

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 3 AUGUST 1876

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LEGISLATIVE ASSEMBLY.

Thursday, 3 August, 1876.

Order of Business.—Gold Fields Act Amendment Bill.

ORDER OF BUSINESS.

The PREMIER moved (without previous notice)—

That all the private business on the paper be postponed until after the consideration of the Government orders of the day.

The SPEAKER: I must remind the honorable gentleman that that motion can only be put by the consent of the House.

Mr. PALMER said he objected to the motion, inasmuch as when the arrangement was made on the previous week that that day should be given to the Government, it was with the distinct understanding that the debate on the Financial Statement would take place. Since then, however, it had been agreed, to his knowledge, by honorable members on both sides of the House, that the debate on the Financial Statement should be postponed until the following Tuesday. As that day had only been given to the Government on the understanding that he had mentioned, he thought it was very unfair for the Government, when there was only a thin House, to attempt to press on their business. He had just been told by his friend the honorable member for Maranoa, that another arrangement had been made, that the Government could do as they liked—that they could go on with other business; but he would put it to the honorable member at the head of the Government whether it was fair to attempt to go on with the Government business under the circumstances.

The PREMIER: I think so.

Mr. PALMER: Well then, the honorable member shall not.

The PREMIER said, he was, perhaps, out of order in rising again, but he wished to remind the honorable member that it was well understood that the Government business was to go on on that day. He believed that there were honorable members absent from both sides of the House, and as every opportunity had been given to them to be present that day, and to come down from the Toowoomba Show, it was their fault if they were not there. He had stated on the last day of sitting, that if the debate on the Financial Statement was postponed, the Government would be prepared to go on with other business—such as the Polynesian Laborers Bill, the Gold Fields Act Amendment Bill, &c.—and he would put it to honorable members whether it was not better to do so than to lose another week. The private business on the paper was not very important, and he would ask the honorable member for Port Curtis, whether they should not go on with some of the Government Bills, on which there was not likely to be much debate?

The SPEAKER said, that as the motion could not be put without the full consent of the

House, he wished to have an expression of opinion from honorable members.

No objection being made, the Question was put and passed.

GOLD FIELDS ACT AMENDMENT BILL.

The PREMIER moved—

That this Bill be now read a second time;

and in doing so said, that in asking honorable members to agree to the second reading, he might state that the principal object of the Bill was, to compel Asiatic aliens to contribute more than they did at the present time to the revenue for the rights they enjoyed to work on the gold fields, and to carry on business on the gold fields. The Chinese at present did not pay anything like their proper proportion to the revenue, more especially those in the northern part of the colony. He had in his hand a return, from which it appeared that last year the Chinese on all the gold fields only paid £4,500 for miners' rights and business licenses, whilst the colony gave in return in the form of police protection—mainly for the Chinese—something like £16,000 a-year. He contended that the Chinese were at the present time the main working parties on the alluvial ground of the northern gold fields, and seeing that that was the case, he thought it was necessary and desirable that there should be some legislation to make them pay their fair share to the revenue. The present charges they had to pay were ten shillings for a miner's right, and four pounds for a business license; whereas the Bill proposed that the miner's right should be increased to £3 a-year, and the business license to £10 a-year. That he thought would be a very fair increase, and at the same time it would not be prohibitory. It was very well known that the presence of the Chinese was very detrimental on the northern gold fields; they stayed there only a short time, just long enough to scrape together a hundred or two pounds, and then returned to their own country; and during their whole stay here they contributed little, if anything to the revenue; whilst it was well known they took away with them the best part of the land in the shape of the gold extracted from it. Again, it was also known to honorable members that the Chinese were not from their degraded habits a desirable class on the northern gold fields. For the reasons he had stated, he thought the House would readily accept his proposal that the Bill should be read a second time. It was only a short Bill of three clauses, the first of which provided for the increased fee for miners' rights and business licenses, as follows:—

"The sum payable by an Asiatic or African alien for a miner's right shall be three pounds and for a business license shall be ten pounds for each year during which the same is to be in force instead of ten shillings and four pounds respectively as by the said recited Act is provided."

The second clause proposed the penalty to be imposed in cases where a miner's right was not taken out. For instance, in the event of an Asiatic or an African alien not having one, it was intended to impose a fine of not more than five pounds, and if that was not paid he could be imprisoned for a term not exceeding six months. In the case of a man not having a business license the fine would not exceed ten pounds, or the imprisonment six months. The third clause referred to prosecutions and provided—

“In any prosecution for any offence against the provisions of this Act the averment in the information that the defendant is an Asiatic or African alien shall be sufficient proof that he is such alien unless the defendant shall prove that at the time of committing the alleged offence he was a naturalised British subject. And the averment in the information that the defendant had not in his possession at the time of the alleged offence a miner's right or business license lawfully issued to him shall be sufficient proof that he had not such miner's right or business license unless the defendant shall produce the same.”

With those remarks he would move the second reading of the Bill.

Mr. PALMER said he had one or two objections to the Bill, which he should put in as few words as possible. He believed that it had been drawn up with a very good intention, but that it would be found to be utterly unworkable.

HONORABLE MEMBERS: Hear, hear.

Mr. PALMER said that, supposing for instance a Chinaman was asked to pay the three pounds required by the Bill for a miner's right and that he had not the money, then according to the Bill he must go to gaol; but where would the Government find the gaol to put him in? They knew very well from the returns which were made, that at the present time it was impossible to get ten shillings for a miner's right from the Chinese, and that being the case, was it likely that they could get the larger sum of three pounds? Then again, he should like to know how the Government were going to treat the Chinese immigrants from Hong Kong—those undesirable immigrants as the honorable Premier had called them; they were British subjects.

Mr. MOREHEAD: One is a C.M.G.

Mr. PALMER said, that one was, as the honorable member observed, a C.M.G., and a very good one too, for he knew him; in fact, he was better than some he had seen in this colony. How again were the Government going to treat the natives of British India—were they aliens?

AN HONORABLE MEMBER: No.

Mr. PALMER said, that that being the case, the onus of a man proving that he was not an alien would be thrown upon himself. Was that law or justice, or what was it? Why the Bill was a perfect farce from beginning to end. In the first place, it could not be carried out, as they could not get gaols to

put in the men who did not pay. In the next, it would be impossible to distinguish who were aliens or otherwise, for all those people coming from Hong Kong were as much British subjects, and had the same rights as any honorable member of that House. He would not go into the question of international treaties, but he believed that even if the Bill was passed His Excellency the Governor would not give his assent to it. It was an unworkable Bill, for if they could not get the ten shillings now charged for a miner's right, it was most improbable that they would be able to get three pounds as proposed in the Bill.

Mr. THOMPSON said that he should oppose the second reading of the Bill on several grounds. In the first place, he believed it was a violation of the principles of the law of nations. According to what reading he had been able to give to the subject, it appeared to him, that they were bound to give to the stranger of one nation, the same right that they give to the stranger of another nation, unless it could be proved that the presence of the former was detrimental to the interests of the colony in any way. But according to the speech of the honorable Premier nothing had been shown that the presence of Chinamen was detrimental to the interests of the country, and consequently the Government were bound to extend to them the same rights of hospitality that they extended to others. If they were introducing a Bill to exclude Frenchmen, or Germans, or some other nation, then they would be justified in excluding Chinamen; but they knew very well that if they attempted to do such a thing to the former there would be sufficient influence to stop them doing anything so harsh. Any harsh measures towards aliens could only arise from hatred or contempt of the nation to which they belonged. Now, how did they stand in regard to those people? Had it been attempted to show by the Bill that their presence was detrimental to the colony in any way? It had been stated by the honorable Premier that they took away the best part of the land, or the gold that was in it. Granting that they did so, did not Frenchmen and Germans do the same? Yet, whilst it was proposed to take away from the Chinamen the rights of citizens, it was at the same time made a subject of complaint that they did not stay in the country. There was one reason for the Bill, and that was, the antipathy to the Chinamen—the antipathy which was implanted in the British race to foreigners. Such a dislike had at one time been extended to Frenchmen, and now they still showed it, and wanted to carry it out in regard to Chinamen. He would ask, if that was fair? The honorable Premier had stated that the Chinese were a degraded race, and had very bad vices; but he could not understand that, for, on the contrary, from his reading, he thought the Chinamen came out very strongly as an enterprising and law-abiding race, ex-

tremely industrious and useful, and a benefit to any country to which they had gone. They did not stand in the same position in regard to the Chinese in this colony as the people of America did, for there they were repugnant to the Americans, as they stayed in the country, and engrossed the occupations of the white men. The objection to them there was not that they went to that country, but that they interfered with the occupations pursued by the white men. Now he would read an extract from a book to show that the Chinese were not the degraded race they were represented to be, and that there was nothing so very objectionable in the Chinese as compared with any other nation; their civilization was older than that of the English race, and because they had stood still in it for a long time, it did not follow that ultimately they would not progress as much as the English or any other nation. With regard to the Chinese at Singapore, Mr. Laurence Oliphant, the private secretary to Lord Elgin, wrote in his narrative of Lord Elgin's mission to China and Japan as follows:—

"The Chinese who have been attracted to Singapore by its freedom from commercial restrictions and advantages of position have contributed to make it what it is, the most prosperous settlement in the East; and when we consider their extraordinary acquisitiveness and love of gain, we can hardly suppose that their sympathies with their brethren in China would be sufficiently powerful to induce them wantonly to interrupt a commerce from which they derive enormous profits, and destroy a mercantile emporium which may be said to be in a great degree their own handiwork, and in which they possess a larger stake than any other class of its community."

They had settled down there and had become of great value to the British Empire. Then again, in another passage, the writer said, in regard to the Chinese:—

"It may generally be said, that with few exceptions, whatever product of the Malay or Philippine Archipelago demands skill and industry in its production is the result of Chinese labor. Without Chinese labor, neither the Malay, nor Philippine Archipelago, nor Siam, nor Cochin China, would have sugar or tin for their exportation. Of the first, they are the sole producers; of the latter, they produce about 8,000 tons. Hence it will appear that at Singapore there is no apathetic population indigenous to the soil to be nursed, but one composed of the two most industrious and enterprising races in the world, and who are quite competent to appreciate the advantages of a more progressive system of Government. When an altered state of commercial relations with China shall have opened that vast field to European enterprise—when the trade with Siam, created by the recent treaty, and already rapidly growing, has become more fully developed—when under the skilful administration of its European rulers, the resources of a large portion of Borneo find their way into the English market—when the Malay peninsula, extensively peopled by industrious Chinese, furnishes its important and valuable produce—when, in fact, from these and other sources the whole trade of

the East has increased ten-fold, it will be found that the importance of Singapore has not been over-estimated."

Now he found that the opinion formed of the Chinese at that time had been borne out wherever the Chinese had settled. In California, where at the present time there was so great an antipathy to those people, the objections were of a two-fold nature—first, as affecting the labor market by their competition with the white man; and secondly, as affecting the Chinese themselves, and their customs and habits of life. Now, as affecting the labor market, it was stated that they ousted the white man in every trade they undertook, so that the proposed exclusion of them from California was only the old protection spirit again, except that it was now proposed to prevent the people of another country coming in to compete with those belonging to the country, instead of the old protection idea of preventing the products of one country being introduced into another to compete with the products raised in it. The objection made to them in this colony was that their manners were offensive to Europeans, and that they did not contribute their fair proportion of revenue to the State; but it would be found that it was not their fault that they did not remain in the country, as they were not allowed to become citizens. And as regarded their customs and manners, if the lower classes were examined, he believed it would not be found that their vices were very different from those of the lower classes elsewhere—the haunts of vice in any large European city were just as bad as those in a Chinese town. The results of opium-smoking were not more vicious than those of drunkenness; the only difference was that a man who was addicted to drinking became fat, whilst the opium smoker became very thin. Both were addicted to stimulants, and it was about the last thing that the English could say that they were not addicted to stimulants. Unfortunately, at the present time, the whole of the Press of England, together with the general voice, were crying out about the enormous power that drink had upon the population there, and the societies for its suppression were of such a wide-spread character as was never known before. He would ask, whether colonists of that race were to expel the Chinese because they indulged in a stimulant of their own? In the case of this colony, there was the item of gold; it was said that they took the gold away. Well, supposing they did, they raised it and contributed their industry to the colony, and as to their not contributing to the revenue, all he could say was, that Cooktown, which returned so large a revenue, derived it mainly from those people. He had been surprised to hear such a statement from the Premier, for he had been informed on the best authority that the moment a Chinaman got gold, he contributed to the revenue more than the white man; for instead of living on beef

and damper, he lived on all sorts of luxuries procured from Singapore, for which he paid high prices, and on which duty was charged. There was one difference between the Chinese and the white man, namely, that the Chinese did not drink so much grog as the white, although he believed that if it was a virtue to be cultivated, they would drink more; but if they drank, it must be liquor of only the very best quality, whereas the white man was not so particular, but would drink almost anything. For the Government to ask them to pass such a Bill as that before them on the mere supposition that the Chinese did not contribute their fair proportion to the revenue, whilst it appeared to him that they did so, certainly astonished him. He believed, from what he had heard, that the storekeepers of Cooktown were perfectly delighted when a shipload of Chinese arrived at that port, as they generally cleared out the town of stores, even to empty kerosine tins and glass bottles, for which, in many instances, they were made to pay more than a European would be asked to do; so that really those people were very profitable in their way. He wondered how many additional police had to be employed on account of the Chinamen in the North. He had referred to the report of the Commissioner of Police for last year, but that gentleman had not stated that any extra police were required to keep the Chinese in order. It was put on another ground, namely:—

“Notwithstanding the increase of the population and the necessarily unsettled state of affairs in the new and scattered gold fields of the Cook and Palmer, it is satisfactory to observe that crime has decreased during the past year. The chief difficulty in the Palmer district has been occasioned by the aborigines, who in that district have shown themselves to be unusually hostile and intractable.”

There was not a word about the Chinese there, nor, in fact, in any part of the report; in fact, as he had said, it could be demonstrated that the Chinese could be very easily governed. He was not going to suggest that the Chinese would make good food for the aborigines, but that really would be as good an argument as any that had been advanced by the Bill. He wanted to point out that before a Bill of the kind, which was essentially class legislation, and aimed at a particular class, was introduced into that House, they should have had some reasonable principles of right and justice to go upon. Until it was proved right and just—until it was shown to him that the introduction of the Chinese was injurious to the interests of the northern districts, he should oppose the Bill; that might be an unpopular course for him to take, but he would run the chance of it. It appeared to him that the pretence in the preamble of the Bill was of so gross a nature that it ought at once to be exposed. The pretext was:—

“Whereas great expense is incurred in maintaining order on the gold fields in consequence of the presence of large numbers of Asiatic aliens thereon.”

But it had not been shown in any way that they were expensive to the colony, but rather that on the other hand they were profitable to it. He had heard, for instance, when the Gilbert gold field was deserted by Europeans and left to the Chinese, that there still remained a few white men who made a precarious living by sticking up the Chinamen. That was precisely the position the Government were in at the present time—the revenue had got into a mess, and they now wanted to stick up the Chinese to make it all right. That was exactly the preamble of the Bill, and why, he would ask, did they not call things by their proper names and say that it was a Bill to prevent the Chinese treading too closely on the heels of Europeans and coming into competition with them? If that had been the object, it could be attained by making the Chinamen keep to their ground, and the white men to theirs. But a Bill like that before the House seemed to him to be a violation of all principles of consistency. They were actually going to great expense to introduce white labor, whilst they were trying to prohibit Asiatic labor by taxing the people if they came, and that, too, in the northern districts, where admittedly by-and-bye other than white labor would be required. If they admitted the principle that it was desirable to exclude any class of foreigners from the colony, where were they to stop? Would they not in justice be bound to extend such a principle to Italians, to Germans, to French, or to people of any other nationality? But that was not the principle of the Bill at all, for if the preamble of it was to be taken for anything, it was founded on a fallacy. If it was said that those people were a nuisance because they trod too closely on the heels of the European diggers, then he contended that the present law was quite sufficient to meet the case, and that it would be quite time enough to introduce fresh legislation when it was proved that the present law was insufficient. But if it was put forward that the Bill was necessary for the purpose of maintaining peace and order, then the case was different, and a good deal of the ground was cut from under his feet. If there was any fear that the white and colored races would come into collision on the northern gold fields, then there would be some ground for legislating for the colored people; that was the only ground on which class legislation could be justified. He had seen in the newspapers that there had been some movement on the part of the Chinese merchants at Cooktown in reference to the recently imposed duty on rice, and that a petition was to be sent to that House. That being the case, he thought, in common fairness to those people, that the passage of the Bill should be stayed until there was more knowledge on the part of the House as to the amount actually contributed by the Chinese to the revenue of the country; in fact, he contended that, as the petition was coming down, they had no right

to pass the Bill until they had given those foreigners a chance of being heard. It was hard that those men who had come to the colony under the boasted freedom of the Britishers that it was open to all, should not be heard in their defence; and it was certainly an anomaly that after the British had forced their way into China for the purpose of pushing trade, they should now object to the people of that country coming into this colony.

The ATTORNEY-GENERAL said, he had listened with some surprise to the arguments advanced by the honorable member for Bremer, who had maintained that the principles of the Bill were contrary to the spirit of the law of nations, and to the principles upon which the legislation of the colony was founded. The honorable member had also said that the Bill would be an injustice to the Chinese, who, he intimated, were on the whole, possibly the most interesting portion of the colonists. But the honorable member altogether failed to quote authority for his assertion that the Bill was contrary to the law of nations, and what he read had no bearing upon the present question. One reason, the honorable member said, why it was unwise to legislate against people of a particular country, was the presumption that such legislation proceeded from hatred and contempt of that country. Surely that was very false reasoning, and was, besides, totally inapplicable to the question before the House. Then, so far from the Bill being inconsistent with the present law of the colony, it was entirely consistent with everything that had been done in the matter of legislation in similar subjects. The only parallel law was the Aliens Act, which was passed in 1867, and which duly received the Royal assent. The Aliens Act, it might be remembered, made a distinction between European and North American aliens, and African aliens. The honorable member for Bremer suggested that it was contrary to the law of nations to impose any disability upon a foreigner, but this had been the very foundation of the law of nations in every country he had heard of.

Mr. THOMPSON: I did not go so far as that, I think.

The ATTORNEY-GENERAL said, it had always been the rule that an alien, whether from a friendly state or not, should not hold land in any part of the British dominion. Certain exceptions, however, had been made for the benefit of trade, allowing aliens to hold leases of land; but the Aliens Act of Queensland made a distinction between Europeans and North Americans, and African aliens. It was provided that no alien could hold land unless he were naturalised, but if the principles held by the honorable member for Bremer were correct, an alien could hold land in the colony, although it was known that an Asiatic or African alien was not allowed to be naturalised in the colony until he had resided three

years and was married. The object of course of this was, to prevent these aliens ever becoming naturalised; and the purpose of such an object was, probably, to keep them from holding land, and so becoming entitled to a voice in the elections. The honorable member had remarked that the Chinamen in the North had no voice in the House, and in every case, he (the Attorney-General) might add, the law had taken care to exclude them, so that they could not become either members of the House or of the Executive Council. The municipal laws of the colonies, so far as they bore upon the subject, showed the distinction adopted in the Bill under discussion; and that it had not only been recognised, but enforced for fifteen years—in fact, ever since the passing of the 25th Victoria. It was clear then that no objection to this Bill in point of law would hold, and the only remaining question was one of expediency. What was the principle laid down in the Bill with regard to aliens? That the particular class of aliens dealt with by the Bill were not allowed to acquire land unless they were married or resided three years in the colony, whereas other aliens were allowed to do so immediately. Why should not this principle be applied to the case of the Chinese gold miners, who, though they did not acquire absolute estate in land, when they left it, left it worthless? In principle, this was exactly founded upon the Aliens Act that had been enforced so long. As to expediency, he supposed it was almost entirely a question of revenue. The expense of the northern gold fields was very great, and it had been asserted on the one hand, and denied by honorable members on the other, that this was owing to the presence of Chinese. This was merely a matter of assertion.

Mr. PALMER: It is in the Commissioner's report.

The ATTORNEY-GENERAL said, it was not so. The report of the Commissioner of the Police simply showed that crime on the northern gold field had not increased during the last year; but it was difficult to see how it proved that the present state of things was because of the influx of Chinese. Of course, if there were plenty of police there would be plenty of protection provided, and there was not likely to be much crime. The statement read from the Commissioner's report only proved that the police protection was efficient. The honorable member for Bremer had spoken of the Chinese as, in general, a law-abiding race, who did not deliberately set themselves to violate the law. This he (the Attorney-General) believed to be quite true; but if these men were to come from China in swarms, for the deliberate purpose of violating the law, as was suggested by the honorable member, by working on the gold fields by force, and by evasion of the law, they were not a law-abiding race. He (the Attorney-General) believed they were law-abiding, and

that, although they might not pay the three pounds fee if they could help it, they would pay it when they saw they must do so. The honorable member for Port Curtis had asked, where sufficient gaols were to be found? The honorable member knew very well that if a fine was imposed it might, in cases of extremity, be levied by distress and sale of effects, and the tools and goods of the Chinamen would be sufficient to pay the amount of the license fee; and there was this further protection, that the man's claim would not be worth anything, unless he had a miner's right. To some extent, of course, it was an experiment whether the £3 license fee would be paid, but it might just as well be said that the 10s. fee could not be paid either.

Mr. PALMER: It is not paid.

The ATTORNEY-GENERAL was able to say, although the honorable member said the 10s. fee was not paid, that last year 7,000 Chinese paid the license fee, and he was under the impression that the wardens on the gold fields—who were very good judges—were quite of opinion that the £3 licenses would also be paid. This was a provision he believed that would prove not incapable of being carried out; but the most important feature of the Bill was, that it would discourage a large influx of Chinese emigration to the colony. The honorable member for Bremer said that the Government wanted to exclude Chinamen altogether. The Bill, however, in no way excluded them from coming to the colony. If the honorable member wanted a Chinaman to work in his garden, or supply him with vegetables, he might still do so, for the Bill related entirely to gold fields; to aliens who were in the habit of rendering absolutely worthless the land in which they had no interest. The honorable member for Bremer said he would remedy what was complained of by putting the Chinese in a portion of the gold field by themselves. He (the Attorney-General) must confess he failed to see the difference between this proposition and the system of which the honorable member complained. If that was treating the Chinese with the fairness characterised by the law of nations, he failed to see it; it was a proposition quite as objectionable in practice as anything that had been described, and worse in principle. The only real objections urged against the Bill were, first, that it would not work, which could not be proved until it had been tried; and next, that it was contrary to the law of nations. He hoped he had pointed out to the satisfaction of honorable members who were not prejudiced, that the Bill was not contrary to the laws which had been sanctioned by Her Majesty, and were not contrary to the law of nations; and he believed that the Bill would be a very beneficial one, and more beneficial than in the mere raising of the small amount of revenue that would be derived from it. He hoped the Bill would pass, and he believed it would be found to be a very good one.

Mr. AMHURST pointed out that the title of the Bill referred only to Asiatic and African aliens, and was therefore to that extent open to the charge of being partial. It was laid down as a known law between nations, that any alien should be subject to the laws of the country he entered, and must be tried like other people; but these Chinamen would have to be subject to a law made expressly for them. Any other person having a business license might make the proof of its possession rest upon those who prosecuted; but in the case of a Chinaman, it was a criminal prosecution, and the Chinaman must, himself, prove that he had got it. That would be very much like persecution. There were several faults in the Bill, but the third clause of itself would be quite sufficient to make him vote against it.

Mr. McLEAN said, he thought he might be as well able to speak on the subject of the employment of Chinamen on gold fields as any honorable member in the House, for he was on a gold field for seven years, and vast numbers of Chinamen were employed there. He was, therefore, entitled to know something of the practical aspects of the question. He recollected the time when a license for gold mining in Victoria was £18 a-year instead of £3 as was proposed by the Bill, but the Europeans on the field rebelled against the imposition of the tax; it was abolished, and a license substituted of £1 a-year, and there was at the same time a tax of 2s. 6d. per ounce placed upon the gold. On the gold fields of Queensland, however, the living was much cheaper now than it was in Victoria in the early days of mining; if a man had an ounce of gold there in 1852, he spent it all in one week to provide himself with the bare necessities of life; but the case was different in Queensland where things were much cheaper. With regard to what had been said of the Europeans' dislike to Chinamen, he might add that the dislike proceeded from one ground, and it was this:—Wherever a Chinaman appeared upon a gold field, every chance of a European making a livelihood was lost for ever. He had been in many a skirmish in driving Chinamen off the gold fields, and could honestly say that the miners were obliged to do it in self-defence. Whenever a number of Chinamen put in an appearance on a gold field, all the available water was at once taken up, and in a short time it was not only rendered unfit for cooking, but also for the Europeans' gold-washing. Therefore, in defence of themselves, the diggers had been many a time compelled to drive the Chinese away, and this was the only reason that he could ever discover for any dislike on the part of Europeans towards Chinamen. There was one matter which might also be urged as an objection to be taken into consideration when discussing this question, namely, that there was not the same distribution of wealth amongst Chinamen as amongst Europeans. It was no doubt the same in Queensland as in

other gold fields; Chinamen generally worked under what was called a "boss." Thirty or forty, perhaps, were engaged by a head man, and they had to bring him a certain quantity of gold every night before they were rationed for the next day, so that all the gold that these Chinamen got from the diggings flowed into the coffers of one man. That was how wealth was distributed amongst the Chinese, and if this Bill became law, it would not be the solitary Chinaman who, whether he got gold or not, would pay the tax, but the employer, who, rather than lose his services, would pay it for him at once. A great deal more police protection, in his experience, was required with Chinese than with Europeans. He had seen camps containing hundreds of Chinese, and the whole of the Sabbath day they were engaged in gambling, and while this lasted, numbers of police patrolled the camp to see that order was preserved. He had been on a gold field where the Chinamen had to go about in mobs, and where there were a great number of police sent up from neighboring gold fields to protect them from Europeans. Once a report was spread abroad that the Government had given over protecting Chinamen, and the consequence was that in a short time every Chinaman had disappeared from the field, showing that the Chinaman did require more protection than the European. If they did not require this Government protection, why did they go away? Simply because they knew they were a nuisance to Europeans, and that as soon as the Europeans had a chance they would drive them away. As for competition, there was, he believed, no such thing as competition with them in trade, but the Chinaman came into direct competition with the European on the gold field. No doubt a great deal of the ground worked by the Chinaman could be worked profitably by Europeans. When a new rush took place, Europeans often went away, knowing that if they were unsuccessful they could go back to the old workings. Perhaps the time arrived when they would go back, and then they would find the whole ground occupied by Chinamen, who, once they had taken possession, could not by any means be driven off again. He could not see that it would be very easy to collect these licenses, unless on the ground that the employer, rather than lose the services of his men, would pay the tax for them. At any rate, something must be done with the Chinamen in this colony. They did not consume the same articles as Europeans, nor contribute the same amount of taxation to the revenue, and it was only reasonable that by some means or other they should be made to pay their fair share, at least, of taxation.

MR. MACROSSAN said, if the honorable member for the Logan had a right to speak upon the question because he had been seven years on a gold field, he (Mr. Macrossan) would have a three-fold right, for he had been three times that term on a gold

field, and might, therefore, fairly say that he knew something of the habits and customs of the Chinese, and the reasons why the European digger objected to them. He should not go into the question of the law of nations, because he believed this had nothing whatever to do with the matter; he would simply take the question, to repeat an expression which had been used by a previous speaker, as one of expediency. As to the allegation that the Bill was for the purpose of raising revenue, he thought the Attorney-General did not believe that any revenue would be raised. The honorable gentleman, he believed, proposed the Bill as a protection to the European miner, although the Premier claimed that the Bill should pass for the purpose of raising revenue, and reimbursing the State for the protection afforded to the Chinese; but if the honorable the Attorney-General was at all sincere in the principles which he advocated, for protecting the white miner, he should have done something towards his protection at the end of the year 1874, or the beginning of 1875. This very question of Chinese emigration on the northern gold fields was brought prominently before the Government, of which the honorable gentleman was Attorney-General, by the late member for Burke, by himself (Mr. Macrossan), and by the honorable the present Speaker, and that Government had this selfsame Bill printed, and laid upon the table last year. He would now ask the honorable the Attorney-General, why he did not press this Bill last year? Simply, he (Mr. Macrossan) believed, because he, and the members of his Cabinet, with the exception of the honorable member, now Speaker of the House, thought that the Bill was a sham. And he (Mr. Macrossan) maintained it was a sham. It would be wholly inoperative, and so far from being able to collect a three pound license, the authorities were not able at the present moment, with all the police they had, with five or six Commissioners and twelve or fourteen troopers attached to each, to collect the ten shilling licenses. There were 10,000 Chinese in the colony, and of these, 9,500 were engaged in mining, yet the authorities had only been able to collect 6,550 miners' rights, or just two-thirds of the whole. If that was the case, what chance would there be of collecting a license fee of £3? The honorable member who last addressed the House stated what he considered to be the grounds of the objections entertained by European miners to the Chinese. Now the European miner did not actually object to Chinamen coming to the colony; what he objected to was to their treading fast upon his heels. The Chinaman would never prospect; Europeans did prospect. Every man of them at some time or another took his part in prospecting, but the Chinaman never did anything of the kind. When Europeans went to prospect and found a new gold field, every one who had done his share

of prospecting before had a right to run to that gold field and try to make the best of it, and if he failed, he naturally thought of going back to the place where he had previously worked. But when he returned, he found the whole place occupied by Chinamen, who had never prospected, and who had immediately taken advantage of the opening of a new field to usurp the place of the original prospectors, or other Europeans who succeeded them. The real remedy, as the honorable member for Bremer had said, was beyond question the proclamation of certain areas in which the Chinese would be compelled to remain. Not one single additional policeman would be then required; once it was made law, proclamation would be amply sufficient, for every European miner, having the law on his side, would see that the Chinese did not transgress the law; there would not be a single additional penny of expense if the provisions of the existing statute were enforced. The Attorney-General, he observed, shook his head at this statement; but if he disagreed with it, he could not have read the Gold Fields Act, else he would have found a clause which distinctly bore out the affirmation that the present Act was quite sufficient for the purpose, and that if the late Government, of which the honorable the Attorney-General was a member, had been sincere, they might easily have taken advantage of the law as it stood. But why had the Government introduced this Bill now? He could not say, unless it was to conciliate the honorable member for Cook. The fact at any rate remained, that the late member for Burke and the present Speaker wished the Government to take this step last year, and they did not. The honorable member for the Logan had given the House his experiences in Victoria, but was there not a heavy tax upon Chinamen in that colony when the honorable member was there? There was, if he (Mr. Macrossan) remembered correctly, a poll tax of £10 imposed upon any Chinaman coming into the colony by ship, and a tax of £4 upon any Chinaman who had not come by ship, and was found upon a gold field to which he had travelled overland, as thousands of them did in order to avoid payment of the extra £6. The tax was nevertheless avoided, and the tax proposed by the present Government of Queensland would be found equally inoperative. He agreed rather than otherwise with the principle of the Bill, but contended that it would never work, would not answer the purpose for which it was intended, and that the Government would not be deserving the thanks of the European miners whom they were intending to serve. He was now speaking on behalf of those miners when he said that the Bill would be inoperative. There was something more than the objection that the Chinamen did not prospect; they invariably trod upon the heels of the European miners, and on every hand took possession

of their ground; and those European miners would be perfectly satisfied if areas were proclaimed, and the Chinese strictly kept within them. The thing was done in New South Wales, and worked most admirably there. If the honorable the Attorney-General would look at the Gold Fields Act, he would see that it was quite sufficient, and that the present Bill would be simply waste paper. If the honorable member for Cook happened, at that moment, to be in the House, he could show him that, although he was a lawyer, he did not understand the statute law of the colony when he maintained, as he did the other night, that the Chinese difficulty might be settled by refusing to give the Chinaman a miner's right. The colony was compelled by law to give that right; for the 6th clause of the Gold Fields Act set forth:—

"It shall be lawful for the Governor in Council to cause documents to be issued each of which shall be called a "miner's right" and which shall be in force for any number of years not exceeding ten and any such document shall be granted to any person applying for the same upon payment of a sum at the rate of ten shillings for every year for which the same is to be in force."

Before, therefore a miner's right could be refused to a Chinaman, it must be shown that he was not a "person." And what were the rights of a miner? Simply privileges given by regulation for a certain purpose:—

"Any person who shall be the holder of a miner's right and any number of persons in conjunction who shall be the holders of any such consolidated miner's right shall subject to the provisions of this Act be entitled (except as against Her Majesty) to take possession of mines and occupy Crown lands for mining purposes."

That was to say, under the provisions of the Act and Regulations, and not under anything inherent in the miner's right itself, people were entitled to hold a certain amount of land, and mine upon it. Let him now ask the House to see what powers the Act gave in the making of regulations:—

"It shall be lawful for the Governor in Council from time to time to make such regulations not being contrary to the provisions of this Act and for the management of golds fields generally.

"Such regulations may be made for the whole colony or for any particular part thereof.

"Such regulations shall be published in the *Gazette* and after publication therein shall have the force and effect of law and shall be judicially noticed in any court of justice provided that nothing herein contained shall affect the rights of Her Majesty or prevent the operation of any municipal bye-law or regulation of the Board of Health."

There was no part of the Act to which the proclamation of areas would be contrary; the regulations could be made for the whole colony or for any part of it. This met the case in point, namely, the Palmer gold field; and he distinctly remembered that the Attorney-General inserted the 47th clause expressly to meet that case. The duty devolved upon

the Commissioner to see that the laws were enforced :—

"It shall be lawful by such regulations to impose for any breach thereof or for any disobedience of a lawful order of the warden's court a fine not exceeding ten pounds and in default of payment imprisonment with or without hard labor of any period not exceeding three months."

There was the very principle of the proposed Bill embodied in the Act, and he maintained that the piece of legislation just produced by the Premier was unnecessary, and that if the Government were sincere, they would have proclaimed areas 15 or 18 months ago. What were the powers of the law at present with regard to miners—Chinese or otherwise—found mining without a right? There were 3,000 Chinese miners in the colony mining without miners' rights, and the penalty according to the 92nd section of the Act was :—

"If any person shall be found by the warden engaged in mining on any gold field without being able on demand to produce his miner's right or without being able satisfactorily to account to the warden for not having a miner's right the warden is hereby empowered to demand the payment on the spot of the miner's right fee and in addition thereto then and there in his discretion to impose a fine on any such offender of a sum not exceeding forty shillings and unless such amount of such miner's right and fine be thereupon immediately paid to the said warden he may cause the said offender to be arrested and to be imprisoned in the nearest lock-up for any period not exceeding one calendar month unless in the meantime the whole amount shall have been paid and the order in writing of the said warden shall be sufficient authority to the keeper of the said lock-up for the detention of the offender. If any person shall occupy any waste lands of the Crown within any proclaimed gold field and carry on business thereon without having a business license empowering him in that behalf he shall be liable to be fined by the warden a sum not exceeding ten pounds and in default of immediate payment to be imprisoned in the nearest lock-up for any period not exceeding one calendar month unless in the meantime the whole amount shall have been paid and the order in writing of the said warden shall be sufficient authority to the keeper of the said lock-up for the detention of the offender."

There had been a great many cases where different wardens on the Palmer gold fields had found Chinamen mining without miners' rights; they took them to their camp, and if they had a sufficient number of police, searched them, but could find no money on them, and therefore let them go. The warden could do nothing else, for, as the honorable member for Port Curtis said, it would require more gaols than the colony could afford to build to receive the prisoners. As for confiscating the Chinaman's tools, as was suggested by the Attorney-General, he (Mr. Macrossan) was not sure the Act gave the power to do so, but he must be a much cleverer fellow than the Chinaman's boss who could succeed in such a method of

recovery. The boss himself generally owned the tools, and would at once claim them: there could therefore be no confiscation in the case. Although he should not oppose the second reading of the Bill, he protested against it as being a piece of insincerity on the part of the present Government, and on the part of the late Government of which the Attorney-General was a member, and because the Act itself, he was convinced, would be inoperative, and remain a piece of waste paper on the statute book.

Mr. MACDONALD said it was but natural that the European miner should object to these Chinamen coming merely to strip the gold fields, and then running off without contributing anything to the revenue. It was worth considering whether the proposition of the honorable member for Kennedy would not have the desired effect; at any rate, he believed the present Bill, if carried in its present shape, would be a source of considerable inconvenience and disadvantage. Such taxes were levied on the Victorian gold fields, and he had seen scores of Europeans chained by day and night, simply because they could not pay the license fees. He should be very sorry indeed to see such a state of things in Queensland, but there was no doubt if the Bill passed in its present shape, those scenes would be re-enacted here. Perhaps the difficulty might be met in another way. It was, he thought, necessary to increase the license fee, but he would propose as a solution of the difficulty, instead of an annual a monthly license fee of, say 5s., but it would never do to impose an annual fee of £3, for it could not be supposed that one-half of the Chinamen who came to the colony brought that amount with them.

Mr. BAILEY said he quite agreed with the Government that, in introducing this Bill, the main object should be to discourage the influx of Chinamen to the colony. He took it that the main purport of the Bill was, not so much to obtain a large amount of additional revenue, as to discourage that large flow of Chinese emigrants to Queensland which had been found to be so serious a nuisance in other countries. He quite appreciated the argument that there were not gaols enough to hold the prisoners if the Bill passed in its present shape, but that might easily be remedied. The Chinese, it was well known, were not coming to the colonies, as in former years, as independent emigrants, but as slaves. They were coming by thousands, sent out by certain companies in China, under superintendents. They were, to all intents and purposes, slaves for a certain term of years; it was quite impossible to get any money from these slaves when imprisonment would answer the same purpose; but it was quite possible to get at the superintendents, if they were not allowed to leave Cooktown with their 150 or 200 men, without paying the sum which the Government decided to levy. It was, at any rate, very desirable that this enormous emi-

gration from China to the Queensland gold fields should be checked, or there would have to be some very special legislation in the course of a few years.

The SECRETARY FOR PUBLIC LANDS said he was very glad to hear the suggestions that had been made as to the way of getting the revenue from the Chinese population now coming to the shores of the colony, but the difficulty was how to find who these superintendents or "bosses" were, so as to secure from them their just contributions to the revenue. The pursuit of gold mining was an exceptional one, and although, as the honorable member for Kennedy had pointed out, in the present state of the laws, the warden of a gold field must issue licenses to Chinamen who demanded them, that was a regulation which it was quite possible to alter. It might very truly be said that it was not desirable that these foreigners should obtain special advantages for acquiring wealth on the gold fields to the detriment of Europeans, and the destruction of the gold fields themselves. If the Government were to treat the gold-miners of the colony, as they did to some extent, as an exceptional class, there could be no reason why they should not go a step further, and say that those foreigners who were coming into the country for the purpose of applying themselves to an exceptional industry should be treated exceptionally. He confessed that the Chinese question was really a very difficult one. It was one which was seriously contemplated by their fellow-colonists, he might say, on the other side of the Pacific—the American people—who were the same by race, by relationship, and by law. He did not think they were prejudiced, as a rule, any more than the residents of this colony, against the Chinese, but they felt that there were serious social questions connected with the inroad of any large number of these people. There was no doubt that when they had once established their footing, they had shown that they could come in considerable numbers, and if they did come, the effect would be seen in the whole social position of the country. In Manila and Java, both the Spaniards and Dutch felt that it was absolutely necessary to protect themselves against what they assumed to be the arrogant nature of the Chinese themselves. He was not certain that such was a sound position to take up, but it was one that had been taken up by other nations; and there could be no doubt that these Chinese, simple as they considered them at the present time, might turn out to be really a very formidable people, and an inroad of them in any large numbers would raise most serious social and political questions affecting the well-being of the community. He did not suppose that there was a desire on the part of any number of people to restrict the industries that might possibly be developed in the colony by the introduction of Chinamen; but he was quite sure they would not willingly sacrifice

the society which they had planted here in virtue of their European extraction, and by the laws they inherited from their ancestors. If a large inroad of Chinese were really in any way to imperil the position of society, there would be good grounds for them to consider whether they should not impose disabilities upon them which would practically prevent them from coming here. In saying this, he was perfectly prepared to assert his belief in the many admirable qualities of the Chinese, and especially as to the great use they might be of if tropical agriculture was to be developed to any extent in Queensland. He believed Chinese for such purposes were much more intelligent human beings than the Polynesians they were now importing, and probably they were more intelligent and skilful than the natives of British India; and, under proper control, they would very likely be the very best class they could introduce for developing the tropical resources of Northern Queensland. But at the same time he felt that they were justified in contemplating any large inroad of these people with considerable anxiety. He believed, however, that the number of Chinese in the northern part of the colony at the present time had been rather exaggerated. The total number, according to the census returns, did not amount to more than 10,000; he believed it was about 8,000.

A MEMBER of the Government: 6,600 on the Palmer.

The SECRETARY FOR PUBLIC LANDS said there were 6,600 on the Palmer, and his honorable friend, in moving the second reading of the Bill, quoted figures, in which he stated that last year something like 6,000 miners' licenses had been collected from the Chinese, and that number was very closely approximate to the number of Chinese they heard were now on that gold field; so that apparently there had not been that difficulty in collecting the 10s. license fee which some honorable members had asserted there was. As to the amount of the fee, that was a matter of detail which was not essential to the measure itself, and one that could be dealt with in committee. If he did not misunderstand the honorable member for Cook, who had lately come from Cooktown, and was thereby entitled to speak as to the prevailing public opinion there, he would wish to see a much larger impost than that proposed; but others might think a fee of thirty shillings would be more easily collected than one of £3; and matters of that kind could be very well settled in committee. It did not affect the primary principle of the Bill, which was, that a certain amount of revenue should be collected from those people who had imposed certain extra expenditure on the country, and that as their presence in the colony in large numbers would not be desirable, it was necessary that they should legislate specially with regard to them. It was well known that gold miners like these, in large numbers, were not so easily managed as if they were in scattered agricultural commu-

nities, and probably the truculent nature of the Chinaman did sometimes find means of manifesting itself on the gold fields, which it would not do if he were employed on plantations or in other agricultural pursuits. The whole question of the gold mining industry was an exceptional one, and the influx of these foreigners, as they were now coming to the colony, was an exceptional feature connected with it, for which he thought they were entitled to legislate. He did not think they should be unnecessarily alarmed at the inroad of these Chinese; but throughout the civilised world, at the present time, the immigration of the Chinese race was a very serious question indeed. It was so in the United States of America; and they knew that they had four hundred millions of human beings close upon the shores of the colony, who really were as intelligent as themselves, and if once they acquired the power of combining and applying that power, the result might seriously affect the social and political condition of the country. This might seem somewhat extravagant at the present time, but they must not overlook the fact that there were countless millions of those beings, who were quite as intelligent as other nations of the earth, and who might acquire a power which would really make them most menacing neighbors. He said, therefore, it was most natural to contemplate any large inroad of these people into our society at the present time with some anxiety.

MR. BUZACOTT said he hoped, after the remarks of the honorable gentleman who had just sat down, the House would not be frightened out of its propriety. It was certainly not the duty of the House to take into consideration evils which might occur at some future period in the history of the colony; it was quite sufficient to deal with evils at present existing. He contended that so far the advent of Chinese into the colony had done no harm whatever, but had been in every respect advantageous. The Bill before the House he regarded as utterly fallacious. It started with an untruth. It stated in the preamble:—

“Whereas great expense is incurred in maintaining order on the gold fields in consequence of the presence of large numbers of Asiatic aliens thereon.”

Now, it had been proved by the honorable member for the Bremer, that the presence of Chinese in the colony did not involve any large addition to the police force expenditure. The Commissioner had stated, notwithstanding that some 8,000 or 9,000 of them had come into the colony within the last twelve months, that there had been no increase in police protection; and that the Palmer gold field had necessitated no addition to the police force. Now, although the honorable the Attorney-General said he did not think that was an answer to the allegation in the pre-

amble, he (Mr. Buzacott) thought it was an emphatic refutation of it. It had been said that the Chinese did not contribute to the revenue, but they knew from the Customs returns that they contributed just as largely as any of the other inhabitants of Queensland. Those returns stated that the Customs revenue from the port of Cooktown collected last year amounted to £55,000. There were only 10,000 inhabitants who drew their supplies from Cooktown, and of that number 8,000 were Chinese, according to the census returns. Now, in the portion of the colony he had the honor to represent, of which Rockhampton was the outlet, the census returns showed that there were 22,000 inhabitants, and those 22,000 contributed only £62,000 last year to the Customs revenue, or £7,000 more than the 10,000 who drew supplies from Cooktown; and that, he thought, proved very clearly that the allegation was untrue, that the Chinese did not contribute to the revenue the same as other colonists did.

HONORABLE MEMBERS of the Opposition: Hear, hear.

MR. BUZACOTT said, he thought that argument was unanswerable. He also knew from direct evidence he had, from a friend of his who resided in the North, that the Chinese contributed largely to the revenue. They consumed a large quantity of opium, which the honorable the Colonial Treasurer knew paid a heavier tax than any other article imported; and then they also paid *ad valorem* duties. They had a great variety of edible preserves, all of which were introduced from Hongkong, and which they consumed in large quantities when they were able to afford it. He had it on undoubted authority that, when a Chinaman earned sufficient to enable him to consume those imports from Hongkong, he did so without stint.

MR. PALMER: Hear, hear: I have seen them myself.

MR. BUZACOTT said, he believed that the average Chinaman in the northern districts spent more on himself, and contributed larger sums to the revenue than the average European. The honorable the Minister for Lands had said that there were only 6,600 Chinese on the Northern gold fields.

THE SECRETARY FOR PUBLIC LANDS: On the Palmer.

MR. BUZACOTT: Well, they were nearly all on the Palmer; at any rate, whether they were actually working or engaged in commercial operations at Cooktown, they all depended on the Palmer gold field for means of support; and there were, as shown by the census returns, 8,000 Chinese on the northern gold fields who drew their supplies from Cooktown. The amount collected for license fees represented 6,600, so that as it stood at present, there were about 2,000 Chinese engaged on the gold field who did not pay even the ten shillings per annum; and was it not perfectly plain that if a man would refuse to pay such a small sum as that per annum,

if the tax were raised to six times that, there would be a far larger proportion who would refuse to pay it than who refused to pay the smaller amount? He therefore thought there was not the remotest probability of the Colonial Treasurer receiving the £15,000 which was expected by the imposition of this tax on the Chinese. Then there was another point. It was really about £30,000 which they expected to extract from the Chinese, and he wanted to know what the Government were going to give the northern districts of the colony in return for this £25,000 or £30,000 in addition to what they now contributed to the revenue? He thought that was a question the members representing northern constituencies should take into consideration, because the people living in those districts had certain resources, and if the Government required them to contribute to the revenue of the colony a larger proportion from their incomes than they did the people in the southern districts, it was handicapping the people of the North with an unfair imposition. The honorable the Premier had said, that the police in that district cost £16,000 per annum, and he (Mr. Buzacott) wished to know, if they sent all the Chinamen in the colony to Hongkong, how much it would reduce the expenditure for police protection? He believed every sixpence of this £16,000 would be required for the protection of Europeans if they sent all the Chinese away to-morrow.

HONORABLE MEMBERS: Hear, hear.

MR. BUZACOTT said, there were several other remarks made during the debate which he had taken a note of, but he did not think he should occupy the time of the House in commenting on them. He thought the arguments that had been brought forward were sufficient to show that this Bill ought never to have been introduced; and he hoped the honorable the Premier would see the propriety of withdrawing it. If the honorable gentleman should attempt to push it through committee to-night, he (Mr. Buzacott) would warn him that he should deem it his duty to offer very strong opposition to it in all its stages. He thought it was a most serious thing to introduce a measure of that sort at this time. Such a thing should only be done when real necessity existed, and when the people of the colony were suffering from a feeling of apprehension. There was no real apprehension at the present time. The Chinese had done no harm, and they did not appear to be coming to the colony in such large numbers as would be likely to cause any serious inconvenience. He did, therefore, hope that the Government would not press the Bill upon the House, but that they would withdraw it, or, at any rate, postpone the consideration of it until they had received the petition from the Chinese of the northern gold fields.

MR. MURPHY thought, whatever might be the result of the debate, the Government

should press the Bill to a division; and he hoped sincerely it would be carried, because it seemed to him—and he thought he might speak with some confidence, having been in the northern part of the colony recently—that if any Bill should be introduced and passed into law without delay, it was the one now before the House. The presence of Chinamen on the gold fields might, he admitted, be, to a certain extent, not undesirable, and, speaking for himself, he did not wish to shut them out so long as they did not come in such numbers—as they now seemed likely to do on the Palmer gold field—that they would in a short time completely set at naught the rights and interests of Europeans. They were coming in such numbers that he feared before long they would become organised and get into such a position that they would be able to do almost as they liked, and the efforts of the Government to cope with them would be fruitless. At all events that seemed to him to be the state of things up there; and the general impression of those who had their own interests at stake, and who spoke in the desire, he supposed, not only to protect themselves, but so far as they could to be useful to the colony at large, was that they dreaded the presence of such an immense number of Chinese as appeared to threaten them. With regard to those Chinese themselves, of course, it might be said it was unpleasant to put obstacles in the way of any one coming to the country, but in this case what did they find? They found those people coming to the colony, and their history showed that—and he was sure on this point he would be borne out by the honorable member for Kennedy, who had had some experience on gold fields—they never prospected themselves, but took advantage of the workings of Europeans.

MR. PALMER: He said so.

MR. MURPHY said he was glad to hear the honorable member had said so. The Palmer gold field was, as they all knew, discovered by Europeans, and so was the Hodgkinson, and as soon as they had done so the Chinese followed in their tracks, and took advantage of their enterprise and all they had done. Men of intelligence had related their cases to him in this way:—They were on the Palmer working at Stony Creek and other parts of the district, and when the Hodgkinson was discovered they left their claims temporarily, for the purpose of going to see what the Hodgkinson was like, and on their return they found their claims occupied by Chinese. He thought any one would naturally feel irate at such treatment. After they had discovered the field, proved the district to be auriferous, and brought the diggings to what they were, the moment they turned their backs the Chinese took advantage of it, and they lost all they had previously done. He said in the view of fair play between parties, looking at the rights to which Europeans were entitled from their enterprise and perseverance, if they were to legislate on these matters they

should do so in such a way as to encourage their own countrymen more than to encourage foreigners; and nothing could be done to prejudice the rights of Europeans more than letting in an unlimited number of Chinese. With regard to the statement of the honorable member for Rockhampton that the preamble of the Bill had not been proved, he would point out that the preamble said:—

“Whereas great expense is incurred in maintaining order on the gold fields in consequence of the presence of large numbers of Asiatic aliens thereon.”

Now, as a matter of fact, the Chinese were quite aware of their rights on the gold fields. They were perfectly aware that the police were there to protect them in their rights as much as Europeans. Their *status*, having a miner's right, was quite as good as that of any European, and they quite understood their position—that they were protected by the law, and that the police were there to protect them in their rights, even as against Europeans. He therefore thought the preamble was proved, looking at it in the ordinary sense in which those things were proved. It seemed to him that, with the presence of 8,000 or 10,000 Chinese in that district, who were still coming in shiploads, it would take a large number of police to maintain order and to protect their rights as well as the rights of the rest of the community; and, therefore, without any straining whatever, the natural interpretation to give to the words of the preamble was such as he respectfully indicated. Now, it had been said by the honorable member for Rockhampton, that it would be useless to pass this Bill into law, because those men would refuse to pay the increased license fee; but he took it that the Government would be prepared to enforce this law the same as any other if it were passed. The Chinese, so far as he had observed while in the district, got a great deal of gold—quite as much as Europeans—and they would take care to preserve their rights by placing themselves in a legal position. They would never run the risk of a European coming upon them and finding that they had no miner's right and being entitled to take possession of their claim—“jumping” their claim as the common expression went. They perfectly understood that they had no legal *status* without a miner's right to enable them to carry on operations on a gold field, and they would take good care to provide themselves with that right to maintain their position as against anyone else; so that, even irrespective of the Government putting any extra machinery into operation to enforce the collection of the increased fees, the Chinese themselves would take care, as they generally did, to provide themselves with miners' rights. But he supposed if the law were made it must be obeyed, and that the necessary machinery would be brought into operation to compel the Chinese as well as the rest of the community to obey that law, whatever it might

be; so that he thought the argument of the honorable member for Rockhampton should not have any weight with honorable members as to the passing of this Bill. Now, what were the facts as regarded the position of Europeans in the North? There were thousands of Chinese already on the gold fields, and large numbers were still arriving; and were honorable members prepared to say they should be allowed to come to an unlimited extent? He supposed it would hardly be denied that at present the Chinese were two or three to one as compared with Europeans, and some steps must be taken to put a reasonable limit to their presence. It was desirable, with a view to upholding the supremacy of the State in that part of the colony, that some limit should be put to their introduction. The honorable member for Rockhampton had suggested that the further consideration of the Bill should be deferred, because a petition from the Chinese was coming down from the North; but according to the telegraphic despatch, that petition had reference to the increase of the duty upon rice to one penny per pound, and not against the Bill now before the House, and it would be time enough when that question came on for discussion, to consider what the effect of the petition might be, and whether the request of the petitioners should be granted or not. He was not aware that there was any petition in respect to this Bill, and he knew that if a petition were drawn up in favor of it, it would be signed by a numerous body of Europeans on the northern gold fields. He knew from having visited them lately that those people felt their interests seriously prejudiced by the presence of such a large number of Chinese, and by the fact that there were large numbers of them, who had the same rights as themselves, still coming amongst them. It was for honorable members to say how long such a state of things should exist. If this gold field was to be made available for the benefit of Europeans rather than the benefit of foreigners, this Bill should be passed. He considered it was a fair one; its provisions were necessitated by the exigencies of affairs in the North, and it was certainly one that on reasonable consideration should be passed into law.

Mr. McILWRAITH said, he thought the main points of the Bill had been pretty well gone into, but he wished to draw the attention of the House to one feature connected with it that appeared to have been overlooked. The honorable the Attorney-General had admitted that it was a financial Bill; the honorable the Premier had brought it forward as a Bill connected with financial matters, and one point that had been missed altogether was this: They must be all aware that they had the cheapest mail service in the colonies—£20,000; and the reason the company carried our mails at such a low rate was simply because of the trade which they had in bring-

ing Chinese from Hongkong to the colony at the present time. He therefore warned the House that they must look forward to having the present subsidy considerably increased as soon as the operation of such a Bill as this was felt.

Question—That this Bill be now read a second time—put.

The House divided.

AYES, 17.—Messrs. Thorn, Griffith, Dickson, Douglas, Johnston, Bailey, Beattie, Fryar, Tyrel, Murphy, Edmondstone, Morgan, McLean, Fraser, Kingsford, Macrossan, Foote.

NOES, 7.—Messrs. Palmer, McIlwraith, Amhurst, Morehead, MacDonald, Buzacott, Thompson.

Whereupon, Bill read a second time.

The PREMIER then moved—

That the Speaker do now leave the chair, and the House resolve itself into a Committee of the Whole to consider this Bill in detail.

Mr. PALMER said it was contrary to the practice of the House to go into committee on the same day that a Bill passed the second reading. That had been understood for many sessions.

The PREMIER said, he recollected on the last occasion he had the honor of a seat in that House, it was the common practice to go into committee immediately after the second reading of a Bill, and he was certain it was not in contravention of the Standing Orders.

The SPEAKER: The motion which has been made by the honorable the Premier is certainly not contrary to the Standing Orders, but it is not in accordance with the practice of the House. I shall, therefore, put the question, and leave it to the House to decide as to the practice to be adopted.

Mr. THOMPSON moved—

That the question be amended by the omission of all the words following the word "That," with a view to the insertion, in their place, of the words "the committal of this Bill stand an Order of the Day for Tuesday next."

Mr. PALMER said, the endeavor to force the Bill into committee when the Premier knew, and every honorable member knew, that the Opposition were numerically weak, was of a piece with all the proceedings of the Government hitherto. He knew there was no Standing Order against it, but it had been the custom of the House not to force a Bill into committee on the same day as the second reading was passed; and if the honorable the Premier chose to introduce that style of proceedings with his present numerical superiority, all he (Mr. Palmer) could say was, the Bill might go into committee, but it would certainly not get out to-night.

Mr. AMHURST: Nor to-morrow.

Mr. PALMER said, it was most unfair to take advantage of the numerical weakness of that side of the House to do what had not

been done for sessions. Where a Bill had been put into committee on the same day as the second reading, it had been done with the consent of the House, not by the will of the majority. Honorable members on that side would not speak on this subject, but it would be found that they had plenty of debating power in committee.

The PREMIER said, in answer to the honorable member for Port Curtis, he might state that it was the common practice, when that honorable member stood in the position he (the Premier) now occupied, to move the House into committee immediately after the second reading of a Bill; and he thought, after the strong expression of opinion that had been shown in favor of the Bill, they should now adopt that course, especially as it was necessary to take steps to collect the proposed duties as soon as possible. They knew that there were several vessels on the way from China to Cooktown, and the sooner the Bill was passed the better. It was certain to be carried in a full House, and the only reason he had in asking that it should be committed at once was to get it through as quickly as possible. The country demanded the measure.

HONORABLE MEMBERS of the Opposition: No.

The PREMIER said "Yes;" and he thought, after the strong expression of opinion by the House in favor of it, the honorable the leader of the Opposition should gracefully yield.

Mr. AMHURST: No.

The PREMIER said, he was aware of the course that could be pursued by honorable members opposite; and if the honorable member for Port Curtis would allow him to move the House into committee, he would immediately afterwards move the chairman out of the chair, report progress, and obtain leave for the committee to sit again. That would be one stage passed. He believed that was the practice of the House of Commons; immediately after a Bill was read a second time to go into committee *pro forma*, and then for the House to resume.

The ATTORNEY-GENERAL said, the honorable member for Port Curtis stated that it had been the practice of the House for sessions never to go into committee on a Bill the same night as the second reading was passed.

Mr. PALMER: I said it was done with the consent of the House. If you quote me, quote properly.

The ATTORNEY-GENERAL said, during the first three sessions he was in the House it was the practice, he would not say always, but certainly oftener to go into committee on the same night as the second reading, than the contrary.

Mr. PALMER: With the consent of the House.

The ATTORNEY-GENERAL said, of course the House could not go into committee without the order of the House, and he did not think it necessary to repeat what was generally known. Last session, however, on one

occasion when Mr. Macalister, following the usual practice, proposed to go into committee on a Bill on the same night as the second reading, the honorable member for Port Curtis, or the then Speaker, said it should be committed on a future day, according to the Standing Orders; and Mr. Macalister agreed to that, but he (the Attorney General) thought the former practice was a good one. He remembered two instances in the session of 1874 in which Bills, of which he had charge, and which were very strongly opposed, were committed on the same day as the second reading and proceeded with. One was the Insolvency Act, and the other the Education Act of that year; and he thought that practice was a good one, and where the opposition was more than formal, it saved time in many instances to take that formal step.

Question put—That the words proposed to be omitted stand part of the question.

The House divided.

AYES, 13.—Messrs. Fryar, Thorn, Dickson, Douglas, Johnston, Tyrel, Murphy, Edmondstone, Morgan, Fraser, Kingsford, Beattie, and Foote.

NOES, 2.—Messrs. Morehead and Griffith.

And it appearing from the division list that there was not a quorum of members present, the Speaker adjourned the House at 6 o'clock p.m.