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Colonial Secretary's Office,
Perth, 6th February, 1888.

THE Honorable Sir MALCOLM FRASER, K.C.M.G., Colonial Secretary, Governor's Deputy, directs the publication, for general information, of the following Despatch from the Right Honorable the Secretary of State for the Colonies.

By Command,

MALCOLM FRASER,

Colonial Secretary.

WESTERN AUSTRALIA. }
No. 3. }

SIR,

Downing Street, 3rd January, 1888.

Referring to my Despatch, No. 130, of the 12th December, 1887, on the subject of Responsible Government, I desire now to invite your attention to the following further observations upon your Despatch No. 137, of the 12th July, 1887.

2. Having regard to the present population of the Colony, it may deserve consideration whether Responsible Government might not with advantage be initiated in a Legislature consisting of a Single Elective Chamber; provision being made for the establishment hereafter of a Second House, which I quite agree must some day be created; but the creation of which might perhaps be deferred until the white population of the Colony has increased to (say) 80,000 inhabitants, or to such date as Her Majesty may decide, power being reserved to the Queen in either case to call it into existence by Order in Council. The Colony will require the services of all its best men in the beginning of self-government, and it would seem that their powers would be more readily brought to bear if concentrated in a Single Chamber.

This form of Constitution is now in force in Ontario, where the Legislature consists of an Assembly numbering 88 Members, and in other Provinces of the Dominion of Canada.

3. You recommend that the Second Chamber should be elected, and be given power to deal with money bills, at least to the extent of rejecting anything in the nature of a "tack;" while you suggest that the measure objected to by the Council might, after the lapse of at least eight months, be passed into law by the votes of two-thirds of the Assembly without the consent of the Council. I confess that I do not view this suggestion with favor, involving, as it does, a departure from the fundamental principle of Parliamentary Government where two Houses exist, viz.: that they shall have co-ordinate powers and

equal authority in the passing of laws. The occasional but temporary inconvenience of a deadlock between the two Houses, great as it is at the time, may work its own cure by inducing a spirit of moderation and mutual concession on the next occasion of a dispute, and such disputes may be expected to recur at longer intervals in proportion as the Colony increases in wealth and population, and in political experience.

4. I think, indeed, that the Colony would in the end derive more benefit by working out its own future at the risk of some friction from time to time, than by adopting so great an innovation of principle as that advised by you in the 16th paragraph of the Despatch now under consideration. The effect of such a provision as you suggest can only be conjectured, but I should much doubt whether it would tend to secure the peace of the Colony, or to diminish the number of disputes between the two Houses.

5. It seems to me that it would be safer to follow the precedents of older Communities, and to leave the control of public money to the Representative Chamber; and I would invite your consideration of the accompanying Parliamentary Paper, C 4794 of 1886—"Correspondence respecting the Powers of the two Houses of the Legislature of Queensland, in respect of Money Bills," in which you will find an important statement of the opinion of the Judicial Committee of the Privy Council upon the principles involved in the questions then raised.

6. I have spoken of the Lower Chamber in a Parliament of two Houses as the Representative Chamber, because a Council elected upon a more restricted franchise than that on which the Assembly is returned does not share the constitutional rights and powers of the House composed of representatives of the great body of the Colonists. An Elected Upper Chamber would probably consist for the most part of the same persons who would be nominated by the Crown; and as matters stand in Western Australia, I am disposed to think that a Nominated House, with perhaps a limited tenure of seats, would, at any rate at first, be the better form of Constitution.

7. I do not enter at length into many of the details touched upon in your Despatch No. 137, but I concur with you in thinking that some measure would be necessary for placing the Aboriginal inhabitants of the colony under the care of a body independent of the Parliament of the day; and the suggestions contained in the 14th paragraph of your Despatch appear to be reasonable and well considered.

8. I agree, also, that any Constitution Act which may be passed must provide an adequate Civil List, in which the salaries of the Governor, the Judges, and the three or four Ministers required for carrying on the Government would be included: and that provision should be made for pensions to any officers who may lose their offices by the direct operation of the change of Constitution: but as this Despatch will require an answer before the Constitution Act can be introduced, I do not at present express an opinion as to the fitness of the amounts mentioned in the 18th paragraph of your despatch.

9. It must not be forgotten that under the existing Regulations the Civil Officers now in the service have rights to pension as one of the conditions of their appointments; and care should be taken that they are not deprived of any such rights in carrying out the change.

10. It will, as you observe, be necessary that in any Bill to be submitted to the Imperial Parliament, power should be given to Her Majesty to create, within the present territory of Western Australia, such additional Colony or Colonies as may be thought fit: and it will be advisable that such power should extend to again subdividing any Colony so created, should circumstances from time to time render that course necessary.

11. I request you to communicate this despatch to the Legislative Council, and in due course to forward to me any resolutions that may be arrived at upon it, together with such observations as you may wish me to consider. Some delay will be inevitable; but, in a matter of so great importance to the future prosperity of Western Australia, every question should be fully and carefully considered before steps are taken for introducing what would be an irrevocable change in the Constitution of the Colony.

I have, &c.,

Governor Sir F. Napier Broome, K.C.M.G.,

H. T. HOLLAND.

&c., &c., &c.