

from bringing ourselves directly within the range of its jurisdiction. The Conference had no instruction or delegated authority from our Parliament to draft such a Bill, or take any step to procure its introduction into the Imperial Parliament. It is therefore not merely "desirable," as Mr. Heydon's resolution affirmed, but a matter of right and justice, that "before the Federal Council Bill, or any Bill based upon it, be passed into law by the British Parliament, such Bill should be submitted to the Parliament of this colony." The opinion of the Colonial Legislature ought, in fact, to be clearly expressed before the introduction of any such Bill into the British Parliament. Imperial legislation has given us a Constitution, and power to amend it; and, before the Imperial Parliament is moved to pass a law for the purpose of setting up machinery which, under certain conditions, would override the constitutional powers of self-government we now possess, our own Parliament should have the right to fully discuss and accept or reject any suggested basis for such proposed Imperial action. The reason assigned in Mr. Heydon's resolution for asserting this principle now was, that London telegrams had represented that the British Cabinet was about dealing with the Conference Bill. That reason was out of date, seeing that we have been aware for some time past of the official statement in the House of Lords that the Government would not deal with the matter prior to the receipt of resolutions from all the Australasian Colonies. As we pointed out recently, the Imperial Government could hardly act otherwise, having been informed by the Conference that its members had pledged themselves to invite their respective Legislatures to pass addresses praying Her Majesty to cause a measure to be introduced for the purpose of constituting a Federal Council upon the basis of the draft Bill adopted by the Conference. This implied that, directly or indirectly, the draft Bill should be submitted to the Colonial Legislatures for discussion.

But, although the reason set forth in the resolution had been superseded, it cannot be said that Mr. Heydon's action was altogether uncalled-for or fruitless. It is not surprising, under the circumstances, that there was no adequate discussion last night upon the merits or demerits of the Conference policy. The effect of the motion was, however, to elicit from the Premier a fairly definite intimation of the policy and intention of the Government upon one point that had before been somewhat doubtful. Mr. Stuart left it to be plainly understood that the Bill would be submitted to Parliament. He did that, not merely by giving a general support to Mr. Heydon's resolution, but also by a declaration of the principles by which he had been governed at the Conference. Now, before this, the only formal statement of the views of the Government which had been made was that of the Attorney-General, in the carefully-prepared address he delivered to the Legislative Council on the 19th December last. On that occasion Mr. Dalley said: "Abundant opportunity will be afforded of discussing the whole matter. In all probability this will be done, not by the submission of this Bill to the Legislature, but by the submission of certain well-considered resolutions, clearly defining what the Legislature is or is not disposed to confide to such a body as that proposed to be established, and which will form the basis of that Imperial legislation on the subject which, after all, any colony may or may not accept." There is a palpable difference between this statement and the one made by the Premier last night. Which is the more authoritative?

Mr. Stuart's statement is more in agreement with the resolutions of the Conference and with his own explanation of the principle upon which the Conference acted. According to one of the resolutions, the draft Bill was adopted as defining the matters upon which united action was desirable and practicable, and as embodying the provisions best adapted to secure that object. According to Mr. Stuart, the Bill, which, in his opinion, provided fully against the rights of any colony being overridden by the others was prepared as a Bill in order to prevent the Imperial Parliament legislating capriciously, or in a way that would be unsatisfactory to the colonies. It is easy to see that a series of resolutions, however well considered, would not, when submitted as a basis for legislation, tie the hands of the Imperial Parliament so effectually as a complete and technically-drafted Bill would. It is therefore hard to see how the policy of the Conference could be carried out by submitting to the Colonial Legislatures a series of resolutions, instead of the Bill, as the basis to be submitted to the Imperial Parliament. The policy of the Conference was that the Bill, substantially as it stands, should be accepted both here and in England.

It is important that this should be borne in mind. It is quite possible that a series of resolutions might be carried where the Bill, submitted as a whole for acceptance or recognition, would not. It is also possible that such resolutions, though falling far short of an adoption of the Bill as it stands, might be regarded by the Home Government as of equivalent effect. The draft Bill is already in the hands of the Home Government; and, if some of the colonies should directly recommend it as the basis of legislation, whilst we, evading so clear an issue, passed resolutions that might be construed as of similar effect, we should be practically committed to an assent to the scheme.

Mr. Stuart defended the Bill as one that left the independence of each colony untouched. He points out that when passed in England it would not come into force in any colony without the consent of the local Legislature; but he made no reference to what is, at this preliminary stage, one of the most important aspects of the question. Should the Colonial Parliaments accept this Bill as the basis of legislation, and should the Imperial Parliament legislate upon this basis, what will be the result? A Constitution will be set up for the Federal Council that is to be the possible and the only possible Supreme Legislature for Australasia, which will either make it a source of mischief or an object of contempt. Let the Imperial Parliament legislate upon this basis, and the constitution and character of any future Federal Council will be settled. The colonies, on calm consideration, may conclude that it is wise not to call such a body into existence; but it will be very certain that they will then be unable to create anything better; and, should they desire anything better, their only resource will be to go to the Imperial Parliament again with a prayer that it will undo the work so badly done at their request, and make a fresh start. The Conference, as Mr. Stuart explains, deliberately and elaborately laid a formal basis for Imperial legislation in this