

REPORT OF PROCEEDINGS OF THE CONFERENCE.

"come when the whole situation should be reconsidered in the light of the experience of the ten years since the Merchant Shipping Act, 1894, was passed." In paragraph 5, "the legal and constitutional questions concerning the scope of the powers enjoyed by the Colonial Legislatures under the Merchant Shipping Act, 1894," are referred to. Now, if in these paragraphs which are cited, and in others, it is not clearly the intention of the Colonial Secretary to call a Conference, and to give that Conference power to discuss all those matters upon which it is necessary or desirable that there should be uniformity, then I am bound to say that I have been unable to understand what they do mean. It appears to me quite clear that amongst other things uniformity was not intended, and could not have been intended, to have been secured merely by suggestions as to modification of our legislation alone, but by modification of the legislation of Great Britain, if necessary. What you said the other day, Mr. President—namely, that there was no reasonable or probable chance of there being any further alteration of the British law for the next twelve or twenty years—after calling this Conference together to consider the question of the necessity of arriving at uniform legislation, as far as possible, struck me as very extraordinary. We are told by the President of this Conference that there is no reasonable chance of any alteration in your laws—because, you say, it is impossible to get it from Parliament—during the next twelve or twenty years. I would ask you, sir, what useful purpose this Conference could possibly serve when this is the attitude taken up by one partner of the Empire—the predominant partner. If this Conference is called merely for the purpose of teaching us, or telling us, what Great Britain would like us to do, I maintain that that could be done quite as well in a despatch, and would have had quite as much effect. I feel very certain that if we go back—

SIR WILLIAM LYNE: I think you will find this is carried in the resolutions as they are now.

HON. W. M. HUGHES: We were told by the President (when it was proposed to secure uniformity in the only way in which Conferences are expected to do—namely, by the mutual adjustment of repugnant laws) that Great Britain had done all that she intended to do for the next twelve or twenty years. I venture to say that the Commonwealth Parliament will not be able to reconcile this statement with the alleged anxiety of Great Britain to arrive at something acceptable to the Empire. Because I do say, sir, that I am sure we cannot, at a Conference, even discuss anything upon the basis that Great Britain is here to stand fast on a rock, and that the various other component parts of the Empire are to give way at her suggestion. If any suggestion we make is simply built upon the sand, and by your own statement—which we are to assume, of course, is the attitude of the Imperial Government—you do not intend to do anything for the next twelve or twenty years, I think that is in the last degree unsatisfactory. Supposing we were to take up that attitude? Contrast it, indeed, with what we did do. As soon as we got your despatch, we absolutely put aside the Bill. The Commission, instead of recommending the Bill be gone on with at once, sent in an interim report (the Commission still exists) in order to see what the Home Government would do. We come here, and we find that in the interim you have passed a Bill in Parliament embodying some of our suggestions, but by no means all of them, and then you say, before the Conference meets, that that is all you intend to do for the next twelve or twenty years. Now, I venture to say, sir,—

SIR JOSEPH WARD: I do not think that that is what was said.

HON. W. M. HUGHES: I am quite positive that was what was intended.

SIR JOSEPH WARD: I did not understand anything of the kind.

THE CHAIRMAN: This is all beside the mark, Mr. Hughes. I do not think you are quite treating the Conference fairly in this matter. You are simply addressing me on a point of order. I am very, very loth to interrupt your observations. Of course, we are all very anxious to conduct the Conference as fairly as we possibly can, but I must say I think you

have gone far beyond the point of order which you intended raising, and I am sorry, because it will necessitate my saying just one or two things. I will have, for instance, to correct one observation that you made—that I said nothing could be done for the next twelve or twenty years.

HON. W. M. HUGHES: Will you allow me to add to that what I partly said, but perhaps should have amplified? The reason, you said—and you appealed to the shipowners—was that the difficulties of getting the Bill through the House of Commons were such that you might say that there had not been anything done for the last twelve or twenty years (1894 to 1906 or something of that kind), and you thought you were safe in saying—although I would not like to say that these are the actual words you used—that nothing could be done for the next twelve or twenty years.

THE CHAIRMAN: Would you mind telling me what that has got to do with the point of order you are raising? The point of order you are raising, allow me to remind you (because it is such a long time ago), is on the motion that the Australian conditions shall apply to Fiji. Well, we have travelled a good long way from Fiji now. Would you mind confining yourself to Fiji for the moment?

HON. W. M. HUGHES: I shall be very pleased to show you the relevancy of what I have been saying to the motion. The relevancy of it is this—that this Conference has power under the despatch which has called it to deal with questions which may modify the shipping legislation of Great Britain. Now, the shipping legislation of Great Britain—

THE CHAIRMAN: I beg your pardon; it has nothing to do with that. It is purely a question of whether Fiji or the Islands of the Pacific should be regarded as within the home limits of Australia. Now, that is not shipping legislation; it is a great Imperial question, but it has nothing to do with shipping legislation.

HON. W. M. HUGHES: It is not shipping legislation by you, but it is shipping legislation by us, and the objection to shipping legislation by us is that it might involve you. Supposing we said, "Well, this trade shall be confined exclusively to British ships." Obviously that would involve you in international trouble with other Powers; therefore it is a matter which vitally concerns British legislation and ours. And because of that, I say, the powers of this Conference are wider than you have stated. You say we have no power to deal with this, that, and the other. I wish to point out to you that we have power, or ought to have power, within the scope of the despatch, to deal with these matters; as to whether it is expedient to do it, that is another matter, but you were ruling me out, Mr. President, with all fairness to me, because the Conference had no jurisdiction. Now, if the Conference had jurisdiction, then perhaps you will say that it is inexpedient to deal with it, or that we have not the time to deal with it, or that a Conference later will deal with it; but to say that we have not jurisdiction, I submit, is not borne out by the tenour of the despatch.

SIR WILLIAM LYNE: Mr. President, I have listened to Mr. Hughes very carefully, and I think there is something in one part of his remarks that should be considered. What I want to ask you, sir, before you decide what you will do in regard to this, or any other matter, is that you will have consideration to the invitation which brought us here, a very long way, because I can assure you that unless we had thought we were going to deal with most of the questions, we would not have come. Therefore, if an impression is left in the minds of the Australian people by any decisions you may give in ruling questions out of order that we conceive we ought to deal with, it would be very unfortunate. That is all I wish to say on that score. But I want also to point out that I think this matter is already dealt with under two resolutions: Resolution 5—"That the conditions imposed by Australian or New Zealand"—

THE CHAIRMAN: Which is that?

SIR WILLIAM LYNE: Resolution 5, as regards manning:—"That the conditions imposed by Australian or New Zealand law as regards manning should only apply to vessels registered in those Colonies or engaged in their coasting trade." That was a reso-