Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 10 AUGUST 1880

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LEGISLATIVE ASSEMBLY.

Tuesday, 10 *August*, 1880.

Motion without Notice.—Petition.—Private Bill.—Ministerial Statement.—Mail Contract—committee.—Post Card and Postal Note Bill—second reading.—Municipalities Bill—second reading.—Census Bill—second reading.—Licensing Boards Bill—second reading.—Criminals Expulsion Bill—second reading.—Railway and Tramway Extension Bill.—Pacific Islands Labourers Bill—second reading.

The SPEAKER took the chair at half-past 3 o'clock.

MOTION WITHOUT NOTICE.

Mr. SCOTT moved that a message be sent to the Legislative Council, asking for leave to the Hon. W. Hobbs to attend and be examined by a Select Committee of the House.

Motion put and carried.

PETITION.

Mr. BAILEY presented a petition from Mr. Robert Cran, of Yengarie, praying for a further inquiry into the allegations of the report made to the Government in regard to the mortality among Polynesians upon the plantations in which he was interested.

Petition received and read.

PRIVATE BILL.

Mr. ARCHER moved for leave to introduce a Bill to enable the Trustees of the lands comprised in Deeds of Grant numbers 5,046 and 27,595, being the Racecourse Reserve, and Portion 249, parish of Rockhampton, county of Livingstone, to mortgage or lease the same, and sell or exchange certain portions thereof, and for other purposes.

The Bill was read a first time, and the second reading made an Order of the Day for the 19th August.

Mr. ARCHER moved that the Bill be referred to the consideration of a Select Committee, consisting of Messrs. Kingsford, Macfarlane, Feez, Stevens, and the Mover.

MINISTERIAL STATEMENT.

The PREMIER (Mr. McIlwraith) said he wished to make a short Ministerial Statement. The House would remember that last week he made a proposition to the Opposition side of the House, in order to expedite the passing of business through the House. Contrary to his expectations, that proposition was not met in the spirit he intended and had every reason to look for. The conditions made were so guarded that they did not amount to an acceptance of his proposition at all. However, the speeches that followed the leader of the Opposition's remarks were so very different from his proposition, and the indication given and promises made on the other side were so strong in favour of the supposition that the vexed question would be proceeded with on its own merits if the Financial Statement was out of the road, that he had given every consideration to what was said. But they had a higher consideration to which they were bound to look. No matter what opposition they met with from the other side of the House, or what tactics were employed, it was the object of the Government to carry on the business of the country. With that object, without any conditions being extorted from the other side of the House, and without recognising any promises made, or that might be inferred from what was said by hon. members opposite, he had made up his mind to deliver the Financial Statement this week. He did this with the object of getting the Government business forward; and if the Statement met with fair criticism, and with no opposition such as he had encountered previously during the session, he had not the slightest doubt that they would be able to revert to the previous business, and get a fair decision from the House. When he expressed his inclination last week to do this he was doubtful whether he would be able to fix a day for the Statement. There was a large amount of work connected with it. He had been doing his best so as to get it ready by Wednesday; he was doubtful whether he could manage that, but he was quite satisfied that he would be able to deliver it on Thursday. He thought this would meet the views of the House, because there was not much private business down for that day; and, should the Government monopolise that day, any detriment that might accrue to the private members' business would be readily met and remedied in some subsequent part of the session, and equivalent time would be given to them afterwards. It was a great object that the Government business should be pushed through. In the meantime, the Government would be prepared to go on with some of the other Bills before the House, and which were of considerable importance. To carry out his view, he would give notice that, to-morrow, he would move that on Thursday next the Government business should take precedence of the general business, and that so much of the Standing Orders should be suspended as would admit of a Bill being passed through all its stages in one day.

The HON. S. W. GRIFFITH: Of course we are to understand that this arrangement is merely for the purpose of the Financial Statement, and that private business will not be excluded if there is time?

The PREMIER: Just so.

MAIL CONTRACT—COMMITTEE.

The House went into Committee to consider the Order of the Day relative to the through Steam Service between London and Brisbane; but, on the motion of the Premier, the CHAIRMAN reported no progress, and obtained leave to sit again on Tuesday.

POST CARD AND POSTAL NOTE BILL—SECOND READING.

The COLONIAL SECRETARY (Mr. Palmer) said that, in moving the second reading of this

Bill, which hon. members would see had been passed in another place, he could not do better than give a *résumé* of the speech of the Postmaster-General when introducing it. The Postmaster-General, who had given a very great deal of attention to the subject, was of opinion that the Bill would be of great convenience to a number of people in the colony, and he (Mr. Palmer) must say that he thoroughly agreed with him in the manner in which he had introduced the Bill and argued it out. This was not a new Bill in many senses of the word; although it was new to this colony its principles were not new. Hon. members of course were aware that they had a money-order office, and that by its means very great facilities had been given for the transmission of small sums of money from one part of the country to another; but there was a vast deal of clerical work involved in this money-order office, which led to a good deal of expense, a good deal of delay, and a good deal of trouble. This Bill was meant principally to do away with that trouble, and to enable parties in any part of the colony, and eventually, he hoped, in any part of the British dominion, to send small sums of money when they wished. The Postmaster-General, in introducing the Bill, said—

"This was an extension and improvement of the system of post-office money orders already in force. He had always thought the money-order system for the transmission of small sums was an intricate one, involving trouble to the public, and it threw a great deal of labour on the post office. Since he had been in the Department he had considered whether he could not give equal facilities for the transmission of money without so much trouble to the public and work to the Department. He had had a return prepared, showing the amount of work done in connection with the issuing of money orders, which he would lay on the table. By it he found not less than sixteen different books were required to be kept at the General Post Office. Then they had sets of books to be kept at the branch offices, forms of application, &c. Hon. members were no doubt aware of the practice pursued in obtaining a money order;—the person wanting one had to fill up a form; then, having procured the order, he sent it off, and a duplicate order was sent by the post office. The person to whom the order was sent had to sign it, and it could not be paid till he stated where it was from, and who it was that sent it. He did not think all that was necessary for sending small sums of money. Besides, the use of money orders for small sums was evaded by the use of postage stamps."

That was in addition to the expense—which was very considerable—of collection. The Postmaster-General also said—

"He found that the expense of working the money-order system was greater than the revenue derived from it. The revenue from the money-order branch amounted to £1,400 annually, and the cost of working it was over £2,000, so that there was an annual loss of £650."

The Bill provided for the issue of postal notes to the value of 2s. 6d., 5s., and 10s. only. It was not proposed to issue them in larger sums, lest, as the hon. the Postmaster-General pointed out, the Bill might then be held to interfere with the note circulation of the banks; and he did not wish to excite unnecessary opposition by a project of that kind. It was proposed to issue them so as not to interfere with the bank-note circulation; and it was believed that the banks would rather find them a convenience in the interior of the colony for use instead of silver, which was expensive to transmit. One proposal was, that they should have at the back of the postal-note a telegraph-form, if necessary; so that anyone who had got a shilling postal-note would have the form on the other side, and could fill it up and send it to the nearest post office, and transmit it, without further trouble or expense, as a telegram. He held in his hand some of the notes as printed, and invited hon. members to look at them. They were in the simplest form, and were stamped ready for use. The one shilling postal notes had a half-penny stamp on them, and the two-and-sixpenny notes had a penny stamp. Those were all the forms he had got. The system, if introduced—as he hoped it would be—would be of very material use indeed to many people in the interior and in the towns, who wished to transmit small sums of money. As the Postmaster-General also explained:—

"The notes for various sums would be printed in different colours to avoid the possibility of photographing. They would be issued from the head office at Brisbane, and be for sale at nearly all the offices in the country. With respect to the 5th sub-section, providing that they should be payable to bearer on demand at the General Post Office, Brisbane, and at such other post offices as might from time to time be appointed for the purpose, he might state that there was one difficulty that had occurred to him, and that was the possibility of their being presented at small offices in remote parts of the colony; and in that case every office would have to be provided with funds to meet the demands. The intention, therefore, was, wherever there was a bank in any town in the colony, to make the notes payable at the local post office; wherever there was no bank the postal note would be as good as silver. The number of post offices in the colony at the present time was 364, and the number of money-order offices seventy-one; so that less than one-fifth of the post offices in the colony were money-order offices, and only the persons living in the neighbourhood of these had the advantage of the money-order system on account of its costliness. He could confidently appeal to his predecessor whether there was not always a disproportionate expense incidental to money-order offices. So soon as money-order offices were established agitations were commenced for an increase of salary to the postmaster, and instead of £12, a salary of £25 or £30 was asked for, whilst the receipts of the money-order office were insignificant. By adopting postal notes they would be able to supply every post office in the colony with orders for sale exactly in the same way as stamps. The effect would be a great addition to the public convenience, especially to persons in remote parts of the colony. Another agitation which was frequently got up in small places where post offices were established was for branch savings' banks, but under the system inaugurated by these postal notes it would be unnecessary to establish them where the expense would be out of proportion to the sums deposited, as depositors could remit to the nearest town by postal notes. There were thus two distinct advantages—they would get the benefits of the money-order system extended to all parts of the colony, and effect a saving in the expenses of the Department. He had looked into the question as to whether notes of this kind would be interfering with the currency, but he did not think they would. He therefore had concluded that the Bill might properly be initiated in that House, as the stamp was a fee for services rendered under the Act. Although the postal note in the form in which it stood would not afford the security of a money-order, it might be sent in a letter as safely as its equivalent in stamps. In the 7th clause, however, there was a provision to extend the principle of crossing to those notes that applied to bank cheques."

That principle was to be adopted. The Postmaster-General had gone very fully into the system, and he (Mr. Palmer) only wished that that hon. gentleman was in that House that he might explain the Bill a great deal more fully and better than he could. He had no doubt after reading what the Postmaster-General had said on the subject, that he had given the House more useful information than he could be expected to give from his own knowledge. Before concluding, he might mention that the second clause of the Bill enabled the Postmaster-General to issue single post cards, each bearing thereon a postage stamp of the value of 1d.; and also double or reply post cards, each bearing thereon two postage stamps of the same value. The third clause enabled the Postmaster-General to issue postal notes for remittance purposes, as had already been explained. In the third clause the Postmaster-General dealt with the postal-card system, which although never seen in this colony was much used in Victoria, and where it had been tried in New South

Wales it had answered its purpose and given great satisfaction. He believed the Bill was a step in the right direction, and he had much pleasure in moving the second reading. The 16th clause was an innovation on the present practice of the office.

Mr. MOREHEAD: It is the best clause in the Bill.

The COLONIAL SECRETARY said that whether it was or not, it was a necessary provision. The clause said—

"Notwithstanding anything in the principal Act to the contrary, letters posted inadvertently without stamps may be transmitted and delivered, but before such delivery in Queensland there shall be paid on every such letter double the ordinary rate of postage, and the sum to be so paid shall be written on a stamp impressed on the letter by the postmaster who transmits the same."

For his own part, he would never take letters under such circumstances.

Mr. MOREHEAD: If you do not like the look of them you need not take them.

The COLONIAL SECRETARY said he received many letters that were certainly not worth twopence. He thought the Bill had been prepared with great care, and he had great pleasure in moving its second reading.

Mr. GRIFFITH said he thought everybody would agree that it was desirable to introduce the system of postal cards, and as to the system of postal notes he believed it would also be a great convenience. He was sorry that he could not agree with what the Colonial Secretary said as to the completeness of the Act. As far as he could understand the scheme, the post cards were to be issued by the Postmaster-General only, which was an objection. He had met gentlemen who had shown him post cards which they had been in the habit of using, and which they had had printed themselves; and he had heard them say that they intended trying whether they would not go through the post office in this colony. A post card was simply an open letter, and he did not see why people should not be allowed to make it up themselves with the distinction that it must be open. Another thing that would have to be provided for was that the post cards might be transmitted all over the colony for a penny. The second clause simply said that, except as aforesaid, a post card should be deemed a letter within the meaning of the principal Act; but under that Act inland letters could not be transmitted for less than 2d. He did not know whether it was intended that the post cards should go out of the colony, but he noticed that the Bill was silent on that point. The eleventh clause made it a terrible offence to issue post cards, but he did not know exactly what it meant, for it was quite inapplicable to the system of post cards. He would also call attention to the tenth section, which provided that a postal note should be deemed a valuable security within the meaning of any Act for the time being in force relating to larceny and the prosecution for and punishment of that offence, and should also be deemed public moneys within the meaning of the Audit Act. The section did not convey the meaning that was intended. What was meant was, that public officers should be liable to the same consequences as for misappropriating public moneys—not that anyone else should be. He had not had time to compare the Bill carefully with the English Act, not knowing what business the Government meant to go on with at the present sitting. No doubt when the matter came on again they should have had time to consider it, and should all agree that it was desirable to introduce the system of post cards and postal notes. He thought the Postmaster-General deserved the thanks of the country for introducing the measure.

Mr. THOMPSON said he saw by a paper that he held in his hand that on June 26 a measure very similar to the one before the House was about to be introduced in America, and that there was one provision in it which their Bill did not contain. By crossing the postal note with a memorandum it would be made payable at any particular post office in America. This provision was another safeguard against forgery, and it would be advisable to embody it in the Bill before the House. It would also be well to extend the amount for which postal notes might be issued. A great deal of trouble had to be taken in filling up forms to get post-office orders for £1 or £2, and he therefore thought the Bill ought not to be limited to amounts of ten shillings, but be made applicable to larger sums. The Americans limited their postal notes to £1; but he saw no reason why notes to the amount of £2 or £3 should not be issued in this colony. The bankers would not be interfered with, neither would they suffer, seeing that the post office exacted a charge.

Mr. MOREHEAD said he trusted that the measure, or something like it, would become law; but he would point out that in passing it additional duties of a different nature would be thrown upon country postmasters, who were an underpaid class. They would have to keep a set of books of record in connection with the sale of postal notes, and in the case of persons who were not well up in bookkeeping mistakes might arise. In nine cases out of ten it was difficult to get efficient postmasters in the outside districts, and when a competent person was obtained the emoluments of the office were so small that he could not give all his time to the postal arrangements. If, therefore, they added the duties of a competent bank clerk, hon. members would have to consider whether they would not have to alter the system of postmasters throughout the colony. Even if the Bill was passed as drafted it would be bad enough, but if the suggestion of the last speaker was adopted it would lead to a system of bookkeeping which could not be carried out in any post office outside the large centres of population.

Mr. SCOTT said a post card was to be only a penny, but the cost of a postage stamp was also only a penny; and the thought struck him that people in towns, who would naturally be the largest users of cards, would really get no benefit from the system, because if a letter cost the same as a card they would prefer to communicate by letter. The post card might be a benefit for the country, but it would not be for the towns. He also noticed that no provision was made for sending post cards out of the colony. However, he did not oppose the Bill, but felt it his duty to point out these defects so that they might be attended to in committee.

Mr. DICKSON thought the system of post cards and postal notes well worth trying, but certain alterations would have to be made to make the Bill beneficial to the community. The facilities that it sought to give to persons engaged in trade and commerce should be of such a character as to allow persons to issue their own postal cards, and to induce persons to avail themselves freely of the measure there should be a decreased rate of postage. If the charge was the same as on closed letters the system would not be availed of to a large extent. There should be a uniform charge of one penny for each postal card throughout the colony, and persons who chose to print their own cards should be allowed to do so, subject to conditions to be imposed by the Postmaster-General as to uniformity in size, etc., and should be allowed to get them stamped.

He chiefly rose, however, to call attention to a point which affected the privileges of the Assembly. The 268th Standing Order said—

"With respect to any Bill brought to this House from the Legislative Council * * * whereby any pecuniary penalty, forfeiture or fee shall be authorised, imposed, appropriated, regulated, varied, or extinguished, this House will not insist on its privileges in the following cases:

"1. When the object of such pecuniary penalty or forfeiture is to secure the execution of the Act, or the punishment or prevention of offences.

"2. Where such fees are imposed in respect of benefits taken or service rendered under the Act, and in order to the execution of the Act, which are not made payable into the Treasury, or in aid of the public revenue, and do not form the ground of public accounting by the parties receiving the same, either in respect of deficit or surplus."

Under the second clause of the Bill the Postmaster-General might issue four classes of postal notes for remittance purposes, and the fourth sub-section of the clause provided that each postal note should be issued from the General Post Office for sale at any post office at its full value, together with the fee stamp added thereto. Those fees would be paid into the Treasury, and would furnish the ground of account between the officers selling the same and the Treasury. The tenth clause stated that a postal note should be deemed a valuable security and public moneys within the meaning of the Audit Act. He had no wish to obstruct the Bill, and would raise no objection merely to injure its passing through the House; but he considered it only right to point out that they must maintain their privileges when they were infringed, as he believed they were by the manner in which the Bill before the House had been originated. It should have originated in a committee of the Assembly, and he should like to have the ruling of the Speaker on the point.

The COLONIAL SECRETARY said he would point out that, even if the hon. gentleman was right, the Standing Order quoted by him said that as regarded Bills brought from the Council the House would not insist upon its privileges in certain cases. The first of these clearly did not apply. The second case was, "Where such fees are imposed in respect of benefit taken or service rendered under the Act." This was precisely a case where the penalty was imposed in respect of a benefit taken or service rendered under the Act. For the payment of a halfpenny, penny, twopence, or threepence, certain services were rendered by the Postal Department — namely, the transmission of the money value of the postal note. The postal note was not made payable by the Treasury, but by the General Post Office, and the Treasury had nothing to do with it. If they were to have any legislation at all, the hon. member, in taking his objection, was pursuing a course that was not necessary. The measure could not be called a money Bill, and clearly came under the second sub-section of the 268th Standing Order.

Mr. GRIFFITH said that the Colonial Secretary, in order to remove the Bill from the objection taken by the member for Enoggera, said the stamp fee for the postal note was not made payable to the Treasury, but to the General Post Office. The post office was, however, only a branch for collecting money. The postal fees were as much payable to the Treasury as any other moneys due to the State, for under their law all such moneys were payable to the Treasury. All fees paid to an officer of the Government must be either for his own use or to be paid into the Treasury: in this case it was quite clear that the fees were not to be kept by the officer, and therefore it was evident that they were intended to be paid into the Treasury. He was sorry that the objection had arisen; in some cases it appeared scarcely worth while to take objections of this kind, and cases had occurred in which such objections had been the means of delaying important legislation. The Navigation Act had been nearly lost because one of its provisions, allowing the ballasting of ships with coal, would have relieved the owners from a very small Government charge per ton, and during the same session another Act was considerably delayed; in each instance because this House insisted upon its privileges. No doubt the rules of the House had been laid down for a wise purpose, and it was advisable to adhere to them. There was no fear of the Bill being lost through the objection which had been taken, but it was well that the attention of the House should be directed to the existence of the objection.

Mr. THOMPSON said the Standing Orders quoted were simply a transcript of those of the House of Commons on the same subject. "May" stated that their object was to take off the technical stringency which used to exist, and that—

"A too strict enforcement of this rule, in regard to penalties, was found to be attended with unnecessary inconvenience, and in 1831 the Commons judiciously relaxed it; and again, in 1849, they introduced a further amendment of their rules by the adoption of the following Standing Orders:—

"'That with respect to any Bill brought to this House from the House of Lords, or returned by the House of Lords to this House, with amendments, whereby any pecuniary penalty, forfeiture, or fee shall be authorised, enforced, appropriated, regulated, varied, or extinguished, this House will not insist on its ancient and undoubted privileges in the following cases:'"

One of the exceptional cases quoted was as follows:—

"'2. Where such fees are imposed in respect of benefit taken or service rendered under the Act, and in order to the execution of the Act, and are not made payable into the Treasury or exchequer, or in aid of the public revenue, and do not form the ground of public accounting by the parties receiving the same, either in respect of deficit or surplus.'"

"May" continued—

"And, in conformity with these more recent rules, numerous provisions have been accepted from the Lords which, under the former usage of Parliament, would have been inadmissible."

The object evidently in view was to allow a wide latitude in matters which were not essential. The present case, in his opinion, came within the reason, if not within the letter, of the exception he had quoted.

The SPEAKER said that the meaning of the 10th clause was not perfectly clear to him, but he regarded it as relating to the infliction of penalties for the misappropriation of postal notes. With reference to Standing Order 268, he was of opinion that the fee imposed on the issue of a postal note was a fee imposed for "services rendered under the Act and in order to the execution of the Act," and in that respect was in accordance with the spirit of the Standing Order. The objection had not been taken with regard to the money transmitted, but only with regard to the fee paid on the issue; and the fee was not paid in money but by the purchase of a stamp. There was no intention that the Treasury should receive any benefit from the fee which was paid for the service rendered in transmitting a sum of money. This Bill would therefore be covered by the 2nd clause of the 268th Standing Order.

Question put and passed; and the Bill was read a second time, and its committal made an Order of the Day for to-morrow.

MUNICIPALITIES BILL—SECOND READING.

The COLONIAL SECRETARY said this Bill had the recommendation, if it possessed the

other merit, of being very short. It consisted of one clause only which read as followed :—

"1. Whenever under the provisions of the Local Government Act of 1878 a new municipality is hereafter constituted, or any portion of a municipality or of an outlying district is annexed to any existing municipality, the endowment payable by the Colonial Treasurer in respect thereof shall be deemed to have commenced from the first incorporation of the lands comprised in such new municipality, or portion of a municipality, or outlying district so annexed."

The necessity for the Bill had arisen from a doubt under the provisions of the Local Government Act, whether new municipalities formed wholly or in part from portions of existing municipalities were entitled to endowment on the same scale as the original municipalities. To assist the judgment of hon. members he would state the case which had first attracted his attention to the subject. A petition had been received from the inhabitants of South Brisbane for the separation of South Brisbane from the municipality of North Brisbane, and the annexing of a considerable portion of land which was not within the old municipality. The question arose whether, under the Local Government Act, the new municipalities would be entitled to the double allowance during the first five years which was made in the case of new municipalities. As the south ward of the Brisbane municipality the proposed new municipality had been receiving endowments during a number of years. If it were decided that such new municipalities were entitled to the double allowance, other municipalities might petition to be divided into two or three portions under different names in order to increase their revenues. The question was referred to the Attorney-General, who gave it as his opinion that in such a case the new muncipality would be entitled to double endowment. Lawyers, however, often entertained different opinions. He (Mr. Palmer), as Colonial Secretary, having an important department of the Government under his charge, did not consider it would be wise to allow the municipality to be severed at the risk of the Government having to pay a double endowment; and, therefore, although the petition had been lodged and not objected to, he had deferred action until what appeared to him to be a doubtful point had been settled. He held that the new municipality would not be entitled to a double allowance, but considered that it was exceedingly desirable that the question should be settled by Parliament. If Parliament decided to give a double allowance to every municipality who chose to cut itself up, as it were, in order that the separated portion might get a larger revenue, the better plan would be not to allow them to separate at all. As, however, separation was provided for by the old Act under unopposed petition, all doubt on the subject would have to be removed. To settle the matter once for all he had, with the consent of his colleagues, introduced this Bill, which provided that the endowment should be deemed to have commenced from the first incorporation. He moved that the Bill be read a second time.

Mr. GRIFFITH said he agreed with the hon. gentleman on one point—namely, that it was desirable the question should be settled by statute; but he could not congratulate him on the attempt he had made to settle it. For his own part, he would rather give an opinion upon the meaning of the provisions of the Local Government Act than of this Bill: there was less doubt as to the meaning of the Local Government Act. He had read the Bill many times, but now did not understand what the Colonial Secretary intended. He understood the hon. gentleman to say that a new municipality like South Brisbane would not get a double allowance—that was clear enough; but the wording of the Bill was not at all clear. Three contingencies appeared to be in contemplation. The first was that where "a new municipality is hereafter constituted" the endowment "shall be deemed to have commenced from the first incorporation of the lands comprised in such new municipality." Some confusion might arise from the use of the expression "incorporation of the lands," because it was not the lands that were incorporated but the municipality. The second contingency was that where "any portion of a municipality" was annexed to any existing municipality the endowment should be deemed to have commenced from the first incorporation of the lands comprised in such portion of a municipality so annexed. Did that mean that the endowment, as regarded the new portion, was to be calculated separately—that there should be a double set of rate books, and the endowment for one part should be on one basis and for the new part on a different basis? That was the only construction he could put upon it. The third contingency referred to where any portion "of an outlying district is annexed to any existing municipality." He might mention that there were now no outlying districts, properly speaking, as all districts were parts of either municipalities or divisional boards. But in the case intended to be described double bookkeeping would also be necessary. If South Brisbane wished to separate from North Brisbane and annex a portion of Woollongabba, he presumed the endowment on the portion which was formerly part of North Brisbane and that on the portion which had been part of Woollongabba would be calculated on a different basis. Every Act of Parliament was supposed to have some definite meaning, but he did not exactly understand what the Colonial Secretary meant by this Bill. It did not make much difference which way the question was decided, so long as it was clearly defined one way or the other. Some hon. members might prefer to settle it by giving as much as possible to municipalities, others by giving as little as possible. He felt some doubt as to which would be the best plan, and only asked that the meaning of the Bill should be shown distinctly and plainly.

Mr. DICKSON said he presumed the Colonial Secretary's meaning was, that in the case of a municipality which was divided the portion forming itself into a new municipality would only obtain a grant as from the date of the original municipality; in other words, that the portion so incorporated should not go into the category of new municipalities—that such incorporation would not interfere with the basis of endowment accruing to the municipality already in existence. Suppose the municipality of Brisbane were to attach to itself an outlying portion, that portion would not receive any larger endowment than 20s. to the pound of rates. Assuming that to be the view of the Colonial Secretary, he thought it unfair, because, in his opinion, there should be a distinct inducement to outlying portions to attach themselves to existing municipalities; and he could not see that difficulties of bookkeeping would be of such a serious nature as to militate against such outlying portions receiving for the first five years of their corporate existence the endowment of 40s. to the pound which they could claim if they became incorporated as independent municipalities. That would be a sufficient inducement to outlying districts to attach themselves to existing municipalities; and seeing that if they became independent municipalities they would be entitled to 40s. in the pound for the first five years of their existence, he saw no reason why they should be debarred from receiving that endowment if they attached themselves to municipalities already in existence. The question was surrounded with difficulty, because endowments

were granted all over the colony under the Divisional Boards Act, and it might be contended that a claim for a first five years' endowment to re-commence on an outlying district attaching itself to a municipality would be unfair. He would therefore like to see the Bill altered in that respect. He did not think it was the wish of the Government to discourage local government, but they would certainly discourage it by reducing the endowment one-half whenever an outlying district wished to attach itself to a municipality.

The COLONIAL SECRETARY, in explanation, said he thought the wording of the Bill was in as plain language as it could be possibly put into. The hon. member (Mr. Dickson), if he understood the Bill, had certainly misinterpreted it; and as to the leader of the Opposition, it would be impossible to bring in a Bill not drafted by himself with the wording of which he did not find some fault or other. The Bill might have been put in other words, and indeed he would have preferred his own words, but, as far as he could understand, it was as plain as possible. Take as an illustration the case of South Brisbane. South Brisbane proposed to separate itself from North Brisbane, and to attach to itself an outlying portion of the Woollongabba division; in such a case the endowment payable by the Colonial Treasurer should be deemed to have commenced from the first incorporation of such municipality, and the portion attached would not get the double endowment. As to account, everything was a matter of account, but the account could be easily squared. The portion of Woollongabba so incorporated would get the double endowment from the time it was incorporated up to the end of the five years to which the original municipality was entitled. That would be a matter of account between the municipality and the division of Woollongabba. The thing appeared quite plain, but if any amendment could be suggested in committee he should not have the slightest objection to accept it. But to his limited intelligence, the Bill as it stood carried out the intentions of the Government. The old portions could not get a double endowment, and the new portions that joined the old ones would get a double allowance from the date at which they joined existing municipalities.

Mr. BEATTIE said he did not take the same view of the question as the hon. member (Mr. Dickson). He did not think the Government ought to encourage outlying districts to attach themselves to municipalties, because it would be a source of continued grumbling. The new portion would grumble because they were not getting their fair share of the endowment. It would be much better if things were left as they are, as it would prevent many heartburnings which were certain to arise were outlying portions attached to existing municipalities. He could imagine that to be the case with either South Brisbane or Fortitude Valley, and in his opinion the majority of existing municipalities were already quite big enough.

Mr. NORTON said he saw no reason why, if an outlying district wished to incorporate itself into an existing municipality, and the municipality itself agreed to the incorporation, it should not be allowed to do so; and on that ground he should support the Bill.

Mr. KINGSFORD said it was not proposed to add to South Brisbane any outlying district.

The COLONIAL SECRETARY said he merely mentioned South Brisbane by way of illustration. He did not mean to imply that any such thing had actually been proposed.

Mr. KINGSFORD: Would the south ward, if separated from the municipality of Brisbane, receive no endowment?

The COLONIAL SECRETARY: Not a double endowment.

Question put and passed, the committal of the Bill to stand an Order of the Day for to-morrow.

CENSUS BILL—SECOND READING.

The COLONIAL SECRETARY, in moving the second reading of a Bill to amend the Quinquennial Census Act of 1875, said the Bill was a very short one, and its object was to assimilate the time of the taking of the Queensland census with that at which the census would be taken in Great Britain and all the other colonies. The change had been recommended to the Government by the Secretary of State for the Colonies, and also by the authorities of the neighbouring colonies; and he saw no reason whatever why the alteration of date should not be adopted. The Bill explained itself. The first clause provided that the census should be taken on the night of the 3rd April, 1881, instead of on the night of the 1st May, 1881; and the second clause provided that all acts or things required to be done in taking the census authorised to be taken by the Act shall be carried out and performed in the manner prescribed by the Quinquennial Census Act of 1875, as if such census was being taken at the time fixed by the said Act. He begged to move the second reading of the Bill.

Question put and passed, the committal of the Bill to stand an Order of the Day for to-morrow.

LICENSING BOARDS BILL—SECOND READING.

The COLONIAL SECRETARY said the necessity for introducing an amendment on the Licensing Boards Act of last session had arisen, he might say, almost altogether from an alteration made in the Bill after it had been sent from the Assembly to another place. The present Act said that the Government might appoint not less than three and not more than five members to a licensing board. The clause read—

"The Governor in Council may from time to time appoint not less than three nor more than five fit and proper persons, being justices of the peace, to be the licensing board for any district; and in appointing such boards regard shall be had to the following rules,—

"(1.) The police magistrate of the district (if any) shall be one member of the board, and shall be chairman thereof, and in his absence the board shall elect a chairman for the day from amongst the members present at any meeting.

"(2.) When any district, or part of a district, shall be incorporated as a municipality, the mayor of such municipality shall be another member of the board, unless disqualified under the next subsection. Provided, that if such mayor be so disqualified, the council may nominate some other member thereof, being a justice of the peace, to act in his stead."

The effect of limiting the number to five had been that the Government had been unable in some districts to carry out the Act, because the licensing board having been appointed, the mayors and chairmen of divisions came in under the same rule. "Mayor" was defined in the interpretation clause of the Act as "The mayor, president, or chairman of said council or board." The mayor was the chairman in all municipalities; and, in some districts, owing to the limitation of the number to five, the Government had been unable to carry out the Act. One instance was better than any amount of argument on the subject, and he would instance Allora. Mr. Kates (a member of the House) was the chairman of the divisional board or municipality of Allora: and it was impossible to

appoint him on the licensing board in consequence of the number being limited to five. The Government did not intend to introduce any Bill to strike off the list of licensing boards the mayors of municipalities, but they thought it would be desirable that the number of members should not be strictly limited as in the present Act. For that purpose the Government proposed to introduce the present amendment, giving them power to appoint a board without any strict limitation such as existed under the Act, but one which would not consist entirely of mayors of municipalities, and on which there should be a similar number of justices of the peace acting for the different parts of the district. The second was the main provision of the Bill, and was as follows :—

"The Governor in Council may from time to time appoint fit and proper persons to be the licensing board for any district; and in the appointments to such board regard shall be had to the following provisions :—

"*(a)* The police magistrate (if any) holding office within the district shall be appointed a member of the board.

"*(b)* When any district, or part of a district, is incorporated as a municipality, the mayor of such municipality shall be appointed a member of the board, unless disqualified as hereinafter provided; and, if so disqualified, the council may nominate some other member thereof, being a justice of the peace, for appointment in his stead.

"*(c)* When the full number of mayors in any district has been ascertained, the Governor in Council may appoint such further fit and proper persons, being justices of the peace, and not exceeding in all such number of mayors, to be members of the board.

"*(d)* The police magistrate shall be the chairman of the board; and in his absence, or in case there is no police magistrate, the board shall elect a chairman for the day from amongst the members present at any meeting thereof. And the chairman shall, in addition to his own vote, have in cases of an equality of votes on any question a further and casting vote.

"*(e)* No person who is the holder of a general spirit license, or a publican's license, or the owner or landlord of any house or houses used or licensed for the sale of fermented and spirituous liquors, shall be appointed a member of the board; and any member of the board who during his term of office becomes such holder, brewer, distiller, or owner shall immediately cease to be a member thereof."

The Licensing Act had on the whole—indeed in every instance—worked remarkably well, and was a very great advance on the old system of licensing by the justices of the peace of the districts; but it was absolutely necessary, in order to carry out its provisions, to enable the Government to appoint more than the number they were at present limited to on such board. In a large district such as Darling Downs, for example, it was impossible for a board of five members, however judiciously selected, to sufficiently represent the wants of the whole district. He begged to move the second reading of the Bill.

Mr. GRIFFITH was glad to hear that the Licensing Boards Act was working well. He would suggest, however, to the Colonial Secretary that a difficulty might arise through the different districts not being conterminous. It was proposed by the present Bill to provide, in the spirit of the former Act, that all the mayors should have seats on the licensing boards; but, unless he was mistaken, the Bill would fail in that respect, because the licensing districts very often did not comprise the whole of the divisional districts. That was one of the misfortunes of the system of divisions. The colony was divided into all sorts of divisions—electoral divisions, municipal divisions, police districts, census districts, and he believed some others; and they were not conterminous. He was therefore afraid some difficulty might arise, and probably would arise, if it had not already arisen, unless the Colonial Secretary arranged to have the licensing districts conterminous with the divisions. The police districts were in the Colonial Secretary's Department, and, therefore, he knew all about the matter. The amendment proposed suggested to him this difficulty, which he thought was also suggested last year. He was glad, however, to hear that the present Act worked satisfactorily, and hoped it would be improved.

The COLONIAL SECRETARY said that anyone acquainted with the working of the Divisional Boards Act and the Licensing Act must be aware of the difficulty the hon. member suggested. It was proposed by the Government to remedy that difficulty. It was proposed to remedy the defect at once, and proper officers were at work now to make the police districts and the census districts, if possible, coincide with the divisional districts; and it was only necessary to make proclamation in the *Gazette* to have this alteration carried out, and he could assure the hon. member (Mr. Griffith) that the Government had not lost sight of the difficulty, and preparations were being made to meet it.

Question put and passed, and the committal of the Bill made an Order of the Day for to-morrow.

CRIMINALS EXPULSION BILL—SECOND READING.

The COLONIAL SECRETARY said the Bill of which he was about to move the second reading was not identical with the one introduced last session, but a great part of it was a transcription of it. Some suggestions had been taken from outside and some from the law officers of the Crown on the subject of the Bill, but most members would probably agree with him that it was absolutely necessary, if they were to have quiet government in Queensland, that they should use some very stringent means for the expulsion of foreign criminals. They all knew the danger, anxiety, and trouble caused by the presence here of such criminals during the interval since the House last met. He did not himself believe that any means that could be taken to rid the colony of such offenders against all law, all morals, and all good government, as those men were, could be too stringent. He might safely say from what he had heard on the subject that the French authorities, more particularly at the French penal settlement of New Caledonia, were just as anxious as the Queensland Government for some very stringent laws for the expulsion of criminals who had escaped, and who, as a rule, had committed some of the worst crimes in the world. The clauses of the Bill were stringent; but desperate evils required desperate remedies, and he had very little doubt that the mere fact of passing such an Act and letting it be known in New Caledonia and other places that there was such a law in Queensland, and that the Government were prepared to act on it, would save them from the influx of large numbers of those gentlemen of the criminal class he had mentioned. The first clause defined offenders illegally at large, and it applied not only to criminals who had escaped from foreign jurisdiction, but to anyone guilty of a felony in the United Kingdom of Great Britain and Ireland, or in any British possession other than Queensland, and who had escaped from custody within three years of his arrival in Queensland. The Bill introduced last session was more stringent on that point, because it applied to parties who had been convicted or had served sentences within three years of their arrival; whereas the present Bil applied only to those who had escaped from custody within three years of arrival in Queensland —that was, from British possessions. The second subsection (b) applied to—

"Any person in Queensland who, having been transported or imprisoned under the authority of any foreign

State for any crime, has escaped from custody within three years of his arrival in Queensland;"

and subsection (c) applied to—

"Any person who, having served a sentence of transportation or imprisonment under the authority of any foreign State, comes into Queensland within three years after the expiration of his sentence."

Hon. members would observe that the last subsection applied only to foreigners. It was not intended to prevent a man convicted in British possessions, who had served his sentence, from coming into the colony, but to prevent foreigners who had even served their sentence coming. It was best to provide for keeping out foreigners who had even served their sentences; for he did not suppose the people of Queensland were at all anxious to see the country inundated by convicts, even if they had served their time. There must no doubt be an end to all punishment—it did not last for ever; but his experience went to show that criminals, and particularly foreign criminals, were none the better for having served their sentence; on the contrary, some of them seemed to grow worse instead of better, and it was therefore of the greatest importance to keep men of that description out of the colony. They were not wanted, and could be done very well without. They were a nucleus of crime, and would lead the youngsters astray, and do a vast deal of harm in the colony on which they had no claim whatever. The second clause provided for offenders being arrested, and said—

"It shall be lawful for any justice of the peace, or any constable at any time after the passing of this Act, having reasonable cause to suspect that any person is an offender illegally at large within the meaning of this Act, forthwith, and without any warrant for such purpose, to arrest or cause such suspected person to be apprehended and taken before any two justices of the peace, to be dealt with as hereinafter provided."

Some hon. members might say that this was an Algerine clause: so it was. But many of their laws were Algerine laws, and were absolutely necessary for the protection of property and persons; but these laws, he was proud to say, were never, or very rarely, enforced unless absolutely called for. The present provision would not be enforced, except there were very good and reasonable grounds. For instance, when a constable found foreigners who had landed from a boat and who evidently came from some penal settlement, he was perfectly justified in arresting them; but if it should happen by any accident that they were shipwrecked mariners, the facts could easily be proved, and no injustice, he was sure, would be done under the clause. The next part of the clause provided—

"It shall be lawful for any justice to take bail for the appearance of any person charged with being an offender illegally at large, to answer the charge before two such justices, in such sum and with or without such sureties as such justice may deem expedient."

Clause 3 provided for punishment of offenders illegally at large—

"It shall be lawful for any two justices of the peace before whom any person is brought, charged with being an offender illegally at large within the meaning of this Act, to convict him thereof, and at their discretion either

"(1.) To take bail that such person leaves the colony within seven days after his conviction."

That was a very mild sentence, and would apply, perhaps, to persons who had been guilty of some small offence. Or

"(2.) To cause such person to be delivered up to any person duly authorised by the Government of the country or possession from whence he came, so as to be conveyed in custody to such country: or

"(3.) To cause him to be put on board any ship of war belonging to such country, and in the meantime to detain him until he can be so conveyed, delivered up, or put on board a ship of war as aforesaid; or

(4.) To sentence such person, if a male, to be kept to hard labour on the roads or other public works of the colony for any period not exceeding three years; or, if a female, to be imprisoned with or without hard labour in any gaol for any period not exceeding one year."

Clause 4 provided for forfeiture of property; 5, for punishment of offenders remaining after expiration of sentence; 6, penalty for harbouring (a very necessary provision); 7, that masters of ships should be liable if offenders were introduced, and that the burden of proof should be upon the master; 8, for search warrants; 9, for power to search; 10, for summary jurisdiction. The provision in clause 11 was absolutely necessary:—

"The justices hearing any complaint or information under this Act, may receive such evidence as may be laid before them, although the same may not be such as in other cases would be legally admissible; and if it shall be satisfactorily proved before them that any person is an offender illegally at large within the meaning of the first section of this Act, the evidence so given shall, for the purposes of this Act, be taken to be *prima facie* evidence of the guilt of such person, any Act to the contrary notwithstanding."

Clause 12 provided that *Gazettes* and letters from consular authorities might be received in evidence; 13, for appeal to the next district court nearest to the place where the order or adjudication had been given or made; 14, that the appellant should enter into recognizance with surety to prosecute appeal; and 15, that:—

"Nothing in this Act shall be taken or construed to take away, or curtail any powers vested in the Governor under any extradition Act or extradition treaty."

He did not know whether the Bill was going to be opposed, but he hoped it would not be seriously, especially as he was open to receive any reasonable amendment that might be proposed. It was very likely, however, he would be told that the present Extradition Act provided sufficiently for the expulsion of criminals of this character. No doubt it did to a very great extent; but the machinery that was required to put that Act in motion could not be made use of until a considerable time might have elapsed and a great deal of mischief might have been done by convicts who had landed on this coast. The Extradition Act required that the consular authorities should demand the surrender of a convict, the Governor had to issue his warrant for his removal, and a great deal of official work had to be gone through before the Act could really be brought into operation. In the case of the convicts who had landed on our shores from New Caledonia, a considerable time elapsed before the consular authority in Sydney took action in the matter; and it was a singular circumstance that the consular agent here had never yet been in Brisbane when any of these convicts arrived; it was very curious, but it was nevertheless true that that gentleman had always been absent in Sydney or Melbourne on those occasions, and the matter had to be referred to the French consul in Sydney. Therefore considerable difficulty existed even under the Extradition Act; and he believed thoroughly that the very fact of having such a Bill as this, which enabled them to act immediately on the first landing of criminals of the description he had pointed out, would of itself tend to prevent the attempted escape of many of these men. He had no doubt that many men had lost their lives in attempting to reach these shores. With that, however, they had very little to do; and he was satisfied that the fact of knowing that there was such an Act in existence—and news travelled very fast, he believed, amongst criminals of this description—

would have such an influence upon them that it would have a very beneficial moral effect. Of course, political prisoners who escaped would not come under the provisions of the Bill at all; they would be acquitted at once, he believed, by any justice of the peace. He knew the Bill conferred larger powers than they were in the habit of giving; but, as he said before, many of their Acts were very Algerine, and if all the Acts they possessed were put in force strictly, none of them would be able to live, move, or have being—they would be harassed out of existence—but, fortunately, those Acts were not enforced unless there was absolute necessity for it.

Mr. GRIFFITH said that when this Bill, or one very like it, was introduced last year, he was unable to give it anything like support. If he remembered rightly, the House divided on that occasion, and although the Government carried the second reading of the Bill, they did not care to proceed further with it. The objections to which that Bill was open were numerous; it was evidently brought in under the influence of panic, arising from the recent arrival of a few criminals from New Caledonia; it had been hastily prepared, and was open to very many objections. The Bill now before the House was free from some of those objections; it was not so Algerine as the former one, but still it was open to some very serious objections. He could quite understand that it was desirable to prevent the colony being inundated by foreign criminals, or criminals of any description. He did not suppose there would be much difficulty with regard to passing an Act to prohibit British criminals from coming here—by British criminals he meant criminals from any of Her Majesty's possessions — seeing that the Imperial authorities had long ago given up the right they formerly insisted upon—of sending their criminals to these shores. He did not suppose, under these circumstances, they would object to the passing of a Bill to keep such criminals out of the colony after they were released. But with respect to foreign countries another consideration came in altogether. As he pointed out last year, it was not competent for them to make a provision of that kind; that was to say that if a foreigner came here from a nation with whom they were upon terms of amity—a nation which gave free ingress to British subjects—he doubted very much whether they would be allowed to make a law to prevent free citizens of that nation from coming to a British colony under a penalty of imprisonment for an indefinite length of time. That provisions should be enacted for the arrest and detention of prisoners who escaped from custody while serving sentence was perfectly proper; to that extent he was prepared to agree with the Government; but when it came to preventing a man, whose only offence was that he had been guilty of an offence which he had expiated by serving his sentence, from landing on our shores very different considerations came into play. Supposing a foreigner had been sentenced to the smallest imprisonment, he was liable when he came here to be imprisoned, to have all his property confiscated, and as soon as he came out, if he had not means to go away, which he would not have, because all his property would have been forfeited, he was to be imprisoned for another three years, and so on from time to time—for life, in fact. And all this was left to the discretion of two justices of the peace, and the evidence upon which a man might be treated in that manner was that a man might come into court and say somebody told him, perhaps in South America or California, that so-and-so had been convicted of a crime there a year or two before. That would be sufficient evidence on which a man might be imprisoned first for three years and so on until he found provision to leave the colony. He could understand many reasons for making severe laws, but he could not see the necessity for making a law like that. Up to the present time they had run no risk whatever so far as criminals who had served sentences at New Caledonia were concerned. Those persons generally went back to France when they were discharged.

The COLONIAL SECRETARY: No.

Mr. GRIFFITH said he did not think they had many of them here.

The COLONIAL SECRETARY: They have had a great number in New South Wales.

Mr. GRIFFITH said some had gone to New South Wales, but he did not think they remained there. In 1854 a law somewhat similar to this, only not applying to foreign criminals, was passed in Victoria, to prevent the influx of criminals from Western Australia; it was reserved for the Royal assent, and assented to; but there had been no Bill assented to, so far as he was aware of, dealing in the same way with foreigners; and he was inclined to think that if they really desired, as he was sure they all did, to restrict the influx of criminals, they should not imperil the passage of the Bill by making it more stringent than was likely to be accepted by the Home authorities, because if it were a Bill that interfered with the prerogative of Her Majesty it would not be submitted for assent. He thought the provision with respect to foreign criminals was too severe, and further, that the minor details of the measure were worse than the general principle. Clause 11 amounted to this: that upon any hearsay or gossip any unfortunate foreigner, against whom some person might have a grudge, on coming here would be liable to be imprisoned for three years, when perhaps the offence he had been guilty of was merely being drunk and disorderly. He did not believe in laws being placed on the statute-book which could be used for purposes of oppression. A law of this kind ought not to be passed unless there was some urgent necessity for it; and that had not been shown in this case. There was no difficulty in getting proper evidence; it only took time. There might be no harm in keeping a man in custody until they got proper evidence, but do not let a person be kept in penal servitude for years or for life simply because someone said somebody else told him he had been in prison. It might be said that there was an appeal, but that was perfectly useless, because how was an unfortunate foreigner arriving here to find a surety? If the Bill went into Committee it would require very considerable modification. He was sorry the hon. member for Stanley (Mr. O'Sullivan) was not present, as that hon. member expressed a strong opinion on the subject last year, and he would no doubt adhere to that opinion if he were in his place on this occasion.

The COLONIAL SECRETARY said, in reply to the observation of the hon. member that no necessity had been shown for this Bill, he (the Colonial Secretary) had to state that if he could give all the information he had in his possession, but which he was precluded from giving because it was communicated to him confidentially, he should be able to show that there had very nearly been strong and urgent necessity for it in order to prevent the colony from being inundated by French convicts who had served their time. He would go so far as to say that at one time, only very serious obstacles were put in their way, they were trying to charter vessels to bring convicts who had served their time to these shores. He could not state all the information he had got, and he regretted it very much; but he was

sure hon. members would take his word that he would not make such a statement unless he had strong proof of it.

The HON. J. DOUGLAS said he quite believed the hon. gentleman, because, apart altogether from the confidential information referred to, they were aware that official correspondence had passed between the Government of New South Wales and the Secretary of State on the subject, and that representation had been made to the French Government respecting it. There was no secret about it that a very large number of hardened criminals had been finding their way into New South Wales to the very great inconvenience of that community, and they had very properly protested against it. It was nevertheless a difficult question of international law, and it was very doubtful whether they could safely pass some of the provisions of this Bill. He admitted with the Colonial Secretary that it was very desirable that they should have power at once to lay hold of escaped criminals from New Caledonia, who were the men they were most likely to suffer from. Fortunately for the colony there was not much direct communication of a trading character between New Caledonia and our ports. The trade of New Caledonia was chiefly with Sydney, and Queensland was not likely to suffer in that way; but no doubt there had been inducements lately to criminals who were under sentence to escape to Australia, because as a matter of fact criminals who had so escaped had not been surrendered. It seemed to him that the readiest way, and one that would be accompanied with less difficulty than he saw in some portions of this Bill, would have been to have had a Bill authorising the capture at once of escaped convicts. It would be very easy to have described such persons, and to have taken power to at once surrender them without having recourse to all the forms of international law. As a matter of fact there had been difficulties interposed here as to the extradition of criminals. Proof had been required on one or two occasions in the Police Court whether the men who had been brought up where really the criminals they were supposed to be, and the French authorities, he believed, in more than one instance failed to establish their case. However, he fancied that now no such difficulty would now exist, but that the Government would be only too happy to afford every facility for the extradition of criminals. If there was a good understanding between the French consulate authorities and the police authorities here he believed all difficulty about extradition would disappear. He could not say that he was very much in favour of the Bill, not that he did not think it desirable that they should protect themselves, as far as they could, from an influx of escaped convicts, no matter where they came from, but he doubted very much whether it was in accordance with international law to pass such a clause as subsection C of clause 1:—

"Any person who, having served a sentence of transportation or imprisonment under the authority of any foreign State, comes into Queensland within three years after the expiration of his sentence."

He took it that a man who had served his sentence and expiated his offence must be looked upon as a free man.

The COLONIAL SECRETARY: He may be a very bad one.

Mr. DOUGLAS said it was true he might be a very bad one; but, irrespective of that fact, it would be very difficult to attach any criminality to him by the law of the land. There was no doubt that in the colony of Victoria they passed an Act to protect themselves against the influx of criminals from Western Australia; and, although some doubt was at the time expressed whether the Imperial Government would assent to such a measure, it did receive the Royal assent. But in the present case he believed that not only would it be difficult to deal with the criminal class, but also with another class—namely, lunatics and imbeciles who it was well known were occasionally introduced into this colony. At present there was no penalty enforced against persons introducing people of that class who were likely to become a serious charge on the State. He knew that in America they were more careful in providing against the introduction of not only criminals but of all persons who were likely to become a charge on the State, and that they required masters of vessels to enter into very heavy bonds to prevent such a state of things. But there was no such provision in this colony, and therefore he thought it most desirable that there should be some legislation in that direction. He could not say that he should vote against the second reading of the Bill, but it appeared to him that the object for which it was introduced might have been dealt with in a better way, and that there were some provisions in it which should be altered.

Mr. MACFARLANE considered that some such Bill as that before the House was very necessary at the present time; but looking at the first clause—especially at subsection 3—he thought there was room for amendment. He considered they would not be doing their duty if they did not try to show that whilst they passed a law as a caution to evil-doers, they took precaution against any innocent man suffering. Subsection 3 said that any person who had served a sentence of transportation or imprisonment under any foreign State, on coming to Queensland within three years after the expiration of his sentence should be deemed to be an offender illegally at large. But such a case as this might happen: that a person might be confined in prison for only a month in a foreign State, and on coming to this colony at the expiration of his sentence might be informed against by a person who, on making a declaration before two justices of the peace, might cause him to be imprisoned for three years. Taken in connection with that was the 4th clause, which provided for the forfeiture and sale of all property found in the possession of any man so arrested, if convicted. That would be a very hard case indeed, as a man who had been imprisoned for a month in a foreign country on coming here would be liable to imprisonment and to be branded as a felon, although perhaps he was innocent in the first instance. Therefore, whilst he considered such a Bill as that before them was necessary for dealing with a certain class of criminals, he thought they should be very cautious in guarding against innocent persons being made to suffer under the provisions of it. He should support the second reading, but he hoped the hon. Colonial Secretary would so amend the Bill as to prevent innocent persons being made to suffer.

Mr. MESTON said he quite agreed with the hon. Colonial Secretary that there was a great necessity at the present time for such a Bill as that before the House, and no doubt they should protect themselves from an influx of criminals from New Caledonia and elsewhere. He also agreed with the hon. leader of the Opposition that if the early clauses of the Bill were retained in their present form some innocent persons might suffer. At the same time, he did not recognise the argument that any innocent man would be liable to suffer from the malignity of an enemy; because an innocent man landing on a shore was in no more danger than under ordinary circumstances, as not only the character

but the liberty of any innocent man in the community was at the mercy of any unprincipled scoundrel who chose to calumniate him or prefer a criminal charge against him. The British dominions had at all times been a refuge for men who suffered for their political opinions, and therefore care should be taken to distinguish them from criminals. He considered, however, that there was an urgent necessity for the present Bill, and he for one should support it.

Mr. RUTLEDGE said that a Bill like that now before hon. members was not altogether superfluous, although he could not see that there was any pressing necessity for its introduction at the present time. Whilst there should be a Bill dealing with criminals coming from other countries and provision made for having them closely watched, care should be taken that unnecessary hardships were not imposed. He considered, in the first place, that it would be a hardship that a man who, having served some years of imprisonment in one country, and finding he could not live there, on turning his attention to Queensland, discovered that he could not land in that colony until three years after the expiration of his term of imprisonment without rendering himself liable to another term of imprisonment. Supposing other colonies were to pass a similar law, would it not be shutting the door of hope to any man who, having learnt the bitter lesson of adversity, was determined to lead a new life? On that ground he thought that the third subsection of that clause should not be adopted. Then again, clause 4 provided for the forfeiture and sale of all property found in the possession of a man arrested, should he be convicted. That was altogether contrary to the spirit of the English law, which was against forfeiture, as by a modern Act the forfeiture of property of a criminal was abolished even in the case of murder; and for this colony to propose to do what the English legislature had set its face against was a very undesirable thing indeed. There might be cases where a man, although a criminal, might be anxious to make provision for his family, yet this clause would not allow him to do that, and would put into the hands of two justices of the peace a power that the English law did not permit. There was another very objectionable clause—namely, clause 7, which provided that:—

"Any master mariner or other person commanding, navigating, or sailing any vessel for the trip or voyage, who brings in such vessel to any port or place in Queensland any such person as is mentioned in the first section of this Act, shall, upon conviction thereof before any two justices of the peace, for every such offence be liable to a fine not exceeding twenty pounds, or to imprisonment for any time not exceeding three months, or to both, at the discretion of the said justices, unless it shall be proved to the satisfaction of such justices that such master mariner *et cætera*, did not know that such person was any of the persons mentioned in the said first section of this Act."

How very hard that might be in the case of a master mariner who, whilst sailing along, saw a boat adrift at sea which contained persons of whom he might have a strong suspicion that they were escaped criminals. Supposing a man was sailing from China to this colony, and saw a boat with a number of persons in it, he might have a suspicion that they were escapees, but still he would take them on board to save their lives, and put them ashore at the first port he came to; yet because such a man acted from those feelings of humanity he was to be liable to a heavy fine. Why, the hon. Colonial Secretary himself might be shipwrecked, might see a vessel, and might wave a handkerchief to attract attention. But the captain, on seeing the signal, might say, "Oh no, those are escapees from New Caledonia; I won't have anything to do with them," and leave the hon. gentleman to his fate. He contended that if that clause was passed most probably persons who were innocent would be left to perish in the sea, because the master of a vessel would say he would not be liable to a penalty for bringing them to Queensland. He thought they should not rush into legislation in that general way without making provisions for such cases as that, and the Colonial Secretary might introduce a clause exempting ship-masters who picked up escaped criminals in an open boat. The hon. leader of the Opposition had directed attention to clause 11, which was to the effect that justices were to be permitted to dispense with the ordinary rules of evidence. That clause appeared very strange when read in connection with clause 13, which gave a person the right to appeal. In the first place, the justices had a right to drag in any kind of evidence, which would not be legally admissible in other cases; but when a man appealed to the District Court the judge there would confine all parties to the strict rules of evidence. So that the whole thing would be a farce, as the very ends of justice—for which clause 11 was inserted—would be defeated. Then they were told that, although there might be an appeal, it was discretionary with the justices to sell the man's property; so that, although he had the right to appeal, he would be prevented, through his property being sold, from being able to do so. Whilst it was true that although they passed a stringent law it might not be put in force in all cases, he thought they should not put on their statute book a law so severe that they could not carry it out. Having a law of that kind was worse than having no law at all.

Mr. THOMPSON said the Bill was intended to meet the presence in the colony of undesirable characters. It had been objected to as too stringent; but if they were to have a measure of this sort at all it must be stringent, because if they dealt with criminal classes the authorities must be enabled to take hold of them, for criminals were up to all sorts of dodges to escape. All the powers which had been introduced, and which appeared so extreme, were necessary for the purpose of preventing the influx of undesirable characters. Hon. members who had spoken had admitted that some such measure was necessary, and the question therefore became entirely one of detail. It had apparently been forgotten that Parliament had already recognised the principle of the Bill by excluding men from coming to the colony on account of their colour and race, and it was consequently rather too late in the day to object to the measure before the House on the ground that they could not keep out foreigners. No doubt the Bill was suggested mainly by the circumstances of several batches of French prisoners having escaped from New Caledonia and having come to the Australian colonies, but it had lately come out that for some time it was the custom of the Hongkong Government to deport their Chinese prisoners to Australia. So that the authorities here really wanted ample powers. Not only were they liable to an influx of prisoners from New Caledonia, but, if his information was correct, the whole of the South Sea Islands were more or less peopled by a degraded class of whites. They were also aware that other communities were springing up in the South Seas. The Germans were obtaining a footing there, and they had read lately that a certain foreign nobleman—Marquis de Rays—had taken it into his head to introduce, under peculiar circumstances, a body of people into an island in the South Seas. They must not forget, too, that they had rich countries around them which would be settled in course of time. New Guinea, he took it, would be settled before long by some of the superior

races, and therefore it was necessary that they should legislate not only for the present but for the possibilities of the future. Great stress had been laid upon the clause relating to the forfeiture of property ; but it must be recollected that the power to forfeit was only permissive, and if any wrong was done there were plenty of members and of means to bring it before the country. There was the safeguard of an inquiry by a select committee always available. If a constable was dismissed a select committee was had. Was it likely, then, that there was any danger of a man being oppressed under the Bill? When he was a member of the Government he made it his business to have an interview with the head of the police in Sydney, and that officer informed him that the foreign criminal population was increasing, and that unless some Bill were passed to enable them to deal with such classes they would not know what to do. He (Mr. Thompson) was sure that they were not dealing with the question a day too soon, for if it became known that Queensland would be a refuge for objectionable characters, they would simply leave the colonies where prohibitory laws prevailed and come here. The hon. member for Enoggera had made some criticism upon the appeal clause, and appeared to be of opinion that the judges of the District Court would not consider that they had a right to take the evidence prescribed by the Act. He (Mr. Thompson) imagined that the appeal would be whether the person was rightly convicted under the Act ; so that the difficulty suggested by the hon. member would not exist. Under the District Court Act there was a clause which provided that on an appeal from the Small Debts Court the District Court judge should take the evidence heard by that court. Of course, that clause would not apply to an appeal under the Bill before the House. He did not, however, gather exactly what the hon. member meant, but did not think that any difficulty would arise. The judge would have before him the evidence upon which the conviction was made, and it would doubtless be an element in his decision. However, hon. members seemed to be agreed that the Bill was required, and these minor points were not of such great weight that they could not be allowed to stand over until the measure went into committee, when they could be got over.

Question—That the Bill be read a second time —put and passed.

On the motion of the COLONIAL SECRETARY, the committal of the Bill was made an Order of the Day for to-morrow.

RAILWAY AND TRAMWAY EXTENSION BILL.

On the Order of the Day for the second reading of this Bill being called,

The MINISTER FOR WORKS (Mr. Macrossan) moved that it be postponed until after the consideration of Order No. 20.

Mr. THOMPSON thought the reason why the postponement was asked ought to be explained, as there was a great desire on the part of many members to go on with the measure.

The MINISTER FOR WORKS said he would explain to the hon. member the reason. The Premier could not be in his place that evening, and he (Mr. Macrossan) wished him to be present at the debate on the second reading, because the hon. gentleman would be able to give the House the experience he had gathered in America upon the working of railways running on roads and streets.

The COLONIAL SECRETARY said he also might mention that as soon as the Premier was able to attend there would be no difficulty in restoring the Bill to the head of the paper. They were anxious to bring on the consideration of the Bill, but they were also anxious that the House should have the Premier's American experience on the subject.

Postponed accordingly.

PACIFIC ISLANDS LABOURERS BILL—SECOND READING.

The COLONIAL SECRETARY said he wished to study the wishes of the House as much as possible. He was quite ready to go on with the Bill, but if there was to be a long debate upon it he would rather take some shorter Bill. He had very little doubt, however, that the Bill would go through its second reading.

An HONOURABLE MEMBER : Why not take it now?

The COLONIAL SECRETARY said that in moving the second reading of the Bill he would confine himself chiefly to the difference between it and the present Act. Coming to the very first clause, it repealed the Polynesian Labourers Act of 1868. The second clause was a definition of terms, and he believed it was pretty much the same as in the present Act, though it perhaps made more clear the distinction between a "native passenger" or "passenger" and a labourer. In order that hon. members might understand the Bill better, he would give the definitions of the terms. A "Pacific islander" or "islander" meant a native, not of European extraction, of any island in the Pacific Ocean which was not in Her Majesty's dominions, nor within the jurisdiction of any civilised power. A "native passenger" or "passenger" meant an islander being conveyed on board of any vessel licensed to carry islanders under the authority of this Act. A "labourer" meant a Pacific islander who had been brought to Queensland, and the stipulated time for whose return to his native island had not arrived. An "inspector" meant an inspector under this Act. An "employer" meant an employer of a Pacific islander or labourer, or the manager or overseer of such employer, or any person having the actual charge of an estate or place where an islander or labourer was employed. "Tropical or semi-tropical agriculture" meant the business of cultivating sugar-cane, cotton, tea, coffee, rice, spices, or other tropical or semi-tropical productions or fruits, and of rendering the products thereof marketable. A "Minister" meant the Colonial Secretary or other Minister charged with the execution of this Act. The third clause was a very simple one ; it said that no person should hereafter introduce islanders into the colony of Queensland except under the provisions of the Act. Under the sixth clause power was given to the Governor in Council to appoint Government agents. The seventh clause described the form of application :

> "Any person desirous of introducing Pacific islanders shall make application to the Immigration Agent at Brisbane, in the form in Schedule A to this Act, or to the like effect, for a license to introduce such islanders, stating the number proposed to be introduced, and the estate or place where they are intended to be employed."

He might say, in passing, that he did not believe a bit in that clause himself. Individually he never did believe in it, nor did he now ; but they were obliged to do a good many things in this world the justice of which they did not agree with, and he altogether disagreed with the justice of this clause. Being, however, overruled by his colleagues, and considering the present state of feeling on the subject, he felt that it would be utterly useless for him to run his head against a stone wall by standing up for what he believed to be the equal

rights of all employers of labour in the colony. There was no inherent right in the matter, nor was it fit or proper that a distinction should be made between employers of a certain sort of labour and another sort; but, as he had before said in that House, it was ridiculous for one member of a Ministry to set himself in opposition to the whole of the others upon a point which involved no special act of political partisanship. He disliked the clause intensely. He did not believe in it; but in bringing in a Bill of that description he had come to the conclusion that it would be utterly useless for him to introduce a Bill that had not a clause of that character. However, he gave way, but did not give up his individual opinion that every man in the colony had a right—and he was not sure that he would not have a right even if this Bill passed—to introduce islanders on his own account. He had heard very strong legal opinions on that point, and the question might be tried yet, but he knew it would be useless to bring in a Bill of that sort unless it contained such a clause. He wished it to be distinctly understood that on this point he had given way entirely to his colleagues and what he believed to be the general opinion of the colony. If hon. members would look at clause 8 they would find it much more stringent than the one in the present Act. It provided that—

"Such application shall be accompanied by a bond in the form in Schedule B to this Act, for a sum equal to £23 for every islander proposed to be introduced, to secure the payment of the wages to the labourers, and to provide for their return passages to their native islands at the expiration of their terms of service. Such bond must be executed by the applicant and two sureties, to be approved by the Immigration Agent."

That was a very great improvement on the present Act, although he was very happy to say that in very few instances had it occurred that labourers who had performed their duty and served their time under the present Act had not been paid; yet it had occurred more than once, he was sorry to say, but not often, and, considering the number of labourers who had been introduced under the provisions of the present Act, it was very creditable to the colony that so very few who had been employed under the Act had lost their wages from any circumstances. In all cases that he knew of where those men had not been paid their wages, it had been from circumstances beyond the control of the employer. It had invariably occurred from their insolvency and from inability to pay. This clause would cure anything of that sort, so far as human measures could cure anything; because the employer, in making his application, must give a bond for £23—that was, calculating the labourer's wages for three years, and £4 for his return passage. In addition to that he proposed to convert into law that which at present was only a regulation, namely—

"Every applicant shall, previous to the issue of a license, pay to the Immigration Agent at Brisbane the sum of thirty shillings for each islander proposed to be introduced. Such sum shall be appropriated to defray the expenses incurred by the Immigration Agent in supervising the introduction of the islanders and their subsequent return to their native islands."

As he had said before, that was a matter of regulation—one that he introduced himself, and which he had always considered necessary for the safety of the labourers, and in some measure for the employers. But they had not always had first-class men as what were called Government agents—that was, men who went with the ships to see that the proper sort of labourers were introduced. This was a misfortune which would occur in all colonies, or in other places where anything of the sort was carried on. On the whole, however, the regulations worked very well indeed, both for the protection of the labourer and to a very considerable extent prevented the introduction of improper labourers. The next was as to the issue of licenses; and the next was a mere matter of fair dealing, namely—

"In the event of a less number being introduced than the license authorises, the amount paid by the applicant in excess of a sum equal to thirty shillings for every islander actually introduced may be refunded to him."

He would here observe that in going through the Act he now saw an omission which he did not notice before, which would have to be amended in committee. If, of course, the number of labourers introduced was not equal to the number applied for, the bond of each individual would have to be returned. The 9th clause required the master to execute a bond prior to proceeding to recruit islanders. The 10th and 11th were part of the present Act, too. The 12th, as he had said before, was simply making into law that which at present was only a regulation. The third part of the clause was in the present Act. The 4th subdivision of the same clause was an extension of the present Act. The present regulation insisted that no passenger should be introduced for field work who, in the opinion of the Government agent, was less than sixteen years of age. The proposed alteration was to substitute eighteen years for sixteen. The remaining portion of the clause provided for the daily provisions for each passenger. It had been found that the dietary scale under the present Act was entirely inapplicable to the men who, after having lived on a vegetable diet, were put upon a meat diet. That treatment, he was sorry to say, had proved fatal in a great many instances to passengers. The proposed dietary scale was an ample one, namely:—Yams or potatoes, 5 lbs.; rice, 2 lbs.; tea, ½ oz.; sugar, 2 ozs.; and a small quantity of pipes and tobacco, per week. The allowance of clothing under the agreement was ample: a difficulty was likely to be found in making the islanders use the full quantity provided. The 14th and 15th clauses contained matters of detail and were similar to clauses of the present Act. Clause 16 provided that any islander found by the health officer to be physically unfit for labour should be returned to his island. This was a new clause intended to prevent the introduction of labourers in a weak state of health. Clauses 18 and 19 were similar to clauses in the old Act, with the exception of a provision in clause 19 that "no transfer of the services of any labourer shall be permitted unless the inspector or a police magistrate is satisfied that the proposed transferree is engaged in tropical or semi-tropical agriculture, and that such labourer is intended to be employed in such agriculture only, and at a place to be specified in the application for transfer." Clause 21 made imperative what under the present Act ought to be done—namely, that wages should be paid at the expiration of engagement, or at the end of each year of engagement, at the option of the labourer, in current coin and in the presence of the inspector or police magistrate. It also provided that no payment of wages to a labourer should be of any force or effect unless the same had been made in the presence of an inspector or police magistrate. Clause 22 empowered an inspector to demand wages due to an islander, and to sue for them if necessary. The fourth part of the Bill related to the care and treatment of labourers when sick. By the 23rd clause employers were compelled to provide their labourers with medical attendance when necessary, under a penalty for neglect of not less than £5 and not more than £20. In this respect the Act now in force was deficient. The least that could be expected of a man who introduced these islanders, regarding the matter from the lowest standpoint, was that he should take care of them. Having to keep them for a certain time, it was directly to the

interest of the employer to see that their health was preserved; but in some cases, he was sorry to say, employers had been found to be utterly neglectful of their interest in that respect. If the reports were to be believed, in some cases the demands of common humanity had been disregarded. This Bill would give the Governor in Council power to cause a hospital for islanders to be established in any district, and a resident surgeon to be appointed. Clause 30 empowered employers to send their labourers to the hospitals; and clause 31 provided a penalty if they neglected to do so when labourers were sick. These clauses, at first sight, appeared to be very stringent, but he had reason to believe that the planters in the districts where the regulation would be necessary had no objection whatever to the provisions. Clause 32 was a very important clause. It provided that—

"Notwithstanding anything to the contrary contained in the Intestacy Act of 1877, in the event of a labourer or islander dying during his term of service, the employer shall pay to the nearest inspector, or to the Immigration Agent at Brisbane, the whole of the wages which would have been payable to such labourer or islander up to the date of his death, as if such wages had accrued due from day to day, and the amount so paid shall be placed to the credit of the 'Pacific Islanders' Fund,' hereinafter mentioned."

Since the Bill had been on the table of the House representation had been made to him that it was hardly fair to expect employers to pay the wages due to an islander who died, say, six months after the commencement of his engagement and before the employer could have been recouped the passage money. That appeared to be a reasonable view of the case, and the House, in committee, would no doubt take it into consideration. This provision, even if modified in committee, would do away with the insinuation that it was to the advantage of the employer that the islander should die when he had nearly completed his term of service. The clauses following related to reports of deaths or desertions, returns to be made, penalty for evasion of the Act, and other matters of detail. Clause 45 provided that all moneys hitherto received under the present Act, and any that might hereafter be received under the proposed Act, together with all fines and penalties, should be placed in the Treasury to a separate fund to be called the "Pacific Islanders' Fund," and used for the purpose of carrying on the provisions of the Act and for no other purpose. The schedules were very clear and were similar to those of the present Act. The bond required from employers was more strict and for a larger amount than had been required under the present Act. The Bill had been drawn out with the greatest possible care with a view to ensuring that the labourer should be well and fairly treated, and that if a master neglected his servant he should do so to his own loss. Every suggestion made had received due consideration; and he did not think any important alteration in committee would be found necessary. The amendments on the present Act had been of a very stringent nature—all of them had been in favour of the islander and none in favour of the employer. Under the provisions of the proposed Act there could be no such occurrences as had taken place under the present one; those occurrences having been the result, not of any unwillingness on the part of employers, but of circumstances over which the employers had no control. He moved that the Bill be read a second time.

Mr. GRIFFITH said he was very glad to see that the Government had come round to the way of thinking of the present Opposition. The present Bill, he observed, followed to a great extent on the lines of the Bill introduced by the hon. member for Darling Downs (Mr. Miles) when Colonial Secretary, and of that introduced by the hon. member for Maryborough (Mr. Douglas) in the succeeding year, when he was Colonial Secretary. To a very great extent he (Mr. Griffith) believed this Bill would meet the requirements of the case, but there were some points at which it seemed to be extremely defective. The difficulties which had arisen with respect to Polynesian labour were not simply those relating to the first introduction of the labourers—the prevention of kidnapping, and the assurance that the islander understood the nature of his agreement. Those were serious matters, but they were provided for to a great extent by the Kidnapping Act of 1872, and by the Polynesian Labourers Act now in force. With regard to those matters, the present law was quite sufficient; the real question for the House to deal with now was the treatment of the islanders here, and the nature of the employment they were to be allowed to take in competition with European labour. Those were the main questions upon which the public were interested, and if it were not for those questions little legislation on the subject would be necessary at the present time. As this Bill proposed to repeal altogether the Act of 1868, it was important to remember that the Imperial Kidnapping Act expressly referred to the Polynesian Labourers Act of 1868, and to take care that this Parliament did not, by repealing that Act, lose the advantage arising from the recognition of the Colonial Act by the Imperial Legislature. The Kidnapping Act provided that a license granted under the Queensland Act of 1868 should be as good on the high seas as a license under the Kidnapping Act. If the result of repealing the Act of 1868 would be the loss of the benefit arising from that provision, it would be better to make this an amendment of the Act of 1868 instead of repealing that Act altogether. To turn to the points on which this question became one of practical politics—namely, the treatment of islanders here, and their employment while they were here. With respect to their treatment, he believed the Bill went as far as it was necessary to go at the present time. The main question, then, to be considered was to what extent they were to allow that alien race to enter into competition with white labour. This Bill dealt simply with the first introduction of the labourer. It provided certain restrictions with respect to the persons who desired to introduce them by means of recruiting ships and agents. They could only introduce them under a license for that purpose, and the license would only be granted to persons engaged in tropical or semi-tropical agriculture, nor would any transfer of the services of the labourers under their three years' agreement be allowed except to persons engaged in similar pursuits. That, until within the last few months, was already carried out by a regulation in the Colonial Secretary's Office, which, although it had not the force of law in the sense that anyone who violated it would be guilty of a punishable offence, was nevertheless a part of the practical law of the land, because such transfer could only be made with the sanction of the Colonial Secretary's Department, and so long as it was adhered to the desired result was obtained. He would just say a word about that regulation, which had been abused over and over again in the House, and which the hon. member (Mr. Douglas) was violently attacked for making. That regulation had never been departed from until lately by the Colonial Secretary himself, with the result, probably from the pressure of his colleagues, that the practice had since been as it was before. Only two or three persons had obtained benefit from the relaxation of the rule. It was never asserted by the late Govern-

ment that the regulation had the force of law, but it accomplished what would have been obtained by the most stringent law, so long as the Government honestly enforced it; for a breach of it would have ensured dismissal from the public service, and that was quite a sufficient guarantee that the regulation would be observed. At the same time, it was better that such a regulation should be embodied in a statute, and no longer left to the caprice of a Minister so to relax it as to allow of Polynesians being employed on stations in the interior, or in any other way except for the purpose for which it was contended they were specially suited, and for which no other labour was equally suited. But everybody must have observed that these people were not only employed in tropical and semi-tropical agriculture, but in many of the towns they were usurping the place of white labour, being employed as grooms, gardeners, coachmen, and even as nurses; and that was a matter which had attracted more attention and excited more indignation, even, than their employment in squatting stations in the interior. He would not say it had caused a great deal more indignation than the recent action of the Government in allowing them to be introduced for the benefit of two or three stationholders, but it was a grievance that required to be dealt with. It was as important that the employment of those men in the colony should be restricted after the expiration of their three years' service as during that period. There was nothing magical in the three years for which it had been the custom to engage those men. They had a fancy to engage themselves for thirty-nine moons, but there was no reason why they should not engage themselves for a longer or shorter time if they thought proper. But there was no reason why the law should simply limit itself to dealing with them during that first engagement. A number of those men, after the expiration or determination of their first engagement, remained in the colony, and were employed in the ways he had referred to. No Bill dealing with the subject would give general satisfaction unless it dealt with the employment of the men in the colony as a whole. He was sorry to hear the Colonial Secretary say that he did not approve of even such restrictions as there were in the Bill. They all knew what the hon. gentleman's opinions on the subject were; but when as a member of the Government he brought in a Bill under protest and against his own opinion—as he told them the other night—he might have done as he then said he would, and not, like some other hon. gentleman who brought in a Bill of which he did not personally approve, damn it with faint praise. He did not think the Colonial Secretary's objection to the 7th clause of the Bill would be shared in by many hon. members, and he was satisfied that that, at least, would become law. In order to be satisfactory to the colony the Bill must go further, and he would point out the parts in which he thought it ought to go further, and indicate amendments which he should be prepared to move in committee. In the first place, he observed that in clause 2 the definition of a labourer was "a Pacific islander who has been brought to Queensland, and the stipulated time for whose return to his native island has not arrived." The latter part of that definition had much better be omitted. A labourer should mean a Pacific islander whether the time for his return had elapsed or not. If he did not go back he was still a labourer, and the objections to his employment in general labour were in no way lessened by the fact. As the Bill at present stood, if a man entered into service for three years, and at the end of a year his employer became insolvent, for the next two years he would not be liable to the provisions of the Act; and if at the expiration of three years the man was set free in the same way he would not be subject to the provisions of the Act. When the man's engagement was at an end he ought to be subject to precisely the same conditions and liabilities and retained in the same kind of employment. Then in the 3rd clause it was provided that no person should hereafter introduce islanders into the colony, except under the provisions of the Act. It ought to go further, and provide that no person should employ them in the colony except under the provisions of the Act. On turning to Part III, which dealt with the employment of Pacific islanders in the colony, he noticed that it was provided that all agreements for services made should be in the form of schedule G, and should be completed in duplicate on board the ship. That dealt simply with the islanders on their first arrival. Before a provision of that kind the Bill ought to contain a general provision to the effect that no person should employ an islander for a longer period than, say, seven days, except under an agreement made in accordance with the provisions of the Act; and then it should go on to say that no such agreement should be made unless the intending employer proved to the satisfaction of an inspector that he was engaged in tropical or semi-tropical agriculture, and that the islander whom he desired to employ should be employed in such agriculture only. A provision of that kind would render the Act complete. As a corollary to that, it would be necessary to provide for the case of islanders who, at the expiration of their three years' service, did not desire to return to their native islands. He had no personal experience with Polynesians, having never employed any, but he assumed that many of them now employed in general labour were men who might have gone back to their islands if they had thought proper to do so. They would not be all men who had been cast adrift by their employers dying or going insolvent during their three years' service. They preferred to remain and enter into competition with white labour. Any of them who did not desire to return to their islands ought to be provided for by the Act, and he would therefore add at the end of Part III. a provision, part of which was obviously an omission from the Bill, and the other part of which was simply carrying out the amendment which he had already indicated was in his opinion necessary—namely, that at the expiration of the term of service of any islander introduced into the colony, his employer should either cause him to be returned to his native island, or, if the islander did not desire to return, should pay to the Immigration Agent a sum fixed on, sufficient to take him back; such sum to be kept by the Immigration Agent to be applied to the purpose whenever the man desired to return. With these alterations the Bill would prove a very useful measure. He had no doubt that those suggestions would be warmly opposed on the other side of the House, because there was nothing in the Bill as it now stood to prevent any gentleman who might desire to employ Polynesians on his station from getting as many as he liked, provided that it was not by way of transfer, during the first three years of a man's service after his arrival in the colony. He could not transfer the services of Polynesian labourers during the first three years of their agreement, but if he got hold of any who were free from that agreement either by the death or insolvency of their employer or the cancellation of agreements, or any whose three years were up and did not wish to go back, he would be glad to employ them to any extent in competition with all the rest of the labour of the colony. Some hon.

members seemed to think that was a very proper position to take. The Colonial Secretary had indicated that he, at any rate, thought so. But he (Mr. Griffith) was speaking from the point of view of gentlemen who did not agree with that position, but who thought this was exactly the thing that ought to be guarded against. He was not one of those who went to extremes in the matter of Polynesian labour. He did not think it desirable to abolish the law on the subject altogether, or to exclude Polynesians altogether; nor, on the other hand, did he think it desirable to allow their unlimited introduction and their unlimited employment in the colony. As to their unlimited employment, he need say no more. With respect to prohibiting their introduction altogether, he was not prepared to go to that extreme—though he believed many hon. members, and certainly many people in the colony, were prepared to do so—because at the present time it was not sufficiently proved that their services were not more valuable for the interests of the colony than those of any other people, in certain districts. With respect to the third alternative of repealing the law on the subject altogether, he took occasion to point out before, and he would point out again, that if the Polynesian Labourers Act of 1868 were repealed altogether they would be left under the provisions of the Kidnapping Act, which would allow of the introduction of as many kanakas as the Governor thought fit to admit. A captain could bring as many as he liked, and there was no provision whatever for agreements on arrival, or employment, or protection during employment, or return after the expiration of the agreement. He had pointed out what he thought were main defects in the Bill, and would now call attention to one or two minor points. In the eleventh clause he found a strange anomaly, which was a transcript of the present Act. The provision he referred to was—

"No ship shall be authorised to carry a greater number of passengers than in the proportion of one statute adult to every twelve clear superficial feet of space allotted to their use; and the height between decks shall not be less than six feet six inches from deck to deck."

That would allow 78 cubic feet for each adult. But there was a proviso, where the decks were more than 6 feet 6 inches apart, there should be 144 cubic feet of space for each adult. In one case an adult was to have 78 feet and in the other 144 feet. He did not know the explanation of the anomaly, but called attention to it hoping that the Colonial Secretary would be able to ascertain whether it was an error or not. Where the decks were 6 feet 7 inches apart 144 feet was required, and where the decks were only 6 feet 6 inches apart only 78 cubic feet was necessary. He thought there must be some error in connection with the figures. In the 4th subsection of the 12th clause there was a limitation, the nature of which required explanation—

"No passenger shall be introduced for field work who, in the opinion of the Government-agent, is less than eighteen years of age."

What was the meaning of that? They were not to be introduced for field work—and how was that to be determined? The Government agent was at the island, and how was he to know whether the men were intended for field work or not? Was it intended to allow of the introduction of nursemaids?—that was the only practical solution he could think of, at present.

Mr. HILL: Housemaids.

Mr. GRIFFITH said he did not know; it was very likely. At any rate, those words should be omitted. There were one or two other matters which he did not think of sufficient importance to call attention to at the present time, and would therefore leave them till the Bill got into committee. He should not oppose the second reading of the Bill, but should not be very enthusiastic in supporting the third reading, unless it were amended in committee in the direction he had pointed out, in order to give effect to the openly-expressed wishes of the community.

Mr. MOREHEAD said a considerable portion of the remarks made by the hon. member (Mr. Griffith) might well have been reserved for committee. It appeared, however, that he agreed with the general principles of the Bill under consideration. He (Mr. Morehead) would point out that much of the abuse which had been poured forth was deserved just as much by Brisbane as the interior of the colony. He recollected that the last black boy he employed—and he did not shrink from admitting that he had employed a black boy—was previously in the employ of the hon. member for Enoggera (Mr. Dickson), and was one of the many black boys that had been in that hon. gentleman's employ. He was inclined to think there were also other hon. members on the Opposition side who had employed kanakas; but he merely mentioned the facts to point out to the public and to the House that it was not only the squatters who employed kanakas, but the people in and around Brisbane, and who possibly employed them more than the squatters did. There was hardly a man on the other side of the House who had not employed kanakas. He did not blame them; the law allowed them to employ kanakas, and it also allowed the squatter to employ them; therefore it was no blame to them either. He himself had employed kanakas for some considerable time, and the law allowed him to do; but when the question arose whether it was advisable that the present state of affairs should be perpetuated or not, that was quite another matter. He held that the employment of the kanaka by the squatter in years gone by was not only good for the kanaka, but also very good for the colony. He believed he was one of the first employers of kanakas in the Mitchell district—possibly the first, though the hon. member for the Gregory said he was before him. But what were their reasons at that time for employing kanakas? The pioneers were so far from civilisation that white men were hard to get and wages were high. The squatting districts were looked upon as being altogether outside civilisation. If the squatter wanted to borrow money, and went to any financial institution for that purpose, they looked at him and laughed when he told them his station was on the Barcoo or the Thompson: and the consequence was he had to get as cheap labour as he could. The kanakas suited him and he employed them, and his experience was that Polynesians were very good servants wherever they went. He had for some time believed that the state of affairs at the present time did not require kanakas in the interior. The great wilderness had been opened up. Capitalists were now aware of the prospects afforded by the discovery of some of the richest grazing districts in the world—at least in Australia—out west. Where many years ago there was great difficulty in getting money, the banks were only too willing to make advances. The kanaka having done his work in the past—and he had done it well—there was no use for him in the interior at the present time; and he distinctly thought the day had gone by for the squatter to employ an inferior class of labour when he could get men of his own colour. But he wished it to be distinctly understood that the kanakas had done well in their time, and that he took the present position feeling that the time for their employment in the interior had gone by. There was a great difference, however, with regard to sugar-

planting. It was well known that sugar-planting, to be carried on profitably, required that kind of labour—at any rate, in tropical regions. It was useless to say white men could do the duty expected of black men in such a climate; and the hon. member for Mackay, who represented that thriving sugar-growing district, would bear him out in what he said. It appeared anomalous that they should be debarred from employing what labour they chose; at the same time, there were serious arguments against employing an inferior when it was possible to employ a superior race; and for those reasons he should support the second reading of the Bill. He did not quite understand the hon. member for Brisbane, however, when he stated he would introduce such an amendment as would debar the employer of labour, no matter where, from employing a kanaka after his three years were up. For his own part, he would not employ a kanaka who had served his term; but it would be an infringement of the liberty of the British subject if such an amendment were introduced. The hon. member for Enoggera would agree that it would be disastrous both to himself and to the colony. While strongly believing that the day for the employment of black labour in the interior had gone by, he at the same time thought there should be no clause put in the Bill which would debar any individual from working where he liked or employing whom he liked. He himself had been subjected, in company with the Colonial Secretary, to a certain amount of indignity with reference to this question. Perhaps the Colonial Secretary deserved all the burning he had got, but he did not think that he himself did. His opinion on this question had been very pronounced—as pronounced as he had expressed it to-night—that he firmly believed that the introduction and employment of kanakas in the interior in the first instance was of great benefit to the colony, of great benefit to those who employed them, and tended a great deal to the development of the great interior of this colony; but yet, holding as he did that they had now discovered a great pastoral district to the west, he thought that those who were really the backbone of the country could do very well without kanaka labour there. He did not presume to make any *ad captandem* speech; he said he believed in the employment of kanakas in the past, but he did not believe in their employment in the future, and for this reason he should support the second reading of the Bill, in the hope that very stringent regulations would be passed so as to protect these men, so that they should be properly fed, properly housed, and properly looked after in every way so that no stigma should attach to the colony or any portion of it through the employment of these men. They had had stigmas attached to the colony in regard to the treatment of these men. Only very recently they had something of the kind in the report that was in the hands of hon. members with reference to the treatment of islanders in a sugar district. He believed that with proper precautions kanaka labour would be of great benefit not only to the sugar-planters but to the colony at large, but he sincerely hoped that the Bill would be surrounded with such restrictions that there would be no opportunity of these men being ill-treated, or that anything in the legislative enactments of the colony should savour of anything like slavery. With these remarks he would support the second reading of the Bill, and he hoped to see it a little amended in committee.

Mr. FEEZ said on the first occasion he was called upon to speak in that House he laid very great stress upon the forthcoming discussion on this Bill, which was one that occupied the mind of Queenslanders, perhaps, more than any other subject that could be brought before them. While he readily admitted that the Bill now before the House was a vast improvement on the Act of 1868, he was still of opinion that it was an anomaly—that it was a contradiction that they should legislate so as to deprive one great portion of the community of a certain benefit, and merely confer that benefit upon a small portion of the colony. He said a Bill to regulate the introduction of labour into the colony should be a Bill that would give to every man the right to make use of that labour; but, as was stated by the Colonial Secretary, it was impossible—that while he himself endorsed that course, pressure from outside had been brought to bear in such a manner that it was impossible to carry out such a Bill. The Executive minute passed in 1875 by and under the administration of the Douglas Ministry, could not do away with the Act of Parliament of 1868, and till lately the country had acted upon it. He (Mr. Feez) was very pleased to hear the hon. member for Mitchell, who was far more deeply interested in squatting, and who had been in the country so long, say that he was satisfied that this class of labour was no longer required for the development of the interior, and that squatters were now in such a position that they were able to fence in their runs, but he (Mr. Feez) thought that while they did not use South Sea Island labour, they would use very few white labourers. They had now got over the difficult times, and had arrived at a period when they were able to raise the means to keep on making such improvements on their stations that where they formerly employed fifty men they would not now be obliged to employ fifteen. He looked upon this Bill as going far too far by giving the right of people living beyond thirty miles off the coast to employ this labour. If they wanted to prosper and find labour for white men, he was sure it was impossible to extend that privilege to thirty miles of the coast. No sugar cultivation extended over twenty miles from the coast. He thought that with regard to the cultivation of tea, coffee, sugar, and other tropical produce, provision should be made to strictly bind employers of this labour that it should be employed for that specific purpose only. They all knew that the growth of tea, coffee, and other tropical products were matters *in prospectu*—they were at present not grown in the colony, and the only thing this labour would apply to would be sugar-growing, He looked upon that industry as a most important one, and would fail in his duty as a colonist if he were to injure in any shape or form the development of so valuable a cultivation; but it was his opinion that there were many South Sea Islanders employed on sugar plantations who could be very well replaced by honest white labourers. They heard of sugar-growers making profits of £30,000 and £15,000 a-year, and if they would be satisfied with half that profit the other half would enable hundreds of Europeans to settle down and become prosperous colonists and assist in what they so much required—increasing the population. That South Sea Islanders were a valuable class of labour he admitted; he had the highest respect for that class of labour; but they could never hope for success in this colony if they kept increasing their black population at the present ratio while their white population was diminished. Every year a few cockatoo squatters who grew an acre or two of cane, or attempted to cultivate rice or cotton, would set themselves up as growers of tropical produce, and get permission to employ their labourers, and what did they employ them for? Simply as servants to do work that must otherwise be done by white men. He would impose very severe restrictions by which the men employing this labour should be bound down; and maintained that inspectors

should be appointed to see that the Act was carried out in its integrity. Otherwise the measure would be more injurious to the development and prosperity of Queensland than any other Act, and he believed sooner or later it would give rise to the question of separation again, as there was no doubt that north of Mackay that kind of labour would be more necessary for any kind of work. But he did not see why they should not grow sugar here as well as they did on the Clarence, where only white labour was employed; and he maintained that on plantations in this colony, where 300 and 400 kanakas were now employed, 100 would be sufficient, and the rest of the work could be done by white labour. He thought some system should be introduced by which the sugar growers should only be allowed to employ South Sea Island labour according to the acreage they had under cultivation. As to the question about tea, coffee, rice, and spices, that opened up a wide field, and he feared it would lead to a great deal of abuse. Another phase of the question was that, as was well known, many South Sea Islanders when they had served their time did not return home, and if they kept on introducing more, the result would be that in course of time there would be nothing else but kanakas here. Those remaining in the country should therefore be taken in account. He would give the Bill every attention, and thought that some very strict clauses should be inserted to prevent the too great influx of that population.

Mr. MACFARLANE said, as an opponent to kanaka labour, he should much rather have seen a Bill introduced to prohibit the introduction of blackfellows than one to regulate their introduction. He was glad to hear the hon. member for Mitchell say that, so far as the West was concerned, the time had gone past when kanaka labour was required, and he did not see why it should not also have passed with the sugar planters. He knew it was the opinion of many persons that it was impossible to work sugar plantations in the North without black labour, but that was not his opinion at all. He looked upon a white man as being capable of more endurance by a long way than a black, and if he were capable of greater endurance in various kinds of labour, why should he not take the place of black labour in connection with sugar-growing? It was well known that at the present moment there were hundreds and thousands of men going about our streets idle while these labourers were taking their place and receiving their wages. Black labour was no doubt cheaper than white; but he held that the superior qualifications of white men more than compensated for the low rate of wages at which blacks were employed. He maintained that while people who had come here—many of them at the expense of the country—were going about idle, it was decidedly wrong that they should legislate for the further importation of black labour to take the work out of their hands. He would much rather that the first clause of the Bill should read, "no person shall hereafter introduce islanders into the colony of Queensland"—instead of as it did. He had such an utter destestation of black labour, while their own white people were suffering starvation almost in many parts of the country, that he should not sit down without moving as an amendment, "that the Bill be read this day six months," so as to test the House upon it, and see who was in favour of white labour, and who was in favour of black.

Mr. KINGSFORD said he could not say with the hon. member who had just sat down, that he detested black labour. He detested nothing in the shape of humanity, and it appeared to him rather a strange expression for an hon. member holding the views of the hon. member for Ipswich (Mr. Macfarlane) to use. He was quite sure there were some very respectable men amongst the kanakas. With regard to the Bill before the House and the debate, so far as it had gone, it appeared to him that it resolved itself into three parts—first the desirability of employing this class of labour, second the restrictions under which it should be employed, and third, what was to become of the kanakas when their term of agreement had expired. It certainly appeared to him that if it was necessary to legislate so exclusively, so minutely, and with such stringency about this matter, that it was not desirable to employ any kanaka labour at all, and he thought so upon higher grounds also. Nothing had been said that evening by hon. members who had spoken in favour of kanaka labour to show that on any good grounds at all kanaka labour was preferable to white labour. The hon. member for Ipswich (Mr. Macfarlane) said that white men could do at any time what black men could do. It appeared to him (Mr. Kingsford) somewhat derogatory to white men that they should be brought into competition with the kanaka or even with Asiatic races as to the powers of endurance. Why! an Englishman, or a Scotchman, or Irishman could endure anything and anywhere; and was it to be supposed in this nineteenth century, in which men possessing powers of endurance of any description could be found, that it could be used as an argument that in Queensland a white man could do that which it was considered necessary to employ black labour for? It seemed to him absurd, and that that part of the question might be left out altogether. It was well known that competition kept commercial matters healthy, and on that ground he should not object to even black labour, as he was quite sure that in the colony of Queensland those men who had come from the home country could do as much as one or even half-a-dozen black men could do if they chose to do it. It appeared to some persons that it was right to employ kanakas: if that was the case, then he contended it was wrong to restrict that class of labour to any one industry, or to any one part of the country. Why should not a man who was not a grower of sugar be allowed to employ them as much as a man who was a grower of sugar only in a small way? He thought the Bill ought to be expunged, if the principle of confining kanakas to any one part of the colony was allowed to remain. Then, again, with regard to those unfortunate men, when their engagements expired, what was to become of them? Were they to be kicked about like footballs, and sent back to their homes? Supposing they did not wish to go home, they were free men, and being on English ground were free as any others; and therefore, instead of having the cold-shoulder turned to them, they should be looked upon as equals to ourselves. He should vote for the second reading of the Bill, not because it was a complete measure, but because it was an improvement on the present law.

Mr. LUMLEY HILL said the hon. member who had just spoken stated that no necessity had been pointed out for the restriction of kanakas at the present time. It might be rather delicate ground to go upon, but he fully went with the hon. member in his views that, if kanakas were admissible at all, they should be free to be employed by either squatter or sugar-grower. The hon. member for the Mitchell, with whom he (Mr. Hill) generally agreed, said that owing to the improved circumstances of the squatters in the west they no longer required kanaka labour, and he (Mr. Hill) could say that, so far as his district was concerned, they did not want them. He had been one of the first to employ kanakas there, and had found them very useful.

He had employed ten, and after they served their time he sent them home, and he could safely say that he should be glad to see any one of them on their own islands, as he knew he would receive a good welcome from them. He had a great respect for kanakas, but as to their competing with white men, he thought it must be a very mean man indeed who could not successfully compete with a kanaka. Supposing, as had been said, kanaka labour was a cheap form of labour to employ, it enabled the small capitalists to employ more high-class labour, and it elevated the condition of the ordinary working man, as instead of being a drudge, and being put to the lowest occupations, he was employed to supervise those men. The hon. member for Leichhardt (Mr. Feez) drew a very glowing picture of the healthy position the squatters were in at present, and also a very glowing picture of sugar-growers, who, he said, were making from £15,000 to £30,000 a-year; but his (Mr. Hill's) experience was different, as he knew that there were many squatters just as hard pushed as ever. Some might be doing well, but there were others struggling as hard for their bread as ever men did—there were men in the interior who could hardly see before them, and who were stretching their utmost to make both ends meet. And, if some sugar-growers were making money, they were men who had lost a great deal in former years, and who were only getting back their own. Kanaka labour had to his knowledge been employed on stations on work that was not fit for white men to do. He had himself employed them at shepherding, which he considered was the most degrading work that white men could be put to. It was most degrading to a white man that he should be compelled to trudge day after day, and month after month, at the tail of a flock of sheep, and he knew that it frequently drove men silly after a few years, and made them only fit to go to Dunwich or Woogaroo, or to finish themselves off in a drunken spree. He did not believe in it, nor did he believe in white men working in steamy moist ground amongst cane. They were very enduring no doubt, and beyond all comparison with kanakas, and he dared say could do the same work, but it would be putting their abilities and their energies to a very mean purpose in working away and risking all sorts of malarious fevers to which kanakas coming from their native islands were by no means subject. In developing the country far west the kanakas no doubt came in very useful, but now he did not want them. He had employed them, and they served his purpose very well, but now he would not employ them if it was open to him to do so. He considered there had been a great deal of clap-trap talked about them, and the burning in effigy of the hon. member for the Mitchell and the hon. Colonial Secretary was mainly the work of a lot of short-sighted men who had had dinned into their ears that these men were competing with them. He could remember thirty years ago, when a great deal of thrashing and reaping machinery was being introduced into England, the working men getting up a great cry that work would be taken from them and bread taken out of their mouths—that wages would go down, and ruin and want would result; in fact, there was almost a rebellion, and they were going in for smashing the machinery. But, after a time, when the machinery was introduced, they found that it had the effect of raising their wages and elevating their employment; and he believed himself that, looking at the employment of kanaka labour in the outside districts from a statesmanlike point of view, it was a good thing for the country at large. If it was cheap labour—although he did not think so—it was more reliable. The wealth remained in the district in which they were employed, and the surplus over their earnings remained in the country, and even when they went back to their islands the fruits of their labour were left behind them. He knew himself that it was such a preposterous idea in accordance with the popular cry, that the employment of kanakas should not be left open to squatters, that it was useless to advocate it. At the same time he considered the Bill before them a very fair one, and he should support its second reading.

Mr. MACDONALD-PATERSON said that some matters had been introduced into the debate that did not appertain to the discussion. In the first place, with regard to what had been said by the hon. member who had just sat down as to white men being mean who could not compete with kanaka labour, if there was anything in the argument the boot was on the other leg, and the white employer was a mean employer who desired white men to compete with kanakas. Just think what miserably small wages were paid to kanakas for years of labour; yet white men were expected to compete with them. What they wanted in Queensland was healthy competition by an accession of European labourers—men who would make the country their home, and not run away when they had served three, four, or five years, and who would with their wives and families increase the prosperity of the country. As to shepherding being a demoralising occupation, that was an excuse put forward now because the people were averse to the continuation of the kanaka system. It was a mere subterfuge. If the pastoralists would make proper provision for establishing shepherds' depôts, and comfortable cottages where two or three shepherds could live together, as was the case in New South Wales in the old times, there would be something like comfort and social intercourse between them, and their life would be much happier. It was because in the present day in the interior men lived alone on distant parts of runs, had to cook their own victuals, and never saw a white man except once a fortnight or so, when the ration carrier came round with supplies, that the occupation became demoralising. The hon. member for South Brisbane had spoken of the liberty of the subject, and the advantage of a black man placing his foot on British soil. That was very good so far as it went, and they were all aware of that advantage, but it so happened that the British Islands were not contiguous to or within ten days' sail of islands teeming with Polynesians. If the question were altered and Great Britain had been within eight or ten days' sail of islands containing men like the Polynesians, the British workman would have been up in arms long ago. The working men were entitled to raise the cry against black labour, and to ask that the law should be altered in this respect. As to some labour in the colony being so improper and dishonourable that white men would not engage in it, he did not understand what it meant. What was trashing canes, say, at Mackay, in comparison to working in coal mines? There was no comparison between the two. With regard to the Bill itself, he thought the Colonial Secretary had made a very good estimate of the interpretation clause when he said, as he (Mr. Paterson) understood him, that the Bill would not prevent Polynesians being engaged in other than tropical or semi-tropical occupation.

The COLONIAL SECRETARY said he should not be responsible for misunderstandings. He said nothing of the kind.

Mr. PATERSON said that under the clause defining tropical or semi-tropical agriculture—

> "The business of cultivating sugar-cane, cotton, tea, coffee, rice, spices, or other tropical or semi-tropical productions or fruits, and of rendering the products thereof marketable"—

it might be contended that grass was a tropical production, and he was quite sure it would be dis-

covered to be so when some of the runs required regrassing from overstocking. Of course, Polynesians would be employed to do it, and they would probably be those who had completed their term of service. This brought him to what the hon. member for the Mitchell had said—namely, that the period had passed when such labour was required in the interior. There surely could be no objection to insert in the Bill the specific callings in which no Polynesian labourers should be employed. He was sorry that the hon. members for the Mitchell and the Gregory had not spoken as they had now done about the time of the general election, because in that case they would have had a Bill of that kind much earlier, and if they had had that Bill, say, at the early part of last session, the result would have been by this time the introduction of a Bill for additional members for the Leichhardt and Mitchell districts, because, as he once pointed out to the electors of Rockhampton, the substitution of white men for kanakas would so raise the white population of those electorates that they would as a simple act of justice be entitled—at least, between the three electorates — Leichhardt, Mitchell, and Gregory—to two additional members. He would reserve any further observations till the Bill went into committee, when he would say what he thought about the different amendments necessary to perfect the Bill. He felt satisfied that if it received fair attention from both sides it would be made a good Bill, which was highly desirable at the present time, and would meet with the approval of the great majority of the people of the colony.

Mr. WELD-BLUNDELL said it was his intention to support the Bill, although he believed that the main principle was a very bad one—namely, that of interfering with free labour. There was no more reason why they should interfere with free competition in labour than with any other single thing. He was quite willing to admit that there were strong reasons why kanakas should be kept from the interior. In the first place, all colonists hoped that ultimately Queensland would consist of, and be well peopled with, Europeans, and that anything like the introduction of a large number of an inferior race would have a very bad effect. There were instances in all parts of the world where amalgamation of the kind had taken place with disastrous effects. The introduction of the Chinese into California, as they knew, had been a serious evil, and in America throughout the States, but more especially in the South, the country was swamped by the black slaves, who since their liberation had mixed with the white race, and whose influence had been so very bad in the whole of the States that it was doubtful whether they would ever recover their former condition. The half-castes had been a very serious evil in South America, and if permission were given to the kanakas to live in the country their influence would also be exceedingly bad. Therefore, he believed that the main principle of free labour might be given up, and the Bill might well be made to restrain a certain class of labour. Further than that, there was not the same necessity as existed in former years for labour of this kind. The hon. member who last sat down seemed to think that the kanakas had done no good; but he disagreed with that, and would go even further and contend that without them the interior would not have been developed to one-tenth of the extent it was. It was an error to suppose that it was economical to employ kanakas. Many persons who had employed them had found them by no means a cheap form of labour, and had by experience proved that it was far better and cheaper to employ white men. He himself once employed kanakas, but not long ago replaced them with white men, who in the long run were less expensive. He found that the same view was held by several neighbours of his who were employers of kanaka labour. But with respect to the employment of Polynesians for particular kinds of labour, it was absolute folly to say that white men could be employed in the working of tropical industries. They knew that in every part of the world cheap labour was employed for such industries. It must be remembered that sugar could not be made a marketable commodity unless they were able to produce it here as cheaply as their neighbours, and he did not believe there was a country in the world which grew sugar successfully without employing cheap black labour of some kind or other. He should therefore strongly oppose any attempt to prevent Polynesians being employed on the sugar plantations of the colony, for if the attempt succeeded it would have the effect of crushing out an industry which promised to be one of the best in the country. It was strange that hon. members who were always talking about agriculture and speaking disparagingly of squatters and the pastoral industry should yet do everything in their power to destroy the cultivation of sugar. He was rather amused by the statement of the member for Rockhampton that large numbers of white men would flock to certain districts the moment the Bill passed. He supposed the hon. member expected that as soon as the Bill became law the whole country around Rockhampton—in fact, Rockhampton itself—would become desolate by reason of white men flocking from it to the western districts to replace the 50 or 100 kanakas who were employed there. The fact was, that though Polynesians might be employed in certain localities they were not many in number; and most of those who were employed were free men who had been some years in the colony, and had proved themselves to be good labourers—better than many white men, and more cleanly, he was ashamed to say, than many European labourers. He saw no reason why such labourers should not be employed. The hon. member for Moreton shook his head, but he understood that the hon. member himself was an employer of kanakas, so that he had evidently come to the conclusion that they were exceedingly good labourers. At all events, the circumstance corroborated his contention that there were kanakas who had been in the country for some years, and had learned to make themselves good, cleanly, and useful labourers. Whilst he saw no reason for opposing the employment of such men he should be sorry to see them remain in the colony in large numbers, but he did not think there was any likelihood of such a contingency ever arising.

Mr. RUTLEDGE said it might seem rather late in the day for anyone to announce himself as opposed to the introduction of Polynesians. The public mind had become familiarised to a great extent with the fact that black labour existed, and that it could be obtained in any quantity; and there were many persons who, though opposed on principle to its introduction, had become reconciled to it because it had been so long in existence. He had, however, no hesitation in declaring that he was an uncompromising opponent on principle to the introduction of this class of labour. He was aware, further, that it was very little use making an announcement of that kind in the House, because it was quite clear that the majority of hon. members believed that whilst it was far better not to have Polynesians, they must, having allowed them to be introduced, do the best they could, and try to make the system as little injurious to the Polynesians themselves as was possible. A great deal had been said by members in favour of the introduc

tion of kanakas, on the ground that it was utterly impossible to carry on sugar-growing and manufacturing without labour of this kind, which, it was said, was specially fitted for the work, the reason being that the Polynesian had a black skin. The member for Clermont had stated—and he was surprised that a gentleman who had travelled so much should have made such a statement—that there was no country in the world where sugar-growing had been successfully carried out without black labour being employed. It very often happened that gentlemen who had been able to indulge in the luxury of travelling, and who had made minute observations of what was going on in distant parts of the world, had omitted to notice what was going on nearer home, and if the hon. member for Clermont had confined his peregrinations to a journey across the border into the Clarence district, he would have found there a large district where the sugar industry had attained colossal proportions, and that it had done so because it was established on a firm basis without Polynesian labour. He was not talking at random. He had lived in the district for a considerable time, and had made careful observations of what was going on, and he repeated that the reason why in the Clarence district sugar-growing had become a gigantic industry without Polynesian labour was because the right system had been adopted of dividing the interests of the grower and manufacturer. In Queensland, they had an artificial system modelled upon the plan which still existed in the West Indies. They had here a number of gentlemen of wealth and respectability who, seeking an outlet for their capital, had invested in the cultivation and manufacture of sugar, and by reason of combining the two things they had found it necessary to employ black labour for the field work, and, in some instances white labour for the indoor work. They knew that the traditionary West Indian planter was an august personage—a gentleman with pretensions to high birth, and possessed of great wealth, and that he liked to have himself surrounded by an army of coloured retainers. He was in receipt of immense incomes from his plantation, which enabled him to reside either permanently or occasionally in Europe; and as a rule he sent his family abroad to be educated, and in most cases to be settled in life there. In the Clarence district, however, the land was in the occupation of farmers, many of whom did not own more than twenty or forty acres, which they cultivated themselves. A wealthy company, the Colonial Sugar Company, had erected large mills in various localities; and there was an agreement between the company and the growers of sugar-cane that for a certain stated sum the growers should sell the product of their farms to the company, which at the expiration of a certain period sent out its gangs of men to cut and carry away the cane. They had powerful steamers and fleets of punts which were employed in the conveyance of the cane to their mills, and the grower was saved all the trouble and risk connected with the cutting of the cane and its manufacture into sugar. All the grower had to do was to go into the company's office a month after the cutting, and receive payment, and he had known men owning forty acres walk out of the office with a cheque for £500. That had frequently happened, and the result was that whilst there was on the one hand a powerful company amassing enormous sums of money, and so wealthy that it could afford to give bonuses for high-class cultivation, they had on the other hand the owners of these comparatively insignificant areas—from which, whilst they were engaged growing maize, they were not able to make a living—indulging in the comforts and luxuries of life, and able, in many instances, to ride in handsome equipages. The Colonial Sugar Company did not farm the land; it had none of the responsibilities of cultivating, and the consequence was that the two industries, being entirely separated, were in the hands of two classes, who each understood their business. They had this division of labour, and found that both the cultivator and manufacturer were becoming more prosperous year by year. That was the state of things which existed near home, and which the member for Clermont might have studied with advantage. He (Mr. Rutledge) learnt some time ago that there was precisely the same system in one part of the southern portion of the United States. There they had gone in for a division in the growing and manufacture of sugar, and it was found that while the grower brought all his experience in the cultivation of his cane, the manufacturer employed all his capital in order to turn the cane into sugar at the most economical rate, and both were paid handsomely. And the result was that instead of having dark-skinned servants huddled in huts and dying in hundreds, there were all along the banks of the river comfortable cottages occupied by thrifty farmers. That was what was wanted here. On the Pioneer River, though, they had a system of things which was exactly analogous to what had existed in the West Indies, and still existed to a certain extent. It was because the gentlemen who had the capital were not satisfied that the capitalist and the labourer should share the profits of the sugar industry, but wished to monopolise the profits of both, that kanaka labour was introduced and employed. The unbearable nature of the climate had been referred to, and an *ad misericordiam* appeal was made on behalf of the white man, out of consideration to whose feelings it was said black labour had been introduced. It was remarkable, however, that a resident of Mackay, if condoled with on account of the fearful exhaustion resulting from the oppressiveness of the climate, invariably resented the condolence as an impertinence, and claimed that the temperature of Mackay was quite as bearable as the temperature of Brisbane. Yet hon. members persisted in talking about black labour being introduced because white men could not endure the malaria which arose in the cane fields. On the Clarence River, where the thermometer registered at times 110 in the shade, no island labour was employed—at least, there was none three or four years ago when he visited that district. The white farmers there understood the sugar industry—they chose their time for trashing and regulated their hours so that they were not exposed to the rays of the sun during the middle of the day; and he maintained that if the same class of farmers were settled in the Mackay district they would, with the assistance of perhaps one working man each and two or three sons, be able to carry on all the necessary farming operations, and prepare their cane for the wealthy mill-owner, who would convert the cane into sugar in a way which would be advantageous to both parties. As soon as the principle of the introduction of islanders was admitted, on the ground that the white men were not able to endure the stew of trashing, it was found that the planters utilised their labour for other purposes. He had been informed by a resident of Mackay who visited Brisbane a few weeks ago, that on some of the plantations from 90 to 100 per cent. of the work was performed by coloured labour—island labourers being engaged in trashing, carting, cutting, and other farming operations; all the work of the mill with the exception of the overseeing being performed by islanders; and in some cases, the servants in the

house engaged in the preparation of food being kanakas. He did not see how by legislative enactment such a state of things could be prevented, but it was clear that, on the plea that white men were being stewed to death, black labour had been allowed to supplant the white man in those spheres which were his by inalienable right, and of which he ought not to be deprived by the powers that be, or by any legislative enactment. Hon. members should not look on whilst districts of three or four square miles in extent—where a few men made large incomes and amassed wealth—furnished employment for only as many white labourers as could be counted on the fingers. A sugar industry should be fostered which should employ a large, contented, and prosperous European population. He did not find any special fault with the present Bill, or with the planters for endeavouring to utilise black labour; but he did find fault with legislation which had rendered possible the state of things which had recently existed. In order to make the present Bill what it should be, and prevent the islanders being utilised for any purpose beyond that intended, one or two clauses should be introduced dealing specifically with the evils which had been already pointed out. The great moral delinquency on the part of any legislature in enacting a measure by which black labourers could be introduced to be decimated in the way they had been in this colony had been quite overlooked. The extreme mortality pointed out in the report recently laid before Parliament was inseparable from the conditions attending their introduction to a new country and new customs. When visiting Maryborough recently he had been greatly moved to see the large area in the Maryborough cemetery filled with the graves of kanakas, and to learn that in the neighbourhood of the various plantations numbers of graves of islanders were to be seen. With regard to kidnapping he had no doubt that in some cases the islanders came freely, but in others it appeared to be the custom for the chiefs to barter with the captains of the vessel. Tobacco, tomahawks, and other articles were liberally supplied to him by the captain of the ship, and many of the islanders found it convenient to be willing to go. In many of the islands the will of the chief was law, and the islanders expressed their willingness to go because they did not dare to refuse. The whole principle was bad, and it had never been demonstrated that black labour was necessary: but if it was impossible now for the colony to retrace its steps the least the House could do would be to surround the traffic by such safeguards and restrictions as would prevent the abuse of what was called the privilege of the planter to have cheap labour. He should strenuously resist every attempt to employ this labour in any but purely tropical agriculture, or in any industry where it would come into competition with that of our fellow countrymen. He should vote against the measure as a whole, because he was strongly opposed to the introduction of the labour at all. Should the amendment of the hon. member for Ipswich—for which he should vote—be negatived, he should, when the Bill was in committee, endeavour to introduce some amendment likely to effect the improvements he had indicated.

Mr. AMHURST, speaking to the amendment, said he hoped that whether it were carried or lost, some restriction would be imposed. The hon. member for Ipswich had evidently very strong views on the subject, but he was not exactly correct. He (Mr. Amhurst) was the only member in the House representing a purely sugar district, and he could assure the House that his brother planters were of opinion that the employment of black labour had made Mackay what it now was, and that were that labour withdrawn the interests of the district would suffer. They had to compete with the whole world, and without coloured labour Mackay would be nowhere. When he first went there there were only 600 or 700 Europeans in the district; there were nearer 4,000 than 3,000 now. The hon. member (Mr. Rutledge) said there were a hundred kanakas employed to one white man. Twenty-five per cent. would be nearer the mark, for on an average there were four Europeans employed to every 100 kanakas. He could mention plantations where there were more Europeans employed than kanakas, and one plantation in particular employed over ninety white men. There were many things in connection with sugar-growing besides field labour, such as building, the erection of machinery, and other work, which could only be done by Europeans. He was afraid the hon. member had been misinformed, if he thought the sugar industry at the Clarence was colossal. He knew on the best authority that the Colonial Sugar Company there had expressed themselves willing to invest £250,000 in northern Queensland, and, as their terms had not been agreed upon, they had gone to Fiji. He did not look at this as a local question. They wanted Queensland to compete with the whole world, and not to be the means of simply supplying its own inhabitants with sugar through a costly monopoly for which the people would have to pay. Kanakas did not take a single farthing out of the colony; their wages were spent on manufactures made by Europeans. He was afraid the hon. member (Mr. Rutledge) had not got up his statistics carefully enough. The growth of the sugar industry would introduce a good class of immigrants, and then the colony could compete with the rest of the world; but they must have a certain proportion of coloured labour, although what that proportion should be it was impossible to say. He would not go further into the subject at that late hour, but hoped at a future day to speak upon it at greater length. He trusted the Bill would be read a second time.

Mr. MESTON said he had listened with considerable interest to the arguments that had been used on either side on the question of kanaka labour; and, as an old sugar-planter, and connected with a sugar-growing family, he could speak on the subject with some authority. When the hon. member (Mr. Rutledge) made reference to the extensive sugar plantations on the Clarence River, expressions of dissent were offered from the other side of the House; but the hon. member was perfectly justified in using the word "colossal," for nowhere could there be a better illustration of rapid growth than was supplied by the sugar industry on the Clarence River—and that was almost entirely attributable to the fact that capital and labour worked mutually for each other's benefit. He was astonished, on a recent visit to the Clarence, to find what sugar-growing had done for the district, People whom he had left some years ago walking on foot, now rode on horseback or drove their buggies, and people living in humble cottages had erected expensive houses, costing £500 or £600, and a general air of prosperity and comfort seemed diffused throughout the district. It was quite justifiable to use the word colossal to a district which had thirty-six private sugar-mills of from six to sixteen horse-power, besides three large mills owned by the Colonial Sugar Company, which produced 300 tons of sugar weekly. The Clarence River last year produced more than half the quantity of sugar grown in the whole of Queensland. One mill alone, on the north arm, was capable of producing twenty tons of sugar per day, and just before his visit they had imported from France a new

apparatus for the manufacture of sugar, which cost the company £20,000; and on the mill altogether they had spent over £125,000. The hon. member (Mr. Rutledge) said it was no unusual thing for farmers to go to the Colonial Sugar Company's office and receive cheques for £400 or £500 for the produce of forty or fifty acres of cane. He (Mr. Meston) could tell the House that it was quite common for farmers to go to that company's office and get cheques for £800 or £1,000 for forty or fifty acres of cane. He knew of several instances where that had been done. On the Richmond River there were sixteen mills, and the Colonial Sugar Company were now erecting a large mill there to manufacture twenty tons of sugar daily. He was not surprised that arguments had been used in defence of cheap labour, which was one of the most insidious evils that any country had to contend against. He would first refer to the fact that some of the Clarence farmers contemplated moving into Northern Queensland. They were anxious to do that, if sufficient inducement offered, because the whole of the land there was taken up and under cultivation, and there was now a surplus population. In some cases fathers wished to leave their farms to their sons, and in others the sons wished to leave the farms to their fathers. While he was in the district he was interviewed by a deputation of Clarence River farmers anxious to ascertain what inducements would be offered to them to settle in northern Queensland. There were sixty or seventy men in the deputation, and their capital ranged from £500 to £2,000; and they were prepared, if sufficient inducement was offered in the shape of land, to settle on the Daintree, Mossman, and Johnson Rivers, and charter a vessel to go thither and start sugar cultivation. He had recently had a letter from one of those farmers saying that if the Government were not prepared to offer land on reasonable terms they contemplated going to Fiji. It would be highly desirable that the Government should give those men a little inducement to settle in the colony, as they were about the most suitable class of colonists that could be procured. One hon. member argued that to stop cheap labour would be an interference with the liberty of the subject, by preventing a man from employing whatever kind of labour he chose. That was an argument that had been used in opposition to all matters which tended to benefit the human race. The same argument was used against Sir Wilfrid Lawson's Permissive Bill, and was invariably in the mouths of the advocates of cheap labour. The Government had only to consider what liberty a subject was most entitled to—a minimum of liberty to do evil to himself and the State, and a maximum of liberty to do good to himself and the State; and to allow persons to employ any cheap labour they liked must of necessity tend to the injury both of the State and the individual—in the working classes particularly. He was not quite sure whether he understood the hon. member (Mr. Feez) to say that if they gave cheap labour to one class they ought to give it to all. Would the hon. member like to see his German countrymen come here and work side by side with kanakas? Surely the hon. gentleman expected that there was a higher destiny in store for them than to be asked to compete on level terms with blackfellows from the South Sea Islands. Another hon. member (Mr. Kingsford) told them that competition was healthy. That might be so in trade and commerce, because it tended to reduce prices; but open competition in labour had a tendency to reduce wages. Some hon. member had said during the debate that it was strange if white men could not compete with kanakas. They could compete with kanakas—compete satisfactorily and successfully if asked to live in huts and diet on yams and rice, and exist under exactly the same conditions as the kanakas—but not otherwise. To ask white labour to compete successfully with black labour was to ask white labour to reduce itself to the same condition as black labour. The hon. member for Gregory said positively that shepherding was a mean occupation. Did the hon. member wish him to give a dissertation on the shepherd kings of Egypt? The House was apparently decidedly against a dissertation of the kind, so he would not disturb the old quiescence of historical eternity. He would simply say that the shepherd kings of Egypt were at one time monarchs of the civilised world.

Mr. MOREHEAD: No, never!

Mr. MESTON said the hon. member evidently wished, after all, to drag him into a history of Ancient Egypt. They had been told of the climate of Mackay as being unfavourable to white men, but it was sufficient for him to know that there were three newspaper offices there—to know that where a white man could edit a paper he could go into the field and trash cane. But the idea was an entire delusion about the kanaka labour being essential for plantation work. Sugar cultivation was carried on as successfully on the Clarence as in any part of the world, and without black labour. When he (Mr. Meston) was there he was jested with by the planters frequently for his protectionist proclivities; he reminded them that they had a protective duty of £5 a ton, and asked if they were prepared to take off that duty and allow Queensland sugars to come in free. "That would ruin us," was the immediate reply. How could he expect them to pay labourers 30s. a-week and compete with the Queensland manufacturer on even terms when the latter paid his labourers 3s. a-week? The sugar industry, as a matter of fact, had received altogether too much consideration. First, there was the £5 protective duty, which was a wise and judicious imposition, and had the effect of establishing the industry as it never otherwise would have been established; but to introduce the protection of cheap labour for the special benefit of the sugar-grower was benefiting him at the expense of the whole of the State—and the whole State had in consequence suffered. There were at the present time about 6,000 kanakas whose places ought to be filled by at least 4,000 white men. It was no wonder that at the present time large numbers of white men were out of employment, and the colony was getting a bad reputation in the estimation of the working people in the old country. The whole system of cheap labour must be disastrous for the colony. There was one clause in the Bill which would have to be omitted; otherwise the measure would be worse than useless. The interpretation of tropical or semi-tropical agriculture was as follows:—

"Tropical or semi-tropical Agriculture.—The business of cultivating sugar-cane, cotton, tea, coffee, rice, spices, or other tropical or semi-tropical productions or fruits, and of rendering the products thereof marketable."

That implied everything from Cape York to Cape Byron, and as far west as they liked to go. If that clause passed, the Bundaberg farmer who grew maize and pumpkins, the Fassifern farmer who grew cotton, and the Darling Downs farmer who grew grapes and wheat and peaches and apples, would have the same claim on kanaka labour as the planters of Mackay. But the chief and vital objection was that cheap labour always meant degradation of labour. He might be pardoned for referring to the old condition of the Roman Republic. When the Roman Republic was in its most flourishing days it was at the time the labour was held in the highest respect.

Mr. MOREHEAD: No, never!

Mr. MESTON said the hon. member for Mitchell knew very well that at that time the proudest boast of a Roman citizen was that he was a good citizen and a good farmer.

Mr. MOREHEAD: No, never!

Mr. MESTON would challenge the hon. member to a public controversy on the subject in the Town Hall.

Mr. MOREHEAD rose to a point of order. Was the hon. member in order in challenging him, when discussing a Bill before the House, to a public controversy?

Mr. MESTON, regretting as he did the defective historical knowledge of the hon. member, would take the first opportunity of imparting some private information on the subject to the hon. member. The degeneracy of the Roman Empire dated from the introduction of African slaves, and the relegation of labour to them instead of its being done by the citizens themselves. They knew the effect of cheap alien labour in America, and its ultimate result, and as it had been the degradation of every country which employed it, so would it be to Queensland while it continued. He therefore welcomed the Bill as a preliminary to the total abolition of Polynesian labour.

Mr. FRASER moved the adjournment of the debate.

The COLONIAL SECRETARY did not see any necessity for adjourning, as there would be ample opportunity for discussing the Bill in committee. Adjourning at 10 o'clock when almost every member had spoken was too much of a good thing. He was quite willing to go on with the Bill, and did not see the use of adjourning, especially as every one who had yet spoken —except one—had declared himself in favour of the second reading.

Question put and negatived.

Mr. FRASER said he moved the adjournment——

An HONOURABLE MEMBER: The hon. member has spoken.

The SPEAKER said if there was any objection to the hon. member speaking, as he had moved the adjournment of the debate, he had no right to speak again.

Mr. DICKSON thought a little more courtesy should have been shown to an hon. member who intended to address himself to the main question; and with a view of allowing him to do so, he himself would move the adjournment of the House. It was not unusual at a late hour of the evening, when an hon. member had something he considered worth introducing into the discussion, to move that the debate be adjourned, and he was therefore rather surprised that the Colonial Secretary should have objected to that course being taken, for he must be well aware that the discussion of the subject was one in which several members would like to take part. He himself felt constrained to make a few remarks in consequence of the speech made by the hon. member for Mitchell, who somewhat prominently and, he thought, most unnecessarily introduced his name into the debate in connection with the employment of Polynesian labour. He was quite prepared to meet the hon. gentleman on that ground. He congratulated him on having such an early opportunity of purging himself from that contempt shown to his constituents some time ago, by supporting a Government who, against the wishes of his constituents, introduced Polynesians into the interior during the recess—an act which caused the hon. gentleman to be burned in effigy by some of his own constituents. After the hon. gentleman's speech this evening, he hoped the hon. member would not be again subjected to the same indignity, but would be forthwith re-instated in the good graces of his constituents. He believed the regulations which restricted the employment of Polynesians to certain limits had, while in operation, a very salutary effect. The hon. member had referred to him as an employer of Polynesians, and as having been the means of withdrawing some from his employment.

Mr. MOREHEAD rose to explain. What he said was, that the hon. member had favoured him by transferring to him a very bad Polynesian who had been lately in his employment—the worst Polynesian he had ever employed. The man had evidently come from a very bad school.

Mr. DICKSON said he did not accept the hon. gentleman's explanation in the slightest degree, because he (Mr. Morehead) had been so much in the habit of introducing Polynesians under the Polynesian Labourers Act, that, perhaps, he was not aware when he had a good servant. The Polynesian referred to was treated in such a way and remunerated on such a low scale that the poor fellow was obliged to leave the hon. member's service and find employment elsewhere, where he would obtain decent subsistence, as he did when he went to a person who had not been accustomed to introduce Polynesians under three years' indenture, and who exercised his right of employing such labour as he thought fit, regardless of the opinions of others. He (Mr. Dickson) considered this question of Polynesian labour a very important one. He believed that in the tropical portion of the colony where the sugar industry was carried on extensively coloured labour was necessary—at any rate, until the sugar planters had overcome the preliminary obstacles to the establishment of that industry which they had to encounter at the present time. He should like to see this class of labour confined to sugar plantations, and even defined by a certain parallel of latitude beyond which it should not be employed, or some other mode adopted by which it should be confined to what he conceived to be its legitimate field of operations—namely, to tropical agriculture, and particularly the sugar industry. If it were not for that particular industry, he believed the readiest way out of the difficulty would be to abolish the regulations for the introduction of Polynesians altogether. He believed that course would relieve them of a great deal of trouble hereafter, because he was convinced that, however precisely and clearly they might draw up their enactment, a great deal would depend on the Administration of the day, who would always lay themselves open to objections such as unduly favouring or discountenancing the introduction of this labour. It was a matter that should be regarded with a view to settling it as speedily as possible, so that it should not conflict with the legitimate employment of European labour. He regretted to hear the Colonial Secretary express himself to the effect that he was not in favour of the 7th clause of the Bill—

> "But no such license shall be granted unless the applicant proves to the satisfaction of the Minister that he is engaged in tropical or semi-tropical agriculture, and that the islanders whom he desires to introduce are intended to be employed in such agriculture only."

He (Mr. Dickson) considered that clause to be the very essence of the Bill, and the only justification for the introduction of this labour at all; and as he had said before, were it not for the sugar industry he should be inclined to abolish the regulations altogether and allow these labourers to come here on their own merits, saddled with a capitation tax in the same way as the Chinese were treated. At present, however, that might press unduly on the sugar industry in the North, which had a right to be regarded as one of the most important industries in the

colony. Legislation on this subject was required, because it had always appeared to him that the largest employers of this labour had only been regardful of the exigencies of the day—that while they employed large numbers of these men they never attempted to improve their condition in any respect, and this did not speak well for, he might say, the humanitarian feelings of the proprietors of these plantations. In visiting the northern plantations, one was forcibly reminded of what they read about the condition of the sugar plantations in the West Indies. There was no suggestion or recommendation made by the owners of these large plantations to ameliorate or improve the condition of the islanders in their employ—in fact, to elevate them in the social scale, and when there was an absence of that interest between employer and employed it augured badly for the labour employed in any industry. The measure was no doubt a necessity, and was one that should be fully and carefully and impartially discussed, as he had no doubt it would be, in committee. He regretted the necessity that existed for it, but still this labour having been introduced they must regard it as necessary to be maintained under improved conditions, and if they succeeded in preventing abuses which had hitherto appeared being perpetuated, their legislation would not be fruitless. He had not intended to address the House on the question to-night, as he hoped the debate would have been adjourned; but he had risen with a view to give the hon. member for South Brisbane an opportunity of speaking, and he would, therefore, move the adjournment of the House.

The SPEAKER said the hon. member for South Brisbane would have an opportunity of speaking to the main question. Did the hon. member press his motion?

Mr. DICKSON said he wished the motion put.

Question put.

Mr. MOREHEAD said if he were called upon to describe the speech of the hon. member for Enoggera (Mr. Dickson), he should describe it as a series of inane platitudes. The hon. member had brought forward no new argument or reason for opposing the second reading of the Bill—in fact, he told them that the Bill was a good one; that it was necessary; and that all he wanted was to afford the hon. member for South Brisbane (Mr. Fraser) an opportunity of addressing the House. The hon. member, amongst other things, attacked him (Mr. Morehead) about starving a certain kanaka; but whether he (Mr. Morehead) had starved the kanaka or not, in doing so the hon. member had proved his (Mr. Morehead's) statement that he (Mr. Dickson) was an employer of kanakas. The question was, were they to legislate on this question or not? A large majority of the House were clearly in favour of dealing with the question, and the best thing they could do, if they disapproved of some of the details of the Bill, was to pass the second reading and try and make it as good a measure as possible in committee. The debate throughout had been characterised by good humour, notwithstanding the astounding classical allusions of the hon. member for Rosewood. He did not see why they should not consider this question calmly and quietly, without having those old individuals who were dead and gone, whom nobody cared about, who were perhaps of little use when living, and certainly much less when dead, continually trotted out before them. They had quite enough to do to deal with the kanakas. He was not aware that any of the ancients were kanakas—at least he had never been informed that they were—but no doubt some of them might have blackened their faces and gone round as serenaders at one period of their career. It was really unfair of the hon. member to drag the ancient gentlemen to whom he referred and his crocodiles and other animals before the House again. They had been quiet for a good many years, and why they should be dragged forth to make a noise in that House he did not know. They had been silent for years, and he only wished the hon. member had been as silent that evening. What hon. members had now to deal with was the kanaka question. He held that kanaka labour should be confined almost entirely to sugar plantations, and he did not believe there was any intention on the part of the Government, by any device or by the insertion of any clause in the Bill, to induce any other employment of kanakas. He thought it was unreasonable on the part of some members of the Opposition to assume that there was anything sinister in the Bill; if he thought there was, he would vote against it, or against any clause which was not in accordance with what he had stated or thought to be the intention of the Bill. He had been accused by the hon. member for Enoggera (Mr. Dickson) of having changed his opinions on the kanaka question in accordance with the wishes of some of his constituents, but he could only say that the opinions he had expressed that evening were those he expressed at the time he stood for the electorate of the Mitchell. He was not going to stand there and condemn the hon. Colonial Secretary for administering the law as he found it, but he considered that the present Act required amendment—and that amendment he was going to support. He was not going to condemn the hon. gentleman because he did not choose to follow certain regulations made by the hon. member for Maryborough (Mr. Douglas) when he was in office, as his own idea was that the action taken by the hon. Colonial Secretary was the best that could be taken to bring the matter to an issue. Every hon. member must regard sugar-growing as a great and leading industry, and, therefore, it behoved all to endeavour to make the measure before them as perfect as possible. To carry the amendment of the hon. member for Ipswich would not be even a party triumph, as a similar measure might be brought in by any Ministry that came into power. As they had now an opportunity of passing a measure that would be properly restrictive in dealing with the kanaka question, both sides should work together to make it as perfect as possible. There could be no party question in it, as the pastoral tenant had abandoned altogether the position he was supposed to have assumed—he said "supposed," as he was not aware that they ever asked for the employment of Polynesians. On those grounds he thought the hon. member for Ipswich (Mr. Macfarlane) would do well to withdraw his amendment.

Mr. MESTON said he had listened with profound astonishment to the derision with which the hon. member had just been treating the ancients. The hon. member had throughout the debate reminded him of a well known fable of a certain old man who had a hen which, he being in delicate health, furnished him with a fresh laid egg every morning. But there happened to be an old cat which spent most of its time sleeping on the rug, and the hen observing that this old cat received a great deal more attention from her master than she did, made up her mind to hide her eggs in future, and thus punish her master. But what was the consequence? why, the housekeeper had to pay 6d. a dozen for eggs. Now, the hon. member seemed to believe that without him, legislation in that House could not go on, and that if there was no

electorate of the Mitchell, and he was not a member for it, it would be by only a very violent effort that some little legislation could be done.

Mr. FRASER said he had no desire to speak on the main question, but only on the amendment of the hon. member for Ipswich (Mr. Macfarlane), and the few remarks he had intended to make had been anticipated by the hon. member for Mitchell. It was his intention to vote against the amendment, and for this reason: that were they legislating afresh on the question he could support the amendment, but, as they were not, and had an Act already in force, he thought it was better to pass the Bill before them. A great deal had been said that evening about the right to employ whatever labour employers might think proper, and there was no doubt that that was a sound axiom, but, like all others, it had its limits, and the right to employ a certain description of labour might very properly be objected to. It was not, for instance, so many years ago since the employment of women and children in the coal mines, and of children under a certain age in the manufactories of Great Britain was interfered with by the State. With regard to Polynesian labour he thought that if any fault was to be found it was in not leaving it free to those who chose to employ this labour to do so without any interference on the part of the Government, and in not repealing all the Acts bearing on the question. With regard to black labour being essentially necessary to the cultivation of sugar, they need not go very far to find that sugar could be successfully cultivated without kanaka labour. In the Logan and Albert districts, for instance, the most successful growers were those who did not employ any kanakas. The hon. member for Rosewood told the House what growers of sugar on the Clarence River received for their crops, but on the Logan and Albert Rivers there were many small farmers who for four acres of cane received from £70 to £100. The employment of Polynesians might be necessary in carrying on large plantations, but he contended that the existence of those large plantations was not so necessary to the country as the small plantations which were proving so successful. He had no intention of occupying the time of the House by going over again what had been already repeated. He fully recognised the importance of the sugar industry —in fact, he believed the day was not far distant when it would be one of the first, if not the first, industry in the colony; but he thought it should be not in the hands of a few capitalists, but distributed among a large number of useful settlers in the colony. As to the question of white labour in connection with the cultivation of sugar, the argument of the planters was not that the black labour was cheaper, but that it was more reliable, and that they could keep it under their control at different times and under all circumstances. He, however, maintained that if they had pursued a different system, had a smaller class of sugar-growers, and had introduced into the colony an abundant supply of labour of their own countrymen, there would have been no occasion to introduce Polynesian labour for this industry. However, he supposed that now they had got into that condition, it was useless to attempt to cancel things as they existed. What they had to do was to make the best of the circumstances as they found them, so as not to bring that inferior labour without severe restrictions, into competition with European labour and to limit it within as narrow limits as they possibly could. The Bill was a step in the right direction in that way, and he should support its second reading.

The COLONIAL SECRETARY said that if any hon. member wanted to speak on the second reading of the Bill he could do so, but he (the Colonial Secretary) could not consent to adjourn the debate with the amendment of the hon. member for Ipswich hanging over it.

Question of adjournment put and negatived.

Mr. MACFARLANE said he perceived that there was a general desire that he should withdraw his amendment. He was glad the discussion had taken place, and hoped that at some future time the Ministers would see their way to legislate on the matter, more with a view to abolish it altogether than to carry it on by means of the present Bill. He now asked permission to withdraw his amendment.

Amendment withdrawn accordingly.

Mr. McLEAN moved the adjournment of the debate.

Question put and passed: and, on the motion of the COLONIAL SECRETARY, the resumption of the debate was made an Order of the Day for to-morrow.

Mr. GRIFFITH asked what was likely to be the business for to-morrow?

The COLONIAL SECRETARY said he would take the adjourned debate first, and afterwards the Bills that had passed the second reading.

The House adjourned at twenty-five minutes to 11 o'clock.