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COMMONWEALTH OF AUSTRALIA
PARLIAMENTARY DEBATES.

First Session of the First Parliament.

Senate.

THE OPENING OF PARLIAMENT

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The senators assembled under the dome in the Exhibition-building, Melbourne, at a quarter to twelve o'clock a.m., pursuant to the proclamation of His Excellency the Governor General convening Parliament. The Clerk of the Parliaments read the proclamation.

At noon His Royal Highness the Duke of Cornwall and York, the High Commissioner of His Most Gracious Majesty the King, and His Excellency the Governor-General entered the Exhibition-building, and took their places on the Royal dais.

HIS MAJESTY'S HIGH COMMISSIONER directed the Usher of the Black Rod, through the Clerk of the Parliaments, to let the House of Representatives know that - "His Royal Highness, authorized by His Majesty's Commission, desires the immediate attendance of that honorable House in this place to hear the commission read."

Honorable members of the House of Representatives being in attendance, three verses of the Old Hundredth hymn were sung.

HIS EXCELLENCY THE GOVERNOR-GENERAL read the following prayers : - O Lord, our heavenly Father, high and mighty, King of kings, Lord of lords, the only Ruler of princes, who dost from Thy throne behold all the dwellers upon earth ; Most heartily we beseech

Thee with Thy favour to behold our most gracious Sovereign Lord King Edward, and so replenish him with the grace of Thy Holy Spirit that he may always incline to Thy will, and walk in Thy way : Endue him plentifully with heavenly gifts, . grant him in health and wealth long to live, strengthen him that he may vanquish and over- come all his enemies ; and finally after this life he may attain everlasting joy and felicity, through Jesus Christ our Lord. Amen.

Almighty God, the fountain of all Goodness, we humbly beseech Thee to bless our gracious Queen Alexandra, George Duke of Cornwall and York, the Duchess of Cornwall and York, and all the Royal Family : Endue them with Thy Holy Spirit, enrich them with Thy Heavenly Grace ; prosper them with all Happiness ; and bring them to Thine everlasting Kingdom, through Jesus Christ our Lord. Amen.

Almighty God, we humbly beseech Thee to regard with Thy merciful favour the people of this land, now united in one Commonwealth. We pray for Thy servants the Governor-General, the Governors of the States, and all who are or who shall be associated with them in the administration of their several offices. We pray Thee at this time to vouchsafe Thy special blessing upon the Federal Parliament now assembling for their first session, and that Thou wouldst be pleased to direct and prosper all their consultations to the advancement of Thy glory,, and to the true welfare of the people of Australia, through Jesus Christ our Lord, who has taught us when we pray to say -

Our Father, which art in Heaven, Hallowed be Thy name, Thy' kingdom come. Thy Will be done in Earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive them that trespass against us. And lead us not into temptation ; But deliver us from evil : For thine is the Kingdom, and the Power, and the Glory, for ever and ever. Amen.

The grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Ghost be with us all, evermore. Amen.

HIS MAJESTY'S HIGH COMMISSIONER then commanded the Clerk of the Parliaments to read the Letters Patent under the Royal Sign Manual, giving him full power in His Majesty's name to do, or cause to be done, all things necessary to the holding of the Parliament.

The Clerk of the Parliaments read the Letters Patent, as follows : -

COMMONWEALTH OF AUSTRALIA

Commission empowering His Royal Highness the Duke of Cornwall and York, K.G., K.T., K.P., G.C.V.O., to open the first Parliament of the Commonwealth of Australia.

Dated 23rd February, 1901. Edward the seventh, by the Grace of God, of the United Kingdom of Great

Britain and Ireland King, Defender of the Faith, "Emperor of India : To Our right trusty and right well-beloved cousin and councillor, John Adrian Louis, Earl of Hopetoun, Knight of our most ancient and most noble Order of the Thistle, Knight Grand Cross of our most distinguished Order of Saint Michael and Saint George, Knight Grand Cross of our Royal Victorian Order, Governor-General, and Commander-in-Chief in and over our Commonwealth of Australia; and to our trusty and well-beloved the senators, representatives, and people of our Commonwealth of Australia, greeting: -

Whereas, in pursuance of the Act passed in the sixty-fourth year of the reign of Her late Majesty Queen Victoria, intituled " An Act to constitute the Commonwealth of Australia," the Parliament of the said Commonwealth has been summoned to meet for certain arduous and urgent affairs concerning Us, the State, and defence of Our said Commonwealth, at the city of Melbourne.

And whereas We are desirous of marking the importance of the opening of the first Parliament of the said Commonwealth of Australia, and of showing Our special interest in the welfare of Our Loyal Subjects therein, and for as much as for certain causes We cannot conveniently be present in Our Royal person in Our said Parliament, at Melbourne : Now Know Ye that We, trusting in the discretion, fidelity, and care of Our most dear son and faithful councillor, George Frederick Ernest Albert, Duke of Cornwall and York, Knight of our most noble Order of the Garter, Knight of our most ancient and most noble Order of the Thistle, Knight of our most illustrious Order of Saint Patrick, Knight Grand Cross of our Royal Victorian Order, by the advice of our Council, do give and grant, by the tenor of these presents, unto the said George Frederick Ernest Albert, Duke of Cornwall and York, full power in Our name to begin and hold the first Parliament of Our said Commonwealth of Australia, and to open and declare and cause to be opened and declared the causes of holding the same, and to do everything which for Us and by Us shall be therein to be done ; Willing that Our said Son shall hereby carry to Our said Parliament and people Our Royal Message of Goodwill and assurance of Our earnest prayer for the blessing of Almighty God on the Union of Our Dominions in Australia, in one Federal Commonwealth, under the Crown of the United Kingdom of Great Britain and Ireland ; commanding, also, by the tenor of these presents, with the assent of Our said Council, as well, all and every, the said Governor-General, Senators, and Representatives of Our Commonwealth of Australia, as all others whom it concerns, to . meet in our said Parliament, that to the same George Frederick Ernest Albert, Duke of Cornwall and York, they diligently attend, in the premises, in the form afore said ;

And We do further direct and enjoin that these, Our Letters Patent, shall be read and proclaimed at such place or places as Our said Governor-General and Commander in Chief shall think fit, within Our said Commonwealth of Australia.

In witness whereof We have caused these, Our Letters, to be made patent.

Witness Ourself at Westminster, the twenty-third day of February, in the First Year of Our Reign.

By the King Himself,

Signed with His Own Hand,

EDWARD R. and I.

Muir Mackenzie

HIS MAJESTY'S HIGH COMMISSIONER was pleased to address to both Houses of the Parliament the ' following speech declaring the message of His Most Gracious Majesty the King : - "Gentlemen of the Senate and Gentlemen of the House of Representatives : " My beloved and deeply-lamented grandmother, Queen Victoria, had desired to mark the importance of the opening, of this the first Parliament of The Commonwealth of Australia, and to manifest her special interest in all that concerns the welfare of her loyal subjects in Australia, by granting to me a special commission to open the first session. " That commission had been duly signed before the sad event which has plunged the whole empire into mourning, and the King, my dear father, fully sharing Her late Majesty's wishes, decided to give effect to them, although His Majesty stated, on the occasion of his opening his first Parliament, that a separation from his son at such a time could not be otherwise than deeply painful to him. " His Majesty- has been pleased to consent to this separation, moved by his sense of the loyalty and devotion which prompted the generous aid afforded by all the colonies in the South African war, both in its earlier and more recent, stages, and of the splendid bravery of the colonial troops. It is also His Majesty's wish to acknowledge the readiness with which the ships of the special Australasian Squadron were placed at his disposal for service in China, and the valuable assistance rendered there by the naval contingents of the several

colonies. " His Majesty further desired in this way to testify to his heartfelt gratitude for the warm sympathy extended by every part of his dominions to himself and his family in the irreparable loss they have sustained by the death of his beloved mother. " His Majesty has watched with the deepest interest the social and material progress made by his people in Australia, and has seen with thankfulness and heartfelt satisfaction the completion of that political union of which this Parliament is the embodiment. " The King is satisfied that the wisdom and patriotism which have characterized the exercise of the wide powers of self government hitherto enjoyed by the colonies will continue to be displayed in the exercise of the still wider powers with which the united Commonwealth has been endowed. His Majesty feels assured that the enjoyment of these powers will, if possible, enhance that loyalty and devotion to his throne and empire of which the people of Australia have already given such signal proofs. " It is His Majesty's earnest prayer that this union so happily achieved may, under God's blessing, prove an instrument for still further promoting the welfare and advancement] of his subjects in Australia and for the strengthening and consolidation of his empire. " Gentlemen of the Senate and Gentlemen of the House of Representatives : " It affords me much pleasure to convey to you this message from His Majesty. I now, in his name and on his behalf, declare this Parliament open."

The Royal Proclamation was followed by a fanfare of trumpets, and immediately afterwards, HIS MAJESTY'S HIGH COMMISSIONER announced the receipt of the following cable, message from His Most Gracious Majesty the King : -

My thoughts are with you in to-day's important ceremony. Most fervently do I wish Australia prosperity and happiness.

GOVERNOR-GENERAL'S SPEECH

Calling of Parliament

HIS EXCELLENCY THE GOVERNOR-GENERAL then addressed both Houses as follows : - "Gentlemen of the Senate, Gentlemen of the House of Representatives - "I am desired by His Royal Highness to acquaint you that so soon as the Members of your Houses shall be sworn, and a President of the Senate and a Speaker of the House of Representatives shall be chosen, I will declare to you the causes of this Parliament being called. The Members of the Senate and the Members of the House of Representatives will, therefore, now make and subscribe before me, the Governor General, the Oath or Affirmation of Allegiance, as by the Constitution Act provided, which will be administered by me."

MEMBERS SWORN

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The Clerk of the Parliaments having received the returns to the writs issued for the election of members to the Senate,

The following senators made and subscribed the oath or affirmation of allegiance : -

Honorable Members of the House of Representatives also made and subscribed the oath of allegiance.

ELECTION OF PRESIDENT AND SPEAKER

HIS EXCELLENCY THE GOVERNOR-GENERAL further addressed both Houses, in the following terms :

- "Gentlemen of the Senate, Gentlemen of the House of Representatives - "It being necessary that a President of the Senate and a Speaker of the House of Representatives should be first chosen, you will repair to the places where you are to sit, where you, Gentlemen of the Senate, will proceed to choose some proper person to be your President, and you, Gentlemen of the House of Representatives, will proceed to choose some proper person to be your Speaker, and thereafter you respectively will present such persons for my approval at such time and place as I shall hereafter appoint."

After the "Hallelujah Chorus" by the orchestra, and "Rule Britannia", by the orchestra and singers, His Excellency the Governor- General called for three cheers for Their Royal Highnesses the Duke and Duchess of Cornwall and York.

Three cheers having been given,

His Majesty's High Commissioner and His Excellency the Governor-General retired, the proceedings closing with the singing of the " National Anthem."

Honorable members of the Senate and of the House of Representatives proceeded forthwith to the Houses of Parliament, Spring-street.

At ten minutes past one o'clock p.m. the Senate re-assembled in the Senate chamber of the Houses of Parliament, Spring-street.

SPECIAL ADJOURNMENT

Motion (by Senator O'Connor) proposed -

That the sitting of the Senate be suspended until half-past two of the clock.

Senator HIGGS

- Do not honorable members think that this is very sudden ? We are all, I should imagine, anxious to do business, and other Senators will come here in a very few minutes expecting to do business.

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Vice-President of the Executive Council

Senator O'CONNOR

- There must be an adjournment for lunch ; we propose that that adjournment shall take place now, and at half-past two o'clock the Senate will assemble in the ordinary way for the transaction of business. It was never intended, no matter how many senators might be here, to proceed to business before the luncheon hour.

Question resolved in the affirmative.

13:15:00

Senate adjourned at 1.15 p.m.

The Senate met again at 2.30 p.m.

ELECTION OF THE PRESIDENT

Senator O'CONNOR

- I would remind the Senate that the time has arrived for electing a President, and, as I understand that there is not likely to be a unanimous choice in the first instance, I think it would be well if we were to lay down at once a method of procedure by which in the end the will of the majority might prevail. As honorable members are aware, the House of Commons' practice would guide a body of this kind in the absence of express direction by ourselves. I think it will be evident that, in the event of there being more than two candidates, the putting of several motions successively would very likely result in the election of a President who would not be the choice of the majority of the House. The experience, I think, of all of us who have had much to do with deliberative bodies is that, in these circumstances, there is only one way of ascertaining the choice of the majority, and that is by the system of what is called exhaustive ballot. I propose therefore that, inasmuch as under the circumstances which are likely to arise, it is necessary to have some other procedure than that of the House of Commons, the Senate should lay down for itself a form of procedure to be adopted during this election of President. I put my proposal in the form of a motion, which I ask the consent of the Senate to submit without notice. It is as follows : -

That if no more than two candidates are proposed, the House of Commons' practice be adopted ; that if more than two candidates are proposed, the Senate proceed to ballot ; that all candidates except the two highest on the first ballot drop out ; that if on the first ballot any candidate has an absolute majority of the votes given, he shall be declared elected President ; but if no candidate has such absolute majority, a second ballot be then taken, and that the candidate then obtaining the highest number of votes be declared elected President.

That, I think, will commend itself to honorable members as a method by which we can, in a most certain way, elect a President who shall be the choice of the majority of the members of the Senate. I would like also to make a suggestion. I do not intend to put it in any formal way. Considering the nature of the office and the duties of President, and considering also the qualifications, the well-known character, and ability of the gentlemen who are likely to be nominated, it would be very much better for honorable members to content themselves by simply moving and seconding the candidates that they propose. I need not enlarge on the reasons which I think will commend that course to the Senate. I make that suggestion in the hope that honorable members will see that it will be conducive, perhaps, to good results, if that procedure be followed. I propose the motion I have read in order that the Senate may have the procedure settled for the purpose of this first election of a President.

Senator Sir JOSIAH SYMON

- I should like to ask Senator O'Connor whether it might not be well to adopt the House of Commons' practice after the first ballot has eliminated the third candidate. If in the first instance there be only two candidates, it is proposed that the House of Commons' practice be adopted ; and there seems to be no reason why, when we have eliminated the third candidate, the voting on the two who remain should not

be open, according to the House of Commons' practice. I would suggest that an august body, such as we hope the Senate will always be, should not shrink from open voting upon the determination of the highest office in the gift of this Chamber. I think that we should be doing honour to ourselves by adopting that course, because I am sure that, whatever our views may be as to the respective candidates, we shall give the most loyal obedience to whoever may be chosen, and aid him in maintaining the dignity and prestige of this Chamber.

Senator O'CONNOR(New South Wales Vice President of the Executive Council). - In answer to the honorable member, I think it will be universally admitted-

Senator Sir John Downer

- If this is a reply, I would like to say something.

Senator O'CONNOR

- If there is to be a debate I shall defer what I have to say. I was answering a' question, and I thought that by doing so I should save debate.

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Senator Sir John Downer

- It will save debate.

Senator O'CONNOR

- I think the Senate will admit at once that it is not from any desire that any Senator has to conceal his opinions as to the candidate who ought to occupy the chair that we propose to adopt the system of ballot. It is done to get rid of the difficulty which very often arises owing to the cross voting which occurs where you have three motions submitted, and in consequence of which you may have a person chosen as President who is not the choice of the majority. It appeals to me that, once having adopted the method of ballot, it should be carried right through. Therefore, although I quite assent to a good deal of what the honorable member has said, I think it will be a simpler and more satisfactory process if, when once the ballot begins, it is carried right through in the ordinary way in which these ballots proceed.

Senator MILLEN

- Xtake it that the point raised by Senator Sir Josiah Symon is that there is an inconsistency in the motion as it is presented, in that whilst it is proposed if there are only two nominations, that we adopt open voting, in the event of there being more than two we are, having eliminated the surplus number, to have a ballot. To put the matter in another way, if we are to have open voting for one set why not for the other, or if, having reduced the number to two, we are to have a secret ballot, why should we depart from that principle if there are only two nominations ? I am not prepared to say that there is very much merit in one system over the other. But I think that, whatever system we adopt, there should be uniformity, and I would suggest to Senator O'Connor that he might amend his motion so as to make the procedure in the one set of circumstances uniform with the procedure in another set of circumstances.

Senator O'Connor

- It is well known that the probabilities are that there will be three candidates.

Senator Sir JOHN DOWNER

- Yes ; but I am inclined to agree with the last speaker. We know, so far as human beings can know in the circumstances in -which we are placed, that there will be at least three candidates. Under the circumstances, the first proposition in this motion will certainly not arise. The procedure should be uniform throughout, and I think, therefore, that the first part of the motion might be omitted, and that we might say generally that the voting shall be by ballot, and that, if there are more than two candidates, it shall be in the manner Senator O'Connor has proposed. It is not a matter of very much consequence, to tell you the truth, nor is it worthy of a very great amount of discussion, but if it will prevent conflict and save time, I would suggest that the first part of the motion be struck out, and that the one method of voting be adopted.

Senator HIGGS

- I appreciate the desire of honorable members to get to business, because Upper Houses are not deemed to be bodies which are anxious to do business in a rapid way. I dare say it will come as a surprise to those who have occupied positions in other Parliaments that such a feeling exists. Knowing nothing of the capacity of either of the gentlemen who are about to be -proposed - not even knowing their names, because I am not in the confidence of those who are prepared to submit nominations - I think that

the mover and seconder should in each case give us some reasons why we should vote for their particular candidate. We are about to appoint a gentleman to a very high office, and I agree that he should be one who can fill it with dignity and impartiality. My great desire is to cast my vote for an honorable member who will endeavour to give us just decisions whenever the standing orders of the Senate have to be interpreted, so that I do not at all fall in with the proposal of Senator O'Connor that the candidates should simply be nominated, that nothing should be said either for or against them, but that we should proceed forthwith to vote.

Senator O'Connor

- That is not part of the motion. I merely make that suggestion.

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Senator HIGGS

- I thought it necessary to make these remarks because honorable members seemed to deprecate having any discussion whatever.

Senator NEILD(New South Wales).As there seems to be a desire that the practice shall be uniform, as far as possible, so as to avoid conducting the election in part by ballot and in part by open voting, I beg to move -

That the words "House of Commons practice be adopted" be omitted, with the view to the insertion in lieu thereof of the words "the election be by ordinary ballot. "

The first paragraph of the motion will then read -

That if no more than two candidates are proposed the election be by ordinary ballot.

The effect of that would be that if only two candidates were proposed an ordinary ballot would be taken. If there were three candidates the motion moved by the honorable member for an exhaustive ballot would stand. Then the whole procedure would be as uniform as possible instead of having part by open voting and part by ballot.

Senator EWING

- I have very much pleasure in seconding the amendment. I do not think the Senate can be divided in the opinion that whatever method we adopt should be a uniform one. If it is wise to adopt the system of ballot under certain circumstances, surely it is wise even if there are only two candidates. With regard to what Senator Higgs has said, I think the proposal of the Vice President of the Executive Council was only meant as a suggestion. Personally I do not agree with it. We come from another State, and we are not closely in touch with the public men in the community in which we are now living. We desire to know the qualifications of the gentlemen for whom we are asked to vote. It is all very well for those who live in Melbourne or Sydney to say they know the merits of the various gentlemen who are to be proposed for this office, but realizing as we do that the office of President is a most important one, we, as Senators coming from far-off portions of the continent, desire to hear what can be said either for or against the individual candidates.

Senator DAWSON

- No Senator is ashamed] of his vote.

Senator O'CONNOR(New South Wales Vice President of the Executive Council). - It seems to me a matter of very small moment, but at the same time I am quite willing to accept the amendment of Senator Neild. I would suggest to the honorable member that the amendment does not really carry out his wishes. What he proposes is that, under all circumstances, this election shall be by ballot. I think that might be carried out by a very simple alteration at the beginning of the motion. I do not want to enter into any verbal discussion; but the honorable member will see, if he reads his amendment, that it leaves a portion of the motion which is inconsistent with it. If the honorable member desires it, I will add a few words to the motion to make it fit in with his view. We are dealing with matters of substance now; and I think it is the general wish of the House that this should be simply a motion to proceed by ballot under all circumstances.

Senator Neild

- But will the amended motion provide for an exhaustive ballot ?

Senator O'CONNOR

- Yes. By leave I beg to withdraw my motion, and to substitute another, which embodies Senator Neild's amendment, and really expresses the sense of the Senate. It is as follows -

That the election be by ballot. If, on the first ballot, any candidate has an absolute majority of the votes given, he shall be declared elected President ; if on such first ballot no candidate have such absolute majority, all candidates, except the two highest on the first ballot, drop out, and a second ballot shall then be taken between the two candidates so left, and the candidate obtaining the majority on the second ballot shall be declared elected President.

Senator NEILD

- With the consent of Senator Ewing, who seconded my amendment, I am very happy to withdraw it, if the Chamber is willing.

Amendment withdrawn.

Substituted motion, proposed, put.

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Senator DAWSON

- I wish to express my opinion that the amended motion is not a satisfactory one to the public whom we are supposed to represent in this Chamber. It is not satisfactory for the simple reason that it still provides for a secret ballot. If there is one thing above another that we have to do in this Chamber it is to let the public outside know exactly on which side and in which direction we cast our votes. I for one am against any attempt at secret voting in the Senate, and I am, therefore, distinctly against the amended motion. If honorable members who have been honoured by the people of Australia by being selected to represent them in the Senate are ashamed to cast their votes openly let them say so, and let the public know it. I am not. I am quite willing to vote openly. If there is one place in the whole of Australia where this course should be adopted it is in the legislative halls of the Commonwealth, and particularly in the Senate. I desire to direct the attention of honorable members, through you, Mr. Blackmore, to' a most irregular proceeding of this afternoon, and I am very much astonished that the representative of Queensland, who is sitting on the Ministerial bench, has not thought fit to interfere in the matter. I refer to the fact that very important motions are being moved, and that copies of them have not been handed to honorable members. We know no more of them than the general public. A surprise motion has been sprung upon us.

Senator Cameron

- We are here for the first time.

Senator DAWSON

- That is true ; but the honorable gentleman who has moved this motion has taken the precaution to have a ballot-paper printed and circulated.

Senator O'Connor

- It is only an alphabetical list of names.

Senator DAWSON

- It is perfectly clear to my mind that the Government had determined beforehand what it was going to do in regard to this matter, and that it would bring along this particular motion.

Several Senators. - Nonsense !

Senator Millen

- It does not look like it, or more care would have been taken with this paper.

Senator DAWSON

- I have never known it to be done in Queensland, and I hope a similar state of things will not occur again. It is idle for honorable members to say " Nonsense." How many have received a copy of the motion 1

Senator Charleston

- We do not require it. You have already decided for whom your vote will be cast.

Senator DAWSON

- Yes; I have already decided for whom I shall vote.

Senator Charleston

- And yet }ou ask for information as to the abilities of the candidates.

Senator DAWSON

- The question is not for whom I shall vote, but how I shall vote, and I absolutely object to any secret voting in the Senate. Let every honorable member vote openly, and stand by his vote. I therefore move by way of amendment -

That till the words after "That" be omitted, with a view to the insertion in lieu thereof of the words " the election be by open voting."

Senator STEWART

- In seconding the amendment I desire to say that the proposition appears to me to be an extraordinary one. The honorable gentleman who brought forward the motion seems to forget altogether that we are here in our representative capacity to appoint the first President of the Senate of the Commonwealth Parliament, and that our constituents are just as much interested in how we vote upon this question as they are in how we vote on any other subject. For that reason, I decidedly object to any attempt to throw the veil of secrecy over the proceedings of the Senate. The motion appears to me to be entirely opposed to the traditions of Parliament. Why should there be secret voting? Do honorable members object to the public knowing for whom they vote? I think it is the right of the people who sent us here to have that information given to them. ' There is no need for me to prolong this discussion. My mind is made up ; and I am decidedly opposed to anything in the way of secrecy.

Senator GOULD(New South Wales).I am perfectly certain that honorable members do not desire to hide from the public the way in which they record their votes in this election or on any other occasion. I certainly understood when Senator O'Connor tabled his motion originally that it was done really with the object of getting over a difficulty that might arise by means of open voting if there were more than two candidates proposed. Any one who knows how these things operate in deliberative assemblies must be aware that where three or more candidates are proposed it frequently happens that the man elected is not really the bona fide choice of the majority. If there are three candidates one man's name is put first of all before the House, and the honorable members who are going to support the other two generally vote against him. By that means a man who is only acceptable to the minority, possibly, succeeds. Therefore, I think there is very good reason for supporting Senator O'Connor's proposition. I understand that certain sections of honorable members have held secret caucuses, and determined whom they shall support. While they come before the public and give a public vote we do not know what their own honest convictions are, because there have been debates and votes behind the back of Parliament. I am very glad to hear, however, that some honorable members feel now that it is desirable the public should know the direction in which their votes are cast. I want the public also to know that they are being cast on the independent judgment of honorable members, and not at the dictation of a majority of any particular section.

Senator Higgs

- What section ?

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Senator GOULD

- I am told there is a section which determined either yesterday or this morning to support a certain honorable member.

Senator DAWSON

- To what section do you belong ?

Senator GOULD

- I belong to the independent section. I do not belong to any particular caucus. I think we shall find it best to adopt Senator O'Connor's proposition, and I hope whatever caucuses there may be honorable members will remember that their first duty is to the public, that they should let the public know what their honest convictions are, and. that they should not vote according to the - dictates of the majority of the particular section to which they belong.

Senator MATHESON

- I think honorable members have to a great extent overlooked the fact that to-day we have to form a precedent in regard to the election of President of the Senate. We know that in the House of Commons the invariable practice has been to elect the Speaker on the voices by open voting, and, as far as I am aware, the practice in the Australian States has always been in the same direction. Is it desirable that we, meeting here to-day as a new elective body, should without very grave consideration start a new system in regard " to the election of our President which will be a precedent for all time 1 That is not "the way in which we should enter upon the business of the session. When Senator O'Connor first addressed us on this subject, he distinctly pointed out that his only motive for advocating election by ballot was to eliminate

any candidates above the number of two, and that he had originally intended, in case there were only two, that the election should be by open voting. I was perfectly prepared to go with him as far as the adoption of the ballot for eliminating the extra number was concerned ; but, since he has now adopted the amendment suggested by Senator Neild, I am perforce compelled to support the amendment moved by Senator Dawson, who strongly advocated election by open voting. To my mind it is really a most serious matter that we should attempt to establish to-day a precedent entirely different from the precedents which have been in vogue for countless years, both in Great Britain and in these States. If it had been possible to move as a further amendment that the method adopted by the House of Commons should be followed, so that we might have the advantage of all the experience which, has been brought to bear on the subject in that Chamber, I should have been prepared to support it. As this cannot be done, I shall strongly support the amendment.

Senator CHARLESTON

- I shall strongly support voting by ballot. What I had hoped was that we should have met- the whole of us - to quietly select our President, and that we should then have adopted the method adopted, I believe, in the British Parliament of some one moving that Mr. So-and-So should be President, when he would have been conducted to the chair. That is what I and a great many honorable members had hoped would have been done. We should then have avoided waste of time and have avoided also the warmth which has been introduced this afternoon. We, in voting by ballot, will record our votes in the direction which we think best in the interests of the country. We are not afraid to express our opinions. I think it is well known how the vote will go. It is better, in the interests of the candidates themselves and in the interests of the Senate, that we should adopt this method, seeing that we have entered the chamber with the supposition that there will be three candidates. If we had adopted the other method of quietly arranging it, then of course it could have been done as it is done in the British House of Commons, and there would have been no loss of time. I shall support the motion that the election be by ballot, and I am quite sure that those who sent us here will be satisfied that we are acting in the interests of the Commonwealth, and are not, as some of our friends seem to think, seeking to adopt some clandestine way of doing our work.

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Senator Sir JOSIAH SYMON

- This matter is very much more important than perhaps some honorable senators seem to think. The point that Senator Matheson has just put is one that deserves, at any rate, our very serious consideration. It is a pity that there should be the slightest element of irritation or heat. Although some honorable senators behind where I sit have been emphatic in the expression of their views, I am quite certain that it has not been with any idea of importing any undue heat into this discussion. At the same time, I think that none of us will shrink from making known the votes we give, whether upon a personal matter or any other matter, so long as we have the honour to be members of the Senate. We are about to establish a precedent. There are precedents, of course, for balloting for committees and so on in the different legislative bodies. . But then it is apt to be forgotten that there are no proposers and seconders of the men who are to form those committees. On such an occasion as this, even if we adopt the ballot, we incorporate two systems into one. The proposer and seconder in each case give their votes absolutely in the eye of the world, and are to be exposed, if such a thing were possible - which it is not - to be associated with the particular member chosen, or with those in opposition to him, whilst others are to have the advantage of recording their votes in secret, though not in any clandestine way.

Senator Fraser. - There is no advantage in that.

Senator Sir JOSIAH SYMON

- No advantage in what ? What does the honorable member mean by that remark? There is nothing clandestine about it, but it is a double system of voting. You are having open voting, in so far as the proposers and seconders are concerned, and you are having - what you do not have when you choose a committee by ballot - voting by ballot as to all others who support any particular candidate. I think we ought to look upon this as a precedent. If we are to do this now, then we must be prepared to do it for all time. Usually the choice is made at a meeting before the formal sitting of the legislative body, and then the members come prepared to support practically unanimously a particular choice. It is unfortunate that that was not done in this instance. There may have been difficulties in the way I admit, but I think it would have been well if some such arrangement had been possible in this particular instance, and nobody could

have called it a caucus or anything of that kind, because we should have assembled informally as a Senate, and with the view of deciding this question right out of hand, and then come here for the purpose of recording our votes. I do not know whether there is any precedent for anything of this kind. We are establishing one. I think it will be an unfortunate one, and that it would be . very much better for us to adhere to the system of open voting which has always prevailed than to adopt a compound system which has no precedent to justify it.

Question - That the words proposed to be left out stand part of the question - put.

The Senate divided -

Ayes 23

Noes 13

Majority 10

Question so resolved in the affirmative.

Amendment negatived.

Original question resolved in the affirmative.

Vice-President of the Executive Council

Senator O'CONNOR

. - The time has arrived for making the election of a President. I understand that blank pieces of paper will be handed round, and that each senator will write on his paper the name of the candidate for whom he wishes to vote and hand it in to the clerk, who will count the votes and declare the result. It will be necessary, I presume, to have a proposer and seconder for each of the different candidates.

Senator Sir John Downer

- It is not necessary at all.

Senator Glassey

- Every one's' mind is pretty well made up.

Senator FRASER (Victoria). - I have pleasure in proposing -

That Senator Sir W. A. Zeal do take the chair of this Senate as President.

Senator BEST

- I second the motion.

Senator Sir JOSIAH SYMON

-JOSIAH SYMON (South Australia). - I rise to propose -

That Senator Sir F. T. Sargood do take the chair of this Senate as President.

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Senator SMITH

- I second the motion.

Senator WALKER

- I have pleasure in proposing

That Senator Sir R. C. Baker do take the chair of this Senate as President.

Senator Sir JOHN DOWNER

- I second the motion.

A ballot having been taken, the Clerk declared the result as follows : - Senator Sir R. C. Baker, 21 votes, being an absolute majority of the House ; Senator Sir P. X. Sargood, 12 votes ; Senator Sir W. A. Zeal, 3 votes.

Senator Sir RICHARD BAKER

- I feel deeply the great honour it is proposed to confer upon me, and I am very deeply impressed with the great responsibilities I am about to undertake. I feel that I cannot worthily and properly fulfil those responsibilities - perhaps no man can - but still I submit myself to the Senate.

The honorable gentleman was then conducted to the chair by Senators Walker and Sir John Downer.

The PRESIDENT

- I desire to express my most humble and hearty thanks for the great honour that the Senate has conferred upon me.

Senator O'CONNOR (New South Wales - Vice-President of the Executive Council). - Mr. President, on behalf of the Senate allow me to offer you our sincere congratulations on the position to which you have been elected. Speaking for myself, I know of no man connected with the Federal movement in Australia

who has higher qualifications for the office of President of this Chamber than you yourself, Sir. I know that no man is more deeply imbued with the spirit of our Constitution than you are, and I feel assured that your experience in the chair in another colony, your great experience in the chair during the Convention, and your knowledge and character, will insure to us a President worthy of the Chamber which is beginning its business on this historic day. I now intimate, Mr. President, that His Excellency the Governor-General has expressed his willingness to receive you, Sir, and the Senate, in order that you may be presented to His Excellency, at four o'clock at the Treasury Buildings to-day, and I propose that while you and the House present themselves to His Excellency the sitting be suspended, and that we afterwards meet and then adjourn until eleven o'clock to-morrow morning. I mention that now, as honorable members may wish to know what the intentions of the Government are, and what is the programme for to-day. I beg to move - That the sitting of the Senate be suspended until four o'clock.

Senator GOULD

- I wish to congratulate you, Mr. President, on the position to which you have been elected, and to say that I am quite sure honorable members heartily reciprocate all that has been said by the Vice-President of the Executive Council when congratulating you on your appointment to the very honorable and distinguished position which you now occupy. I feel perfectly sure that honorable members will, at all times, be prepared to pay every attention to your rulings, and to render you every assistance that may be in their power.

Senator MCGREGOR

- I wish, on behalf of the party to which I belong, to offer you, Mr. President, our hearty congratulations. I take this course not as an individual but with the authority of my friends, and I may say that we have every confidence, from our previous knowledge of you, that all fairness and impartiality will be extended to every member of this Chamber. We all hope that in the future every honorable member will lend you such assistance that the business of the Parliament of the Commonwealth of Australia will be earned on without undue haste or unnecessary delay. I tender you our hearty congratulations, and hope you will long live to occupy your present position.

Senator Sir JOSIAH SYMON

- I also desire, on my own behalf as well as on behalf of those who voted for the candidate of my nomination, to tender you our congratulations on your accession to the exceedingly high and important office which you have been called on to fill. It is the highest office in the gift of the Senate, and I think, repeating what I have said or indicated this afternoon, that, whatever course we have taken individually with regard to candidates on this occasion, we shall all unite in giving you that aid, in expectation of which you submitted yourself to the Senate, in maintaining the honour and dignity of this august assemblage, and securing the speedy despatch of its business.

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The PRESIDENT

- Before I put the proposition I may be allowed to say a few words of thanks to the leader of the Senate, and to other honorable members, for the kind congratulations they have given me. I feel sure that in the performance of the duties of presiding officer over this august Chamber I shall have the help and assistance of honorable members in carrying on its business properly. Without that aid, and without that assistance, no President can properly maintain order, and business cannot be properly conducted. It is not perhaps becoming of me to say more than to thank honorable members, and to put this motion.

Question resolved in the affirmative.

PRESENTATION OF THE PRESIDENT TO THE GOVERNOR- GENERAL

The Senate proceeded to the Executive Council Chamber, Treasury-buildings to present the President to His Excellency the Governor- General

The Senate having re-assembled,

The PRESIDENT said I have to report that, accompanied by many honorable members, I presented myself to His Excellency the Governor-General, and informed His Excellency of the choice which the Senate had made in my appointment as President. His Excellency was pleased to hand me the following reply: -

Mr President

- It is with much pleasure that I learn of the selection made by the Members of the Senate of the

Commonwealth Parliament in your appointment to the high and honorable position of President of that Chamber ; and I have every confidence that you will fill' the office in a worthy and dignified manner. - Hopetoun, Governor-General.

MESSAGE FROM THE SECRETARY OF STATE FOR THE COLONIES

The PRESIDENT

- His Excellency the Governor-General ako handed me a copy of a cable message received from the Secretary of State for the Colonies too late to be read at the opening of Parliament in the Exhibition-building. It is as follows : -

His Majesty's Government welcome the new Parliament that to-day takes its place among the neat legislative bodies of the British Empire. They feel confident that it will be the faithful interpreter of the aspirations of a free and loyal people, and they trust that its deliberations will promote the happiness, prosperity, and unity of the whole Continent of Australia,

Senator GLASSEY

- Perhaps it would be fitting for the Senate to instruct you, Mr. President, to reply to the' very warm and congratulatory cable message from His Majesty's Government.

The PRESIDENT

- The cable message is addressed to the Governor-General, and I have no doubt His Excellency will reply to it.

SPECIAL ADJOURNMENT

Resolved, on motion (by Senator O'Connor) : -

That the Senate nt its rising adjourn until 11 of the forenoon to-morrow.

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16:13:00

Senate adjourned at 4.13 p.m.