

REPORT OF PROCEEDINGS OF THE CONFERENCE.

and saves a lot of time and trouble. You can come in at any time, and go out at any time. You have an opportunity of trying it, and if you don't like it you can go out. But it keeps the Colonies and Great Britain entirely separate.

SIR WILLIAM LYNE: I don't think so. I really cannot agree with Mr. Cox on that.

HON. W. M. HUGHES: What do you apprehend is the danger?

SIR WILLIAM LYNE: The danger so far as this is concerned is, it will have a moral, if not a legal, effect upon past treaties with which this is going to interfere.

HON. W. M. HUGHES: There is only one way a treaty can be accepted by Australia, and that is after discussion of the terms of the treaty by the Parliament of that country. Very well, if the Parliament of the country having discussed the terms of the treaty in the same way that they discuss anything else, affirm it is a desirable thing to come in, they can come in, and if they do not like it, they can go out after 12 months by giving notice. I don't see that it is any difference from any other legislation, except that it can be repealed by just a formal notice.

MR. COX: You ask the Foreign Office to give notice, and in 12 months it is all over.

HON. DUGALD THOMSON: One point Sir William Lyne does not seem to see in this matter is that it is only a request, where Australia has adhered to a treaty, that there should be a provision in their Act of Parliament enabling that adherence to be carried into effect, which cannot now be done if any of their laws are adverse to that treaty.

SIR JOSEPH WARD: I am quite clear in my opinion upon this point. I prefer to see the resolution carried, because it distinctly states that a colony is not to be bound to any treaty to which it has not adhered, and I think it is very important we should carry it.

SIR WILLIAM LYNE: We have passed a resolution already, that the Colonies are not to be bound by any treaty they do not agree to; then what is the necessity for this at all?

MR. COX: It is what we may call a rider.

SIR JOSEPH WARD: We do not do any harm by saying we do not object to those treaties. We have the right by our legislation to legislate out of those treaties.

SIR WILLIAM LYNE: I am absolutely opposed to it, and I will ask to press my amendment because it is going to interfere with the very thing we are fighting with the British Government for. Here is the Act, and the British Government have informed us that it is an infringement of the treaty, and we say it is not; and we are going to make our representations to the British Government. I find it does interfere with Morocco. Well, I think Morocco should not stand in the way of our legislation.

HON. DUGALD THOMSON: You were against the very point you are sticking for.

HON. W. M. HUGHES: It says, "to which they may 'hereafter adhere.'" It does not apply to every treaty.

SIR WILLIAM LYNE: I say we have every provision for putting into our law, according to a resolution already passed, the provisions under which we are going to make an arrangement with the Imperial Government, and why load that with anything more at the present time? I think this goes a great deal further, and I must be allowed to give my opinion.

HON. W. M. HUGHES: You ought to give a good reason. I must be allowed to have my opinion, too.

SIR WILLIAM LYNE: You are quite welcome to have it.

THE CHAIRMAN: I think we can accept Sir Joseph Ward's suggestion.

SIR WILLIAM LYNE: But I have given notice of an amendment. I feel very strongly on this matter. It is the same as Sir Joseph Ward's.

SIR JOSEPH WARD: May I say Sir William Lyne's view would be quite right in my opinion—

HON. W. M. HUGHES: Say in which they have concurred, which is practically the same.

SIR JOSEPH WARD: It is the same as mine.

MR. COX: It is the usual phrase "adhered."

SIR WILLIAM LYNE: New Zealand is in our position.

HON. DUGALD THOMSON: It does not affect the dispute.

SIR JOSEPH WARD: I want to say that upon one point referred to by Sir William Lyne in reference to the former resolutions, he would be right if those resolutions suggested that legislation should be introduced to give effect to the resolutions, but nothing of the kind has been suggested, so that that point referred to by Sir William Lyne and its application to this does not, in my opinion, hold.

SIR WILLIAM LYNE: What right has this Conference to say we are going to put any resolution into effect?

SIR JOSEPH WARD: I think we ought to put this resolution on the Statute Book for the reason I have given. We are adhering to some of the treaties, and we want to have an express provision safeguarding any treaties to which we have adhered. If we wanted to object we should have done so by special despatch. We have not objected. So I conclude we want them in operation, otherwise we would have rejected them. Now we cannot do any harm by saying that so long as it is treaties to which we have adhered. If we put that in, we cannot do the slightest harm, and it is not going to affect the matter one way or the other. It won't do Sir William Lyne either good or harm in that respect. But I want to be sure that we are not going to be asked to give effect to treaties we have not adhered to.

MR. COX: Certainly not.

THE CHAIRMAN: The form of your resolution will make it clear. I will put it in the form amended by Sir Joseph Ward.

SIR WILLIAM LYNE: I object to that. I ask to have my resolution put.

THE CHAIRMAN: If you don't mind, I have to put the resolution first of all. I will read the resolution as it is proposed to the meeting, and then I will read the amendment.

SIR WILLIAM LYNE: My amendment. I submitted it as soon as I came in.

THE CHAIRMAN: You moved it as an amendment.

SIR JOSEPH WARD: I move it as an amendment.

THE CHAIRMAN: I will read the resolution of the British Delegation:—"That it be recommended to the 'Australian and New Zealand Governments in any future 'Merchant Shipping Legislation to insert an express provision safeguarding the obligations imposed by any 'treaties to which they have adhered.'" To that Sir William Lyne has moved an amendment.

SIR WILLIAM LYNE: I moved the original resolution before that was submitted. I don't know why I am to be cut out in this way. I moved an amendment on your resolution first, and if Sir Joseph Ward is going to bring in an amendment he should come after me. I moved the original, and you are putting Sir Joseph Ward's first.

THE CHAIRMAN: We have accepted his amendment.

SIR WILLIAM LYNE: That does not matter.

THE CHAIRMAN: Very well, I will put your amendment. Your amendment is this, to leave out all the words after "safeguarding the" to the end in order to insert the words "possibility of any interference by any treaty 'rights unless those rights have been expressly concurred 'in by the Colonies.'"

HON. W. M. HUGHES: I want to strike out all the words after the word "treaties" and insert the words "in which they may concur."