

No. 41.

The Colonial Secretary of New South Wales to The Premier of Victoria.

Re annexation of adjacent islands and Federation of Australian Colonies.

Sir,

Office of Colonial Secretary, Sydney, 18 September, 1883.

The time which you have ascertained by telegraphic communication with the other Colonies to be the most suitable one for the assembling of the proposed Convention will meet the convenience of this Government; and I await the announcement of the precise date, which you will doubtless make as early as you may be enabled to do so.

2. With reference to your invitation as to the appointment of delegates, and the suggestion contained in your letter of the 25th August that each Colony should send four delegates, I desire to make a few observations, which I am the more anxious to make without delay, in order that you may clearly understand in what light I regard the proposition.

3. You explain your reason for suggesting so unusually large a number of representatives, on the ground of the importance of the occasion, and the desirableness of securing the thoroughly representative character of the Convention, not only of the party which may be at present in power but of all parties.

4. While reciprocating your desire that the importance of the present occasion should not be under-estimated, I am unable, on purely constitutional grounds, to give my immediate assent to a proposal which I should have supposed to have been unprecedented, had I not been informed by you that it had been sanctioned in the preliminary steps taken for the establishment of the Dominion of Canada.

5. It appears to me that a Minister would hardly be justified in exposing himself in such a Convention to the peril of being outvoted by the representatives of a party directly opposed to his Government and yet that might be the situation in which he would find himself if he nominated as representatives those who differed with him on leading questions of public policy. And moreover, in the uncertainty of political affairs, it might very easily happen that, in nominating men who, in his judgment, at the present time occupied representative positions, he might fail to select those who, in the order of events, would become his successors in the Government; and, as I presume, this is one of the main reasons by which a course so exceptional could alone be justified. If there is any doubt about the object being attained, the thing itself could not on any constitutional ground be defended.

6. I feel sure that I should experience great difficulty in vindicating the adoption of a course of procedure which is certainly at variance with the principle of ministerial responsibility; and I am not quite satisfied that, were I convinced of the expediency of adopting it, I could make the necessary nominations, because of the great unwillingness of public men in this country to depart from well understood constitutional principles.

7. I am so anxious that you should be saved from embarrassment in your very difficult negotiations that I deem it right to place you in possession of my views upon a proposal which is certainly novel, not without danger, and as I think, some what impracticable.

I have, &c.,

ALEX. STUART.

No. 42.

Telegram from Premier of Tasmania to Colonial Secretary of New South Wales.

Hobart, 19 September, 1883.

Will you inform me, confidentially or otherwise, as to your proposed action *re* Conference, to be held in Sydney end of November, as to number of delegates, whether from both sides of the House, and if nominations will be submitted to your Parliament. Information desired to ensure uniform action. Please reply.

No. 43.

Telegram from Colonial Secretary of New South Wales to Premier of Tasmania.

Sydney, 19 September, 1883.

Will send you copy my reply to Service, giving reasons against his proposal.

No. 44.

The Colonial Secretary of New South Wales to The Premier of Tasmania.

My dear Mr. Giblin,

20 September, 1883.

I replied at once to your telegram, and now send you copy of my reply to Mr. Service's circular, which pretty well explains my views. I have not yet had time to look up the particulars of the Canadian case alluded to; but it does seem to me to be against all constitutional practice that Ministers and their Opposition should be together on such a Conference. If a question were carried in which a Minister's view was defeated chiefly by the adverse view of a member of his own Colony's Opposition, how can he ask his own Colony's Parliament to affirm it?

The suggestion seems to me to be impracticable, and could only be otherwise were the rather visionary position to occur of an entire unanimity upon all questions brought before the Conference.

It is hardly to be expected that the leader of the Opposition would consent to place himself in the position, which would really be destructive of that wholesome criticism which it is one of the good effects of our Constitutional practice.

My own view is that two would be quite sufficient for each Colony to appoint, and these two should be members of the Government. Of course voting must be by Colonies and not by individuals.

Believe me, &c.,

ALEX. STUART.