

WESTERN AUSTRALIA PROCLAMATION DAY



Western Australia.

ANNO QUINQUAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. XXIII.

AN ACT to confer a Constitution on Western Australia, and to grant a Civil List to Her Majesty.

[Reserved, 29th April, 1889.]

[Royal Assent Proclaimed, 21st October, 1890.]

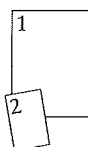
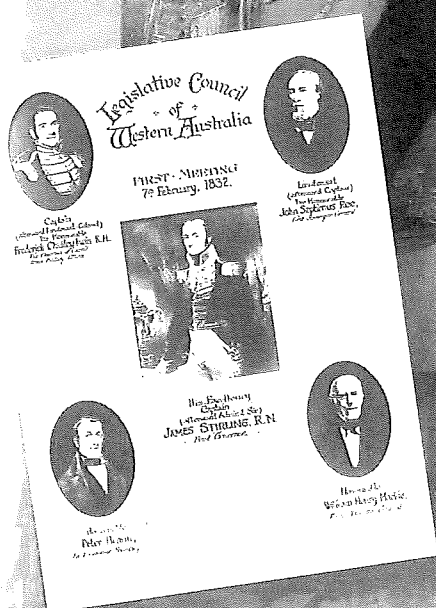
WHEREAS by the thirty-second section of the Imperial Act passed in the session holden in the thirteenth and fourteenth years of the Reign of Her present Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," it was among other things enacted that, notwithstanding anything thereinbefore contained, it should be lawful for the Governor and Legislative Council of Western Australia, from time to time, by any Act or Acts, to alter the provisions or laws for the time being in force under the said Act or otherwise concerning the election of the elective members of such Legislative Council, and the qualification of electors and elective members, or to establish in the said Colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist of

Preamble.



Proclamation

21 October
The First Year



1. Captain James S
2. The first Legisla
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the Council.
Courtesy, Battye Libr
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Proclamation Day

21 October 1890 -
The First Years

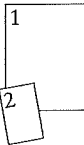
In 1829 the British settled the Swan River Colony. Captain James Stirling was appointed Lieutenant Governor and became the most powerful man in the colony. He was appointed directly by Britain and his authority to draft laws and decide the colony's day-to-day affairs was supreme. He was answerable only to London.

From 1832, the Governor appointed a Legislative Council of four government officials to assist him and in 1839, four leading colonists were also appointed. Those appointed usually supported the views of the Governor.

Later, more colonists were appointed to the Legislative Council and it developed a more independent voice. Eventually, some of these members were elected but only by the very small number of colonists who qualified to vote.

By 1859, all other Australian colonies had their own parliaments. Colonists in Western Australia began demanding the right to have a greater say in the affairs of the colony. They argued for the right to govern themselves.

The British Government was against the move to establish a parliament in Western Australia because of its slow rate of growth and the presence of convicts. In 1865, and again in 1869, the citizens of the colony petitioned the British Government to ask that they elect representatives to some of the positions on the Legislative Council.



1. Captain James Stirling
2. The first Legislative Council, 1832.

The first Legislative Council met on February 7, 1832, and passed a bill presented by Governor Stirling. The men shown here were all government officials. From 1839 some leading settlers were also appointed to the Council.

*Courtesy, Battye Library
409B*

Moving Towards Responsible Government

In 1870, the colonists won the right to elect some members to the Legislative Council. However, the Governor could still veto the Council's decisions and many colonists remained dissatisfied. They wanted a fully-elected parliament to run the colony's affairs. Colonists continued to argue for self-government and by the 1880s, the call for political change was so strong that it could not be denied.

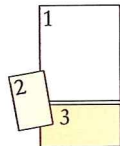
In 1887, the Legislative Council voted in favour of a change to self-government. A new Constitution was drafted by Governor Broome and sent to London for approval.

The House of Lords supported the Constitution Bill. However, some members in the House of Commons were worried that the Bill was too conservative because it restricted voting rights to men who owned or leased property.

A special deputation from Western Australia led by Governor Broome, including Stephen Parker and Thomas Cockburn-Campbell, managed to overcome this opposition and persuaded members to support the Bill.

In 1890, the Constitution Bill was passed by the House of Commons and granted the Queen's Assent. Western Australia's Constitution came into legal existence.

It is interesting to note that the British Government initially suggested splitting Western Australia into two colonies at the 26th parallel near Shark Bay because it was reluctant to give control of such a large territory to a relatively sparsely populated colony.



1. The Legislative Council, 1872.
These men were members of the partly elected Legislative Council of Western Australia in 1872.
Courtesy, Battye Library 52125P

2. Maternal Solicitude Bulletin, 7 February 1888.
Britain was not eager to allow the colony too much independence.
Courtesy, Battye Library WA Bulletin

3. The Executive Council 1888.
Governor Broome is seated at the middle, while John Forrest, who was a government official at the time, is standing behind him.
Courtesy, Battye Library 2328B



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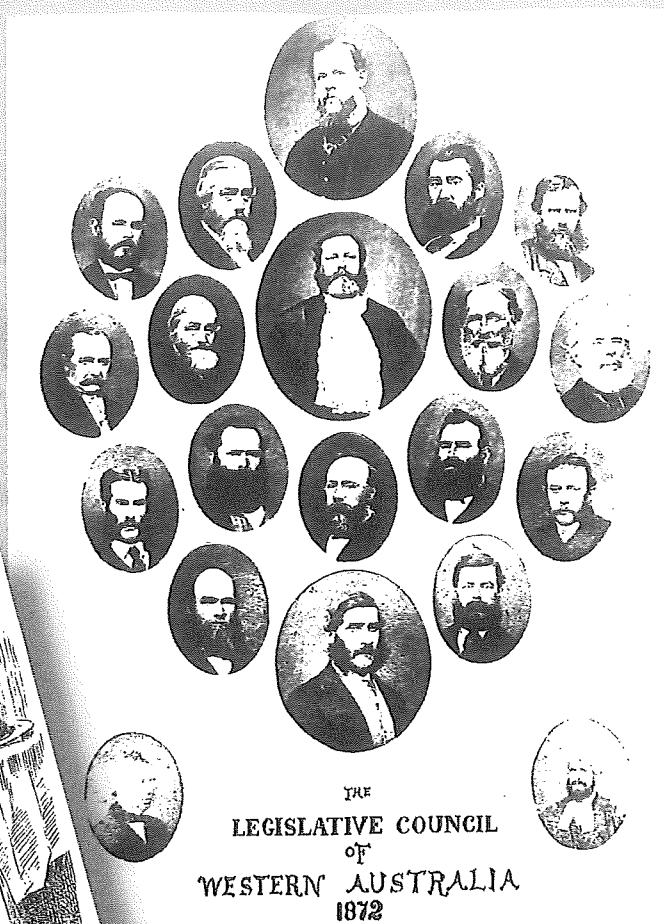
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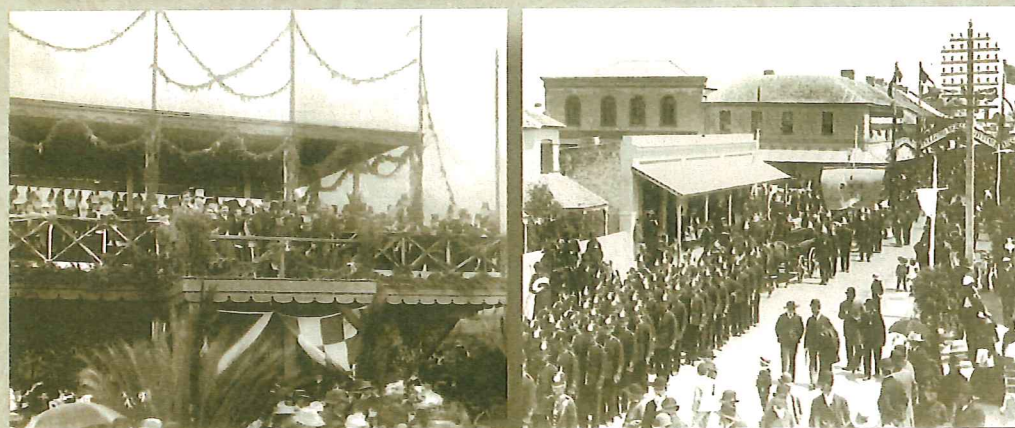
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Proclaiming the news



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1. Journey to Perth
The Governor Sir William Robinson (wearing the top hat in front of flag), and colonial dignitaries on the way to Perth to proclaim the Constitution.
Courtesy, Battye Library, BA 888/3

2. Proclamation of Constitution.
The proclamation read out from this grandstand on the Esplanade, Perth 2 October, 1890.
Courtesy Battye Library, 6486P

3. Proclamation Day, Fremantle.
People lined the High Street of Fremantle to celebrate Proclamation Day and the town was decorated with flags and bunting.
Courtesy, Battye Library



Proclaiming the news

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1. Journey to Perth 1890

The Governor Sir William Robinson (wearing the top hat in front of flag), and other colonial dignitaries on the way to Perth to proclaim the Constitution.

Courtesy, Battye Library BA 888/3

2. Proclamation of the Constitution.

The proclamation was read out from this grandstand on the Esplanade, Perth 21 October, 1890.

Courtesy Battye Library 6486P

3. Proclamation Day, Fremantle.

People lined the High Street of Fremantle to celebrate Proclamation Day and the town was decorated with flags and bunting.

Courtesy, Battye Library

Proclamation of the new Constitution in Western Australia sparked an elaborate series of civic celebrations in October 1890.

People took to the streets to welcome the new Governor, Sir William Robinson, who was sent from London to supervise the change. He travelled by train from Albany to Perth. Towns en route lit bonfires and people gathered at railway sidings to celebrate his arrival.

In Perth, elaborate floral arches spanned the city's main streets and buildings were decked with banners and flags.

Thousands of people gathered on the Esplanade in Perth on 21 October to celebrate the day's events. The Governor made a congratulatory speech and the Proclamation document was read. The new Constitution was proclaimed before a cheering crowd.

Afterwards, the crowd feasted on tables piled high with food. There were sports, with novelty events like "climbing the greasy pole" and "catching the pig with a greasy tail". At night, fireworks lit up the city and there were glittering balls and dances.

Newspapers boasted that Western Australia had finally "come of age" and predicted that self-government would lead to progress and prosperity for all.

Governor Robinson travelled to Fremantle the next day. The port town's celebrations were elaborate and included the ceremonial planting of a "Proclamation Tree", that still stands today.

Why was Proclamation Day important?

Proclamation Day marked the occasion when the new Constitution was publicly announced, granting the colony of Western Australia responsible government. It marked the transition of Western Australia from a colony under British rule to self-government.

It was the first key step towards democracy in WA, and meant that:

- more people had a say in how they were governed,
- more people had the right to vote.

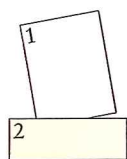
The Western Australian Constitution set up the basic components of the State's system of government including:

- the Parliament,
- the Executive,
- the Judicial system, and,
- established a relationship between the Governor, Premier, Cabinet and the new Parliament.

The new Constitution established our Parliament with two Houses:

- the Legislative Council (Upper House) and
- the Legislative Assembly (Lower House).

This resulted in greater representation of the people in the process of government. The power to govern was substantially transferred from the Governor to the elected members.



1. Constitution Act 1889
The Constitution Act 1889 set up a system of parliamentary self-government in the colony. It is the founding document of the Parliament of Western Australia.

Courtesy, Battye Library

2. The first Parliament of Western Australia
Members of the first Legislative Assembly elected 1890.

Courtesy, Battye Library 3976B



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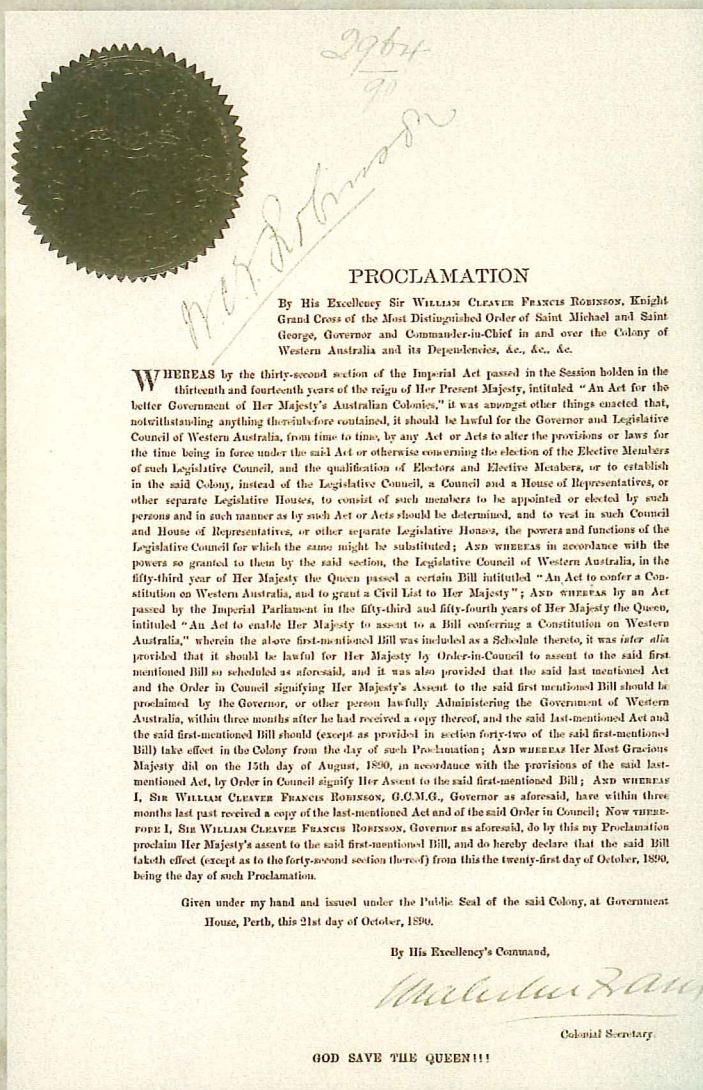
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tion of electors and elective members, or to establish in the said
Colony, instead of the Legislative Council, a Council and a House of
Representatives, or other separate Legislative Houses, to consist of
such members to be appointed or elected by such persons and in
such manner as by such Act or Acts should be determined, and to
vest in such Council and House of Representatives, or other separate
Legislative Houses, the powers and functions of the Legislative
Council and House of Representatives, the same might be substituted; and whereas it



What is a constitution?

A constitution is a set of rules defining a system of government. It describes the institutional structure, the conditions under which power is held and exercised, and the procedures through which the rules themselves may be changed.



How does the State's Constitution affect our

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1. Proclamation

The proclamation document as signed by the British Colonial Secretary, at Government House, Perth, 21st October 1890.

The signature of Governor Sir William Cleaver Francis Robinson is scrawled across the top corner. Courtesy, State Records Office

How does the State's Constitution affect our lives?

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OVER FRANCIS ROBINSON, Knight
ruler of Saint Michael and Saint
chief in and over the Colony of
s, &c., &c., &c.

passed in the Session holden in the
ajesty, intituled "An Act for the
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for the Governor and Legislative
to alter the provisions or laws for
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WHEREAS in accordance with the
nd of Western Australia, in the
intituled "An Act to confer a Coun-
ty"; AND WHEREAS by an Act
h years of Her Majesty the Queen,
ring a Constitution on Western
Schedule thereto, it was *inter alia*
ouncil to assent to the said first
that the said last mentioned Act
said first mentioned Bill should be
ing the Government of Western
nd the said last-mentioned Act and
ty-two of the said first-mentioned
AND WHEREAS Her Most Gracious
h the provisions of the said last-
mentioned Bill; AND WHEREAS
r as aforesaid, have within three
id Order in Council; Now THERE-
resaid, do by this my Proclamation
herby declare that the said Bill
e twenty-first day of October, 1890.

f the said Colony, at Government

Command,

Wm. H. Ang
Colonial Secretary.

1

1. Proclamation

The proclamation document as signed by the British Colonial Secretary, at Government House, Perth, 21st of October 1890.

The signature of Governor Sir William Cleaver Francis Robinson is scrawled across the top corner.
Courtesy, State Records Office

Imagine a situation where you break the law, for example by speeding, and you are arrested and charged with an offence under the Road Traffic Act 1974 (made by the Western Australian Parliament). Why must you appear in court and, if convicted, pay a fine or be imprisoned?

The reason is that the Western Australian Parliament has been given power by the Western Australian Constitution Act 1889 to make laws for the 'peace, order and good government' of the State, and the Road Traffic Act is such a law.

The fact that you drive under State laws and rely on power and lighting which is controlled by State legislation is evidence of the impact of the Western Australian Constitution on our lives.

Who could vote?

From 1829 to 1890, the ability to participate actively in government had been gradually extended from only the Governor to all men who owned or leased property of a certain value.

At the time of the proclamation of the Constitution in 1890, only wealthy men could vote. This meant that most men, all women and Aboriginal people had no political rights.

1829

The Governor held all political power in the colony.

1832

The Governor and four officials constitute the Executive and Legislative Councils.

1839

Four leading colonists nominated to the Legislative Council. In 1867 more colonists were appointed, and the Council slowly developed into a mini Parliament.

1870

Two thirds of members of Legislative Council now elected. Men over 21 who owned or leased property could vote. For example, professional men could usually vote, but artisans, labourers and others could not. Women and Aboriginal people were excluded.

1890

The two house (bicameral) Western Australian Parliament established by Constitution. The following men could vote if they:

- owned freehold or leased property of 10 pounds annual minimum value
- were Crown leaseholders of 10 pounds annual value,
- were householders with Crown leaseholds of 10 pounds annual value,
- were householders who leased homes of 10 pounds annual value,
- were lodgers, occupying a room of 10 pounds annual value for two years.

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1. 1865 Petition

The petition shows the wide range of occupations in the Colony. Some petitioners registered their 'mark' in lieu of a signature.

Note

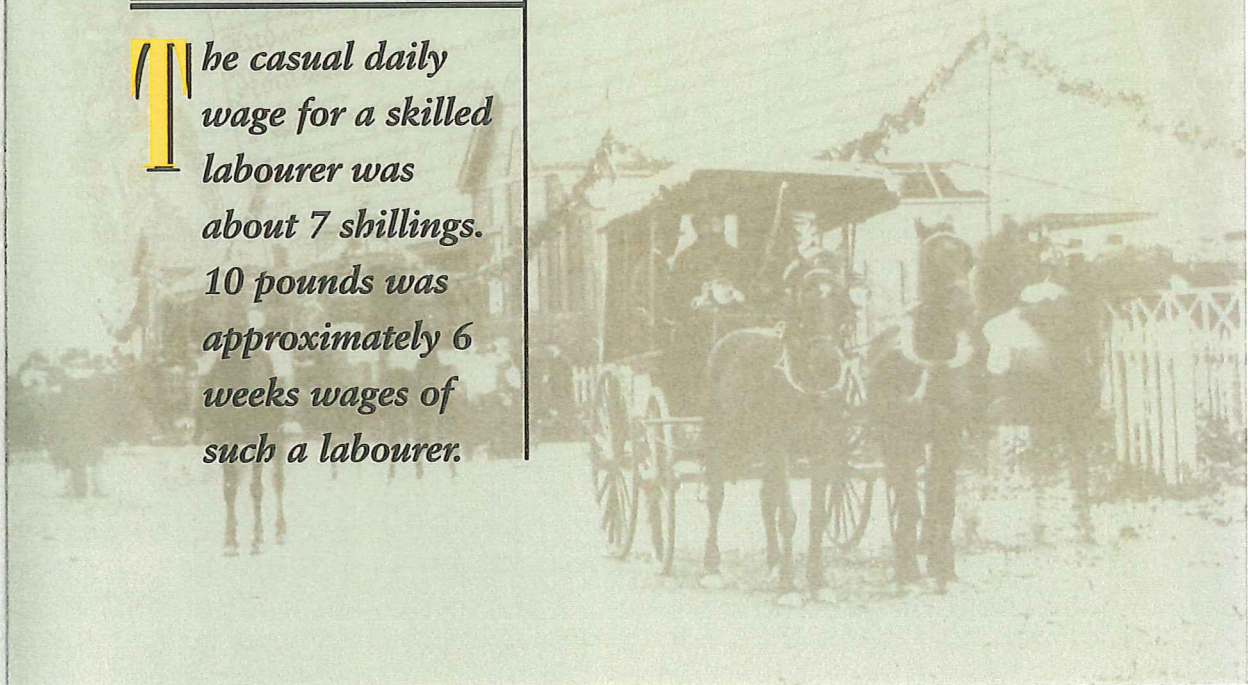
The casual wage labourer about 10 per cent of the population, and the weekly wage labourer such

ounds

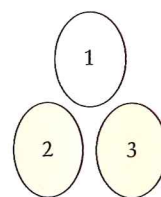
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Geo. Rogers
 Joseph de Lage
 Wm. Heathcote
 Besse and Co. Exg.
 James Connery
 Thomas Great
 Ebenezer Barnett
 C. & J. B. & Co.
 Samuel & Co.
 James Wilson
 George Staples
 Andrew Vines
 Wm. L. L.
 John Thompson
 John Holland
 John Kessler
 Witness to the several on this paper
 Henry Gray

The casual daily wage for a skilled labourer was about 7 shillings. 10 pounds was approximately 6 weeks wages of such a labourer.



Prominent Players.



1. Sir Frederick Napier Broome 1883-1889

2. Sir John Forrest 1890-1901

3. Sir William Cleaver Francis Robinson 1875-1877, 1880-1890-1895

Courtesy, Battye Library 158B

Prominent Players.

Sir Frederick Napier Broome
1883-1889.

Sir Frederick set up a system of borrowing for the colony that enabled it to achieve expansion as well as extend the railways and telegraphs.

However, many colonists believed that the future success of the colony depended on self-government. Sir Frederick was converted to this popular view and helped facilitate the granting of responsible government to WA. After considerable discussion, the details of the new Constitution were settled and a Bill, drafted by Broome, was approved by the British Parliament.

His tenure as Governor came to an end with his mission to England in 1890.

Sir William Cleaver Francis Robinson
1875-1877, 1880-1883, 1890-1895.

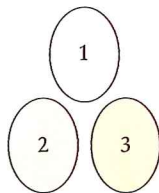
Sir William Robinson served three times as Governor of Western Australia and in 1890 was appointed to preside over the inauguration of responsible government in the colony.

He returned to Western Australia carrying the new Constitution that was proclaimed to the people on 21 October 1890. This marked the start of responsible Government.

Rt Hon. Sir John Forrest (Forrest Party)
29 December 1890-14 February 1901

1st Barron Forrest of Bunbury (1847-1918) was a surveyor, explorer, Western Australia's first Premier and later a minister, acting Prime Minister and first treasurer in the newly formed Federal Government after Federation.

As Premier, Forrest guided Western Australia through the many issues surrounding Federation, ensuring the best position for the State.



1. Sir Frederick Napier Broome 1883-1889
 2. Sir John Forrest 1890-1901
 3. Sir William Cleaver Francis Robinson 1875-1877, 1880-1883, 1890-1895
- Courtesy, Battye Library 158B*



Department of
the Premier
and Cabinet
Government of
Western
Australia



THE
CONSTITUTIONAL
CENTRE
OF WESTERN AUSTRALIA

The Constitutional Centre of Western Australia

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