, there might be a tendency to remain content with that kind of federation for an indefinite time; and I should be very sorry indeed, as a member of this Conference, to have been a party to such an undesirable result. But it is not that argument which particularly influences me at the present time; I am influenced still more by a desire to avoid anything like an attempt to compel New South Wales and New Zealand to join the Federal Council.

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Mr. DEAKIN

— Mr. President, it would, as I have already said, be perfectly idle for the members of the Federal Council to have cherished any intention of compelling any colony to join the Council, simply because they have no power to compel any one to join, or to influence the other colonies in any degree, unless they are fortunate enough to be able to influence them by argument.

Sir HENRY PARKES

— Sir, if Mr. Deakin would kindly allow me, before he replies, I desire to say that I should be extremely sorry, on the part of New South Wales, if any feeling could possibly exist that we thought for a single instant that there was any intent to compel us to join the Federal Council. That would be impracticable, because we could not be compelled; but I should be very sorry if any one supposed that we entertained any such illiberal view as that there was any design even to induce us to take that step. On the contrary, I for one believe that Mr. Deakin has submitted this motion in the very best of good faith. We do not complain on that score for a moment, nor are we so purblind to the actual state of things as to suspect any desire to induce us, by reason of our being amongst the parties to such a resolution, to join the Federal Council. Our position has been pretty fairly stated by my honorable colleague, Mr. McMillan; but I

would like to call attention to my own individual position. If honorable members accept my explanation that I had convinced myself, before I was called upon to take any step in consequence of the Convention of 1883, that the Federal Council scheme, instead of being a promoter of federation, would be a stumbling block in the way of federation, I don't see how it can possibly be expected that I as an individual could consent to urge New South Wales to enter the Federal Council now. That appears to have been frankly recognised by the Government of Queensland in the quotation which I made from Mr. Morehead's despatch. If I could by any means be brought to see the matter in the same light as Mr. Deakin does, I should be disposed to submit the case to our

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parliament; but my conviction is in strict accord with that of Mr. McMillan. I might suffer by submitting the case to Parliament, but I could never induce the Parliament of New South Wales to assent to it. From some cause or causes, not in any marked degree through my influence, the Parliament and people of New South Wales are opposed to the Federal Council. Those who paid any attention to my explanation would see that I could not have had much to do with influencing this state of feeling in New South Wales. I explained that for fully eight month after the Convention sat, in 1883, I was out of the colony. I was a member of Parliament at the time, because, although I had tendered my resignation, my constituents would not accept it during my absence; but soon after my return I saw what appeared to me a sufficient reason for resigning my seat, and I placed myself outside Parliament, I think, for the remainder of that year, so that I could have had personally very little to do with influencing public opinion on this question. And I have seldom spoken of the Federal Council since, unless on occasions when I have been compelled to speak of it, so that the opinion in New South Wales has crystallized against the Federal Council from other influences than mine. One of those influences has been the steady and powerful conduct of the public Press in opposition to it. Any one who has read the leading papers of New South Wales must know that the best of them — those which carry most weight — have been consistently, and with singular ability, opposed to the Federal Council, and the result is that the public opinion of New South Wales is so confirmed, that it would be impossible for that colony to join the Federal Council. There is the real objection to the motion proposed by Mr. Deakin, and it was

forcibly, though somewhat humorously, embodied in Captain Russell's figure. It is a most dangerous proceeding, if a people is aiming at some great object, to set up some smaller object in the interval. It is very likely, by the operation of the laws which influence human nature, more or less to exclude from sight the larger object, and it is certain to weaken the effort for the attainment of the larger

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object. That is a valid argument, based on grounds with which we are all acquainted; but apart from that argument or any other argument, what I stated in a letter addressed to Mr. Gillies I repeat now, that no man, and no party of New South Wales, could induce Parliament to consent to enter the Federal Council. I say that, I hope, in the best spirit possible, and only with a desire to state what I believe to be the truth.

Mr. DEAKIN

— As my arguments do not appear to have made any impression on the minds of the representatives of New South Wales or New Zealand, I can only conclude that they will not have any greater weight with the Parliaments they represent. I, therefore, accept the suggestion thrown out by Mr. Macrossan and Mr. Clark, although I entirely differ from them in conceiving it possible that such a resolution as this could be supposed to be intended to coerce or compel a consent. But, in order that there may be no resolution affirmed by the Conference which is not unanimously carried, I will withdraw the motion.

Sir HENRY PARKES

— In order to satisfy my friends in Victoria and the other colonies, I undertake, in good faith, to consult my colleagues in Cabinet on the question which has been raised by this resolution; and I will undertake more than that, namely, to consult leading men in Opposition to the Government, as well as leading men in support of the Government, in the same subject. More than that I cannot undertake.

The motion was withdrawn.

Sir HENRY PARKES

— May I ask if that concludes the business of the Conference?

The PRESIDENT

— It will be necessary to embody the whole of the resolutions in an Address to Her Majesty, through His Excellency the Governor and the Secretary of State for the Colonies. It will, therefore, be

necessary for the Conference to meet to-morrow, at eleven o'clock, for the purpose of transacting that business, as well as to dispose of some other formal business which may arise.

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Address to the Queen

Sir HENRY PARKES

— Mr. President, you will recollect, I think, that at our first interview on my arrival in Melbourne, I suggested to you the propriety of this Conference adopting a humble and dutiful Address to Her Majesty, expressive of our loyalty as members of the Conference representing, all the colonies. You replied to me that if anything of the kind were done, it would be more becoming at the close of our proceedings, and I have no doubt whatever that your view is a correct one. I should like now to elicit from you, and from the Conference through you, whether, in the judgment of my fellow representatives, the action would be a proper one to take. It will be noticed, from telegrams which have appeared in the press, that the Imperial Government has made our sitting a matter of sufficient importance to include in Her Majesty's Speech, and it seems to — me that it would be in no way going out of our proper line of conduct for us to close our proceedings with such an Address. If that is the view of other members of the Conference, I should be very happy to undertake, if they wish it, to move such an Address tomorrow.

The PRESIDENT

— Does the honorable gentleman desire to indicate that the Address which he speaks of would require to be separated from the one which will embody the resolutions which have been adopted?

Sir HENRY PARKES

— I think it would be better for the Address to be separate. Upon important occasions, Englishmen acting in public life very frequently take advantage of those occasions to renew the expression of their loyalty to the throne and person of Her Majesty, and it seems to me this is a question of sufficient magnitude for that course to be taken.

The PRESIDENT

— The matter is one which can be settled to-morrow. If there is no objection, the honorable gentleman will, I understand, prepare the Address he refers to.

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Mr. PLAYFORD

— I think that perhaps the best way to approach Her Majesty would be first by a short telegram; then we could send on the more formal matter in ordinary course. A telegram might state briefly the results arrived at by the Conference, and express our devotion to Her Majesty's throne and person. I think that would be very appropriate.

Sir HENRY PARKES

— If we do this thing it will be best to do it in the most formal way we can. A preliminary communication could be sent by telegram, and the remaining matter would follow in proper form. The address in these cases usually communicates to the Secretary of State what has been done, and I do not think that a communication of that sort in any way renders the other address unnecessary. I presume that we ought to adopt some form of address to be transmitted through His Excellency the Governor of Victoria to the Secretary of State; but an address of that kind would be quite different from the address to the Queen which I suggest. It would be a very becoming and graceful act at the closing of this Conference to adopt an address direct to Her Majesty.

Sir SAMUEL GRIFFITH

— At the close of the Convention of 1883 it was resolved that copies of the proceedings of that body should be forwarded to the Secretary of State. I understand Sir Henry Parkes to propose that besides that an address shall be forwarded to the Queen, informing Her Majesty of the proceedings of the Conference, and expressing whatever the members of the Conference may desire to express in it.

Sir HENRY PARKES

— Precisely.

The Conference adjourned, at twenty minutes to six o'clock p.m., until eleven o'clock a.m. the following day.

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Friday, February 14, 1890

Debates of the Federation Conference, 1890. Held in the Parliament House, Melbourne 1890.

Friday, February 14, 1890

The Public were admitted to the Conference Chamber at a quarter to Noon, the PRESIDENT (Mr. D. GILLIES) being in the Chair.

Address to the Queen

Sir JOHN HALL moved the adoption of the following address: —

“TO THE QUEEN'S MOST EXCELLENT MAJESTY.

“MAY IT PLEASE YOUR MAJESTY —

“We, Your Majesty's loyal and dutiful subjects, the Members Of the Conference assembled in Melbourne to consider the question of creating for Australasia one Federal Government, and representing the Australasian Colonies, desire to approach Your Most Gracious Majesty with renewed expressions of our devoted attachment to Your Majesty's Throne and Person.

“On behalf of Your Majesty's subjects throughout Australasia, we beg to express the fervent hope that Your Majesty's life may be long spared to reign over a prosperous and happy people.

“We most respectfully inform Your Majesty, that, after mature deliberation, we have unanimously agreed to the following resolutions: —

“1. That, in the opinion of this Conference, the best interests and the present and future prosperity of the Australian Colonies will be promoted by an early union under the Crown, and, while fully recognising the valuable services of the Members of the Convention of 1883 in founding the Federal Council, it declares its opinion that the seven years which

have since elapsed have developed the national life of Australia in population, in wealth, in the discovery of resources, and in self-governing capacity, to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies, under one Legislative and Executive Government, on principles just to the several Colonies.

2. That to the union of the Australian Colonies contemplated by the foregoing resolution, the remoter Australasian Colonies shall be entitled to admission at such times and on such conditions as may be hereafter agreed upon.

3. That the members of the Conference should take such steps as may be necessary to induce the Legislatures of their respective Colonies to appoint, during the present year, delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a Federal Constitution.

4. That the Convention should consist of not more than seven members from each of the self-governing Colonies, and not more than four members from each of the Crown Colonies.”

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He (Sir JOHN HALL) said

— Mr. President, I have great honour in moving that this respectful address be presented to Her Majesty the Queen, assuring Her Majesty of the devoted loyalty of her subjects in Australasia, as represented at this Conference, and respectfully conveying to Her Majesty the result of our deliberations. I think we may like it as a happy augury for the success of our great undertaking, that it has been held at a time which afforded an opportunity to Her Majesty to express to the Imperial Parliament her deep interest in the work in which we are engaged. The words used by Her Majesty in opening the Imperial Parliament were, no doubt, words chosen by Her Majesty's Ministers, but honorable gentlemen who know, not only the deep and sincere interest which Her Majesty takes in the welfare of all her subjects, and which I may say has been the strength and glory of the

Throne in our day, and who also know the special interest which Her Majesty has always manifested in the welfare and prosperity of Her Colonial dominions, will not doubt that it will afford Her Majesty much gratification to receive the resolutions at which we have arrived, and that anything which it is in Her power to do to further this great undertaking, and to secure the establishment of a great Australian or even Australasian Nation under the Crown of Great Britain, will be done. With these few words I beg to move that the address to Her Majesty, which I have placed in the President's hands, be now adopted by this Conference.

Dr. COCKBURN

— Sir, I beg to second the adoption of this address of loyalty to the Queen's Most Excellent Majesty, which has been so ably moved by Sir John Hall. I think that our fervid expressions of loyalty cannot come at a better time from any body of men than from this Conference, which has assembled to debate the most momentous question of the day, as far as Australasia is concerned. And the expressions of loyalty to which Sir John Hall has given utterance, which are placed on record by this address, will go further than anything else possibly can go to remove all misapprehension as to the

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views of members of this Conference, and the Parliaments and people they represent, in advocating the union of the Australasian Colonies. It is not to be feared that the union of the Australasian Colonies will in any way remove any of those jewels which at present adorn the Imperial Crown, but we hope that by that union a Jewel of unprecedented lustre will be added to the traditions of the Crown of the British Empire.

The motion was agreed to, and the address was unanimously adopted.

Sir JOHN HALL moved —

“That the President do sign the foregoing address on behalf of the Conference, and present the same to His Excellency the Governor of Victoria, with a respectful request that he will be pleased to transmit such address to Her Majesty's Principal Secretary of State for the Colonies, for presentation to Her Most Gracious Majesty.”

The motion was seconded by Dr. COCKBURN, and agreed to.

Official Record of Proceedings and Debates

Sir SAMUEL GRIFFITH moved —

“That the President forward copies of the Report of the Proceedings and Debates of the Conference to His Excellency the Governor of Victoria for transmission to the Right Honorable the Principal Secretary of State for the Colonies.”

The motion was seconded by Mr. DEAKIN, and agreed to.
Mr. DEAKIN moved —

“That the President forward copies of the Report of the Proceedings and Debates of the Conference to the representatives of the colonies at this Conference, for presentation to their respective Parliaments, and for general distribution.”

The motion was seconded by Mr. PLAYFORD, and agreed to.

It was further directed by the Conference that the Official Record of its Proceedings should be signed by the PRESIDENT and SECRETARY to the Conference; and also that the communications addressed to the Conference from various persons and public bodies should, inasmuch as the Conference could not deal with them, be returned by the SECRETARY to the senders.

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Convener of the Convention

Mr. CLARK moved —

“That the Premier of Victoria be requested to act as Convener of the National Australasian Convention of Delegates to be appointed by the several Legislatures of the Australasian Colonies, and to arrange, upon consultation with the Premiers of the other colonies, the time and place of the meeting of the Convention.”

The motion was seconded by Mr. PLAYFORD, and agreed to.

Votes of Thanks

Sir HENRY PARKES moved —

“That the thanks of the Conference be given to the Honorable Duncan Gillies for the services rendered by him as President of the Conference.”

He (Sir HENRY PARKES) said

— I am quite sure that we are all prepared to testify to the courtesy, the dignity, and the efficiency with which you, Mr. President, have filled the Chair. I do not think I need say anything to support the motion which I have been asked to move beyond the few Words I have uttered.

Mr. MACROSSAN seconded the motion.

The PRESIDENT

— Before I submit the motion, I may be permitted to say that very few things could give me greater pleasure. I do not refer to presiding at this Conference, or to sitting in the Chair, because I confess that the position of sitting in the Chair, and occupying the position of President or Chairman, does not afford me much personal pleasure. My position elsewhere have not been such as to afford me that amount of comfort in occupying the Chair which I probably would have felt if I had been sitting simply as a member of the Conference. Nevertheless, I think it was my duty to accept the position in the first instance, as it was offered to me so graciously. What has given me special pleasure has been the result of the Conference, and though I admitted yesterday that when it was first suggested I did not feel such great confidence as I knew other gentlemen felt in the probable prospects, it has nevertheless given me all the more gratification that the deliberations of the Conference have been more successful than I originally contemplated.

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I can only say that if we can get anything like a similar unanimity elsewhere, when the time of the real struggle comes, nothing will afford my colleague and myself more satisfaction than that great result. Personally, I have to thank honorable members for their great consideration whilst I have been in the Chair, and I have only to say that the duties of the President, under the circumstances, have been

extremely light, and the work performed has been exceedingly pleasant.

The motion was agreed to.

Dr. COCKBURN moved —

“That the thanks of the Conference be given to Mr. George Henry Jenkins for the services rendered by him as Secretary to the Conference.”

He (Dr. COCKBURN) said:—

I think it is the desire of every member of the Conference, before parting, to place on record their appreciation of the manner in which the Secretary's duties have been fulfilled. Mr. Jenkins not only enjoys the confidence of every member of the Legislature with which he has been so long associated, but he also possesses what I may say is an Australasian reputation as a constitutional authority. I am sure I am only expressing the views of the members of the Conference when I say that his assistance to us has been of a marked character, and that, as individuals, we have reason to thank him for the way in which he has looked after our comfort.

Sir J. LEE STEERE

— I have very much pleasure in seconding the vote of thanks to Mr. Jenkins, as Secretary of this Conference. I have known Mr. Jenkins now for some few years, and I think I have gathered that his great characteristic is loyalty and devotion to Parliamentary government, and respect and esteem towards those gentlemen who occupy positions — as I do — as Speakers or Presidents of the different Legislatures of these colonies. Although some disparaging remarks were made yesterday with reference to the body over which I have the honour to preside, I think its principal defect is one which will everyday grow less and less. I gathered from the observations made yesterday that its principal defect was that it was in its

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early youth — that it was a body elected by a small population, insignificant in itself, and presided over by a gentleman almost as insignificant. These are defects which every day will cure. The youth which now exists, will, we expect, very shortly be manhood; and I hope it will then take

its place among other Australian Colonies without it being considered any disparagement that it should do so. I have reason to think that it will be satisfactory to our Secretary to know that a person occupying the position which I do, and which he, at any rate respects, has risen to second the vote of thanks proposed by Dr. Cockburn. As Dr. Cockburn has said, Mr. Jenkins, besides being Clerk of the Legislative Assembly of this colony, has an Australian, or an Australasian reputation; and I am quite certain that the character which he has gained in this colony, and in the other colonies of Australia, for his ability as the Clerk of the Legislative Assembly of this colony, has been well exemplified in the duties which he has performed for this Conference. I know, from the position I occupy, how much of the smooth working of deliberative assemblies is the result of the manner in which those duties are performed by the Clerk of the Legislature. We are all of us assured by the manner in which Mr. Jenkins has performed the duties of Secretary that those duties could not have been performed by anybody else. The comfort and convenience of the members has been most carefully studied by him, and we shall go away with the most gratifying remembrances of the attention which has been paid to us by him.

The motion was agreed to.

The PRESIDENT

— Gentlemen, I think I may, on behalf of Mr. Jenkins, take the liberty of thanking you for the way in which you have shown your appreciation of his services.

Adjournment

Mr. DEAKIN moved, That the Conference do now adjourn.

The motion was agreed to.

The Conference then (thirty-five minutes past noon) adjourned *sine die*.
