Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

MONDAY, 18 OCTOBER 1880

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LEGISLATIVE ASSEMBLY.

Monday, 18 *October*, 1880.

Formal Business.—Question.—Goldfields Act Amendment Bill—second reading.—Pacific Islands Labourers Bill—committee.

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

FORMAL BUSINESS.

Upon the motion of Mr. NORTON, leave was granted to introduce a Bill to amend the Brisbane Racecourse Act of 1875.

Bill read a first time and ordered to be printed.

QUESTION.

The HON. S. W. GRIFFITH asked the Premier whether he was in possession of any further correspondence from Messrs. Mackinnon and Company in relation to the mail contract, and when he proposed to lay it on the table; also when the Government intended to proceed with the Supreme Court Bill?

The PREMIER (Mr. McIlwraith) said he had no objection to lay any correspondence on the table up to date with regard to the mail contract; and the Government would proceed with the Supreme Court Bill as soon as the state of the paper would allow it.

GOLDFIELDS ACT AMENDMENT BILL —SECOND READING.

The MINISTER FOR WORKS (Mr. Macrossan, as Minister for Mines) said that the necessity for a Goldfields Homestead Act Amendment Bill had been caused by the passing of the Divisional Boards Act. Under that Act the roads in every district, including the goldfields, were supposed to be placed under the control of the boards of the divisions. By the Goldfields Homestead Act of 1870 miners and others on the goldfields were allowed to take up homesteads up to forty acres, at a yearly rental of 1s. an acre, and the money derived from such rental was paid into a special fund, and administered by a board on the goldfields, called the Goldfields Homestead Roads Board. Since the passing of the Divisional Boards Act that board had no jurisdiction on any of the goldfields, and he thought it only right that the roads and the money derived from the rents should be handed over to the divisional boards, instead of being allowed to lapse. This Bill, therefore, provided that

"All rents and revenues received or collected under the said Act shall be paid into a special fund to be kept by the Colonial Treasurer, and shall be expended in the construction of roads and bridges and other public works on the goldfield where they are raised, under the superintendence of the divisional board of the division within which such goldfield or portion of goldfield is situated."

The Bill, therefore, simply placed under the divisional boards the same power, jurisdiction, and revenue as were in the hands of the Goldfields Road Board. In making this amendment he thought it also proper to define what had hitherto been looked upon as an unsettled question, namely, the amount of acreage which one man could occupy on a goldfield under the Homestead Act. The Act said that a man might have forty acres, but in many cases men had been permitted by the wardens to take up more —in some cases twice, thrice, and even four times forty, and, of course, in infringement of the spirit of the Act. He had, therefore, framed the Bill so that

"On and after the passing of this Act the area of land which may be held by one person under the provisions of the Goldfields Homestead Act, in one or more lots, shall not in the aggregate exceed forty acres."

Of course no man could take up more than one homestead, and the Act was intended to give miners an opportunity of having residence upon the goldfields. It would not, however, be retrospective and affect the homesteads already held, even if a man held more than forty acres. The second clause provided—

"Nothing in this Act contained shall be held to affect the right, title, and interest of any person to any land acquired and held by him under the operations of the Goldfields Homestead Act of 1870."

The section which gave power to the roads board to receive rents and revenues derived from the homesteads was repealed by the 3rd section. He moved the second reading.

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

PACIFIC ISLANDS LABOURERS BILL— COMMITTEE.

The House went into Committee to resume the consideration of clause 3.

Mr. GRIFFITH said he had moved an amendment on the ground that there seemed to be no reason why this Bill dealing with Polynesians in the colony should not apply to them from the time they came to the time they left. The employment of Polynesians was altogether an anomaly, and required regulation; but

there was no reason why the time during which they were to be regulated should be limited to the first three years. If a provision of this kind were introduced it would be necessary to make some consequential amendments, but not many. He could not point out from memory what those amendments would be, but he hoped the Committee would see their way to agree to this amendment. They certainly ought to regulate the employment of Polynesians while they were in the colony, because, as he told the Committee on a previous occasion, the real grievance that was felt was not their employment on sugar plantations;—not their employment during the three years after they first arrived under the agreement they made on the ship before they landed;—but their employment after the expiration of that time in towns and in competition undisputedly with white labour as domestic servants, grooms, coachmen, and so on. That was really the cause, in his opinion, of the disturbance and ill-feeling on the subject. He observed that the hon. member for Maryborough (Mr. King) had given notice of some amendments which would have the effect, if carried, of providing conditions under which Polynesians could be employed after the first three years. He himself should have preferred somewhat different arrangements, but was anxious that their employment should be regulated by some means so as to prevent their entering into competition with white labour. This amendment, if carried, would make the Bill apply to islanders all the time they remained in the colony, and after passing this the Committee could then apply themselves to the other necessary amendments in the Bill as they arrived at them.

The COLONIAL SECRETARY (Mr. Palmer) said the question had been discussed so often that it was hardly necessary to say anything further. If the amendment were carried it would be necessary to re-model the whole of the Bill. There could be no object in bringing the amendment forward, except to provoke delay or to gratify the hon. member's personal vanity, which led him to think he must re-model every Bill that came before the House. He (Mr. Palmer) had already said that the Government would be ready to accept the proposition in a better shape—viz., the amendments to be proposed by the hon. member for Maryborough (Mr. King), which would have all the effect that would be produced by the amendment of the hon. member for North Brisbane. He was perfectly willing to let the question go to a division. Surely the hon. member did not want his vote to carry the whole question? Or did he wish the Committee to stay there as long as he pleased to consult his whims? Let the question go to a division; he was not going to throw up the Bill whichever way it went. There was no necessity for this amendment, and if it were carried they would have to re-model the whole Bill. The Government would accept the general sense of the amendments to be proposed by the hon. member for Maryborough relating to re-engagements; and, unless the hon. member for North Brisbane wanted to block the Bill entirely —which he believed was the hon. member's object, from what he had heard—he would let the matter go to a division, and let the sense of the Committee settle the matter.

Mr. GRIFFITH said he had no objection to letting the matter go to a division, but failed to see the meaning of the attack made on him. They had been in Committee only five minutes, and yet the hon. gentleman said the amendment was for the purpose of delay and wasting time. He did not understand the hon. gentleman. If the Bill were made to apply to islanders whose time had expired, he could not see that that would necessitate the re-modelling of the Bill. As a matter of fact, it would not necessitate the re-modelling of one single clause or a single word, except where the insertion of new clauses was necessary. He did not understand the meaning of attacks of that kind; but he should not be debarred from moving any amendments he thought necessary, and the hon. gentleman would consult his own dignity and get on with business much better by refraining from such attacks.

The COLONIAL SECRETARY said it was not of the slightest consideration to him what the hon. gentleman thought of his attacks. If the House had been only five minutes in Committee they had lost two whole evenings on the question already, and the amendment was not backed up by a single member of the House. The whole object the hon. member attempted to gain would be gained by the amendments of the hon. member for Maryborough. The hon. member ought to be satisfied with those amendments if he did not wish to block the Bill. It was pretty generally said outside that this was the hon. member's intention, because it was too good a Bill to allow this Ministry to pass.

Mr. GRIFFITH said the hon. gentleman would not further business by making insinuations of that kind. He had never heard such a thing said before, nor had it occurred to his mind. The hon. gentleman's memory was not accurate, however, for the amendment had not been under discussion two evenings.

The COLONIAL SECRETARY: It has for the greater part of two evenings.

Mr. GRIFFITH said the hon. gentleman did not know what the amendment was. The question that took up so much time was the alteration of the definition of the word "labourer;" but the amendment now under consideration was moved a very short time—something under an hour—before the Committee rose.

The PREMIER said this amendment was, no doubt, proposed only an hour before the Committee rose, but the object of the amendment of the word "labourer" was to carry out exactly the same idea the hon. gentleman had in moving this. There was a great deal of difference, to his mind, between altering clause 3, as the hon. member intended, and adopting the amendments of Mr. King, which did not go in the same direction. So far as he could understand, the latter provided for Polynesians being employed under license after their engagements were up, but freed the Government from a certain amount of responsibility that attached to them;—and quite right, too. He did not see why the Government should treat these men as children after their time was up. He understood the hon. gentleman (Mr. Griffith) to admit, when the amendment was before the Committee last time, that it would necessitate the alteration of about twelve other clauses?

Mr. GRIFFITH: No.

The PREMIER said he was very much mistaken, then. At all events, he was sure the matter had been enough discussed, and the Government objected to the amendment.

Mr. GRIFFITH said he had been all along anxious to see the Bill pass, and was sorry the Committee did not understand what the amendment was. He was satisfied if hon. members did understand what it was they would vote for it. He proposed to insert words in the third clause so that it would read thus—

> No person shall hereafter introduce islanders into the colony of Queensland, or employ them in the colony, except under the provisions of this Act.

If the Bill had been originally framed for the purpose of regulating islanders all the time they were in the colony this would be the natural

place for the words to be inserted, and it did not interfere with the original Bill.

Question—That the words proposed to be inserted be so inserted—put.

The Committee divided :—

AYES, 5.

Messrs. Griffith, Macfarlane, Hamilton, Beattie, and Rea.

NOES, 17.

Messrs. Norton, Stevens, Kellett, Low, Weld-Blundell, Beor, Palmer, Sheaffe, Archer, Hill, Kingsford, Perkins, King, O'Sullivan, McIlwraith, H. Palmer, and Macrossan.

Question, therefore, resolved in the negative.

Original question put and passed.

Clauses 4 to 7 inclusive, passed as printed.

On clause 8—"Application to be accompanied by bond"—

The COLONIAL SECRETARY said he would formally move the clause, with the view of inserting an amendment. Since the Bill was in type it had been represented to him pretty generally, and principally by the small employers of kanaka labour, that the bond proposed in the clause would prohibit them from employing that kind of labour. Large employers might, by combining and signing for each other, comply with the terms of the clause as drafted ; but to the small sugar-growers, who were equally entitled to the consideration of the Committee, it would be virtually prohibitory. It was suggested by several who wrote and spoke to him on the subject, that if the Government got a bond sufficient to recoup them for the return passage of the islanders, and the estate on which the labour was to be employed was made responsible for the full payment of their wages—such claim being made a first claim on the estate—it would answer every purpose. He had consulted the Attorney-General on the subject, and his opinion was that it was decidedly legal to make it a first charge on the estate. With that view he had had an amendment drafted, and would therefore move the omission of the first paragraph of the clause, in order to insert the following in its stead :—

"Such application shall be accompanied by a bond in the form in Schedule B to this Act, for a sum equal to five pounds for every islander proposed to be introduced, for the purpose of providing for the return passage of such islander to his native island at the expiration of his term of service. Such bond must be executed by the applicant and two sureties, to be approved by the Immigration Agent."

He intended subsequently to move a new clause, to follow clause 22, to make the claim a first claim on the estate.

Mr. KING said it would no doubt be a great convenience to small employers to reduce the amount of the bond, and that ought to be done ; but it would be far better so to alter clause 21 as to compel wages to be paid every six months in the presence of the inspector, and deposited in the Government Savings Bank for the benefit of the islanders. There were cases where plantations were rented, together with the machinery and everything upon them. It would be rather hard upon the proprietors, in the event of the tenant failing to pay wages to Polynesians imported by himself, to make those wages a first liability on the estate. The best way of getting out of the difficulty would be to adopt the suggestion he had thrown out.

Mr. GRIFFITH said a great deal of hardship had been sustained by the omission of employers to pay wages to these labourers. It was not necessary that they should give security for payment of the whole three years' wages ; but the bond ought certainly to include a first instalment of the wages—for a year or six months. He did not think much of the protection proposed by the proposed new clause to follow clause 22. The machinery was extremely cumbrous, and it would not suit the case of labourers of that kind. Costly proceedings would be involved to render the estate liable ;—it could not be done in a summary way, and the intervention of the Supreme Court would be required.

The COLONIAL SECRETARY said he thought the suggestion of the hon. member (Mr. King) would meet the difficulty—to make employers pay wages every six months in the presence of an inspector or police magistrate—and when they came to clause 21 he would move an amendment to that effect.

Amendment put and passed, and clause, as amended, passed.

Mr. O'SULLIVAN proposed the following new clause to follow clause 8 of the Bill :—

"From and after the thirty-first day of December, one thousand eight hundred and eighty-three, before any islanders shall be permitted to land from any vessel, the master of the vessel shall pay to the Collector of Customs or other officer of Customs authorised in that behalf, the sum of £10 for every such islander, the same to be paid into the general revenue of the colony.

"If any master shall neglect to pay any such sum, or shall land or permit to land any islander at any place in the colony before such sum shall have been paid for or by him, such master shall be liable for every such offence to a penalty not exceeding £20 for each islander so landed or permitted to land."

A clause of that kind ought to be inserted in the Bill, in order to let the public at once know that they did not intend to allow islanders to come into the colony for ever and come into competition with white labour. That would give sugar-growers six years during which they could employ kanakas on the present terms, and if the sugar industry was not properly established by the end of that time it never would be. There was at present no guarantee that kanakas would not be employed on railways and other public works, and he believed the opinion of the people was against their introduction. Many years might elapse before another Bill of the kind would be required, and the present opportunity ought not to be lost.

The COLONIAL SECRETARY said it was hardly necessary for him to say that he could not consent to the insertion of such a clause. It was foreign to the purport of the Bill, and it would be legislating too far ahead. There would be a great difference of opinion on the subject at the end of three years, and it would be quite soon enough then to move for the introduction of a Bill to stop the introduction of Polynesian labourers.

Mr. KELLETT hoped the amendment of the senior member for Stanley would be agreed to. He considered that the sugar industry had had the advantage of a bonus quite long enough. That Bill was nothing but a bonus to sugar-growers. It was a deplorable thing that a country in the position of Queensland should tempt coloured labour to come into competition with white labour. Plenty of men in Great Britain would be willing to come out to the colony if they were assured that upon their arrival here they would not be brought into competition with black labour. One of the clauses of the Bill attempted to limit the employment of kanakas to semi-tropical agriculture. That clause would practically make the employment of the labour general, because a man would only have to grow a rood of cotton or a few sugar-canes to entitle him to employ the labour. He would support the amendment.

Mr. AMHURST said he spoke with diffidence upon a question in which he had such

a large personal interest. It seemed to him, however, that the junior member for Stanley knew as much about sugar-growing as he (Mr. Amhurst) knew about racehorses—which meant very little. He maintained that the employment of black labour gave employment to their own race. He was returned upon that opinion, and he would stick to it. The opinion of the sugar-planters of Mackay was, that a combination of white and black labour would enable them to compete with the whole world.

Mr. O'SULLIVAN said he regretted that the hon. member for Mackay had neglected to explain in what way the employment of kanakas assured the employment of white labour. He believed the kanakas were not one-half as good as Chinamen.

Mr. MACFARLANE hoped the amendment would be carried—indeed, he wished that it had gone a little further, for it seemed to him that six years must elapse before, under the provisions of the clause, the kanakas would be excluded. He believed, too, that sugar-growers were doing well at the present time, and that at the end of six years they would be in a position to import their black labour notwithstanding the proposed poll-tax of £10 per head. The exclusion of kanakas had been agitated in the colony for a number of years. At the last election the whole country looked to those who were elected to do something in the direction of excluding black labour. In his own constituency there was a strong feeling that the employment of black labour should be brought to a close within a reasonably short time.

The ATTORNEY-GENERAL said he did not agree with the hon. member who had just sat down, that the whole country or any large portion of the country was anxious that the employment of kanaka labour should be brought to an end. He believed that if any were of that opinion they were only a few people in the isolated corners of the colony who did not see what advantage they themselves could get from the employment of the labour, and who did not care what damage they did to other people by putting an end to it. He believed the whole colony derived a material advantage from the employment of kanakas. He had heard it said over and over again by men better able to judge than anyone in that House—excepting one or two members—that the sugar industry could not be carried on in the northern part of this colony without the assistance of the kanaka labour, or some labour of that description. With regard to the kanakas entering into competition with white labour, there was nothing of the kind. As the hon. member for Mackay had stated, the kanakas came to the aid of white labour rather than they entered into competition with it. The senior member for Stanley asked how the kanakas promoted the employment of white labour? From this fact—which was universally admitted among all white people in the Mackay district—that the sugar industry could not be carried on with any success in the northern parts of the colony without the assistance of black labour. In addition to that black labour, a proportion—equal to about one-fourth—of white labour was employed. If they did away with the employment of kanakas, therefore, the employment of that number of white men would also come to an end. But besides giving employment to white men the sugar industry was the means of circulating about half-a-million of money in the colony every year. They could not very well afford to dispense with that amount of money. Of course, if there were some great principle at stake, he admitted they must dispense with it; but it had not been shown that there was any great principle at stake in the employment of kanaka labour. The senior member for Stanley said the amendment really meant that kanaka labour would not be interfered with for six years, but the planters were in the habit of supplying themselves with one year's labour at a time. It was not at all likely that in the year 1882 planters would cram their plantations with four years' labour in addition to what they needed. He hoped the amendment would not be agreed to, not so much in the interests of the planters as in the interests of the whole colony.

Mr. O'SULLIVAN said the Attorney-General, when he talked about the plantations being crammed in 1882, appeared to be speaking upon the presumption that the planters employed the kanakas by the year; but they were compelled to employ them for a term of three years. Could not the planters, a month or two before the expiry of the three years, employ a fresh batch of kanakas for an additional three years?

The ATTORNEY-GENERAL: Where is he going to put them?

Mr. O'SULLIVAN: Where does he put them now?

The COLONIAL SECRETARY: Where will he get them from?

Mr. O'SULLIVAN presumed from the islands. The Attorney-General said the sugar industry expended half-a-million——

The ATTORNEY-GENERAL: I said it put half-a-million in circulation every year.

Mr. O'SULLIVAN said the long and short of the matter was that the money was thrown into the hands of capitalists. That Bill was simply legislation for a class. Both the hon. member for Mackay and the Attorney-General talked of the planters of Mackay in seeming forgetfulness of the interests of the whole colony. If the planters could not compete without the assistance of black labour, of what use were they to the Empire? The Attorney-General claimed to know the feeling of the colony, and boldly asserted that it was not against the introduction of black labour. He knew the feeling of the colony quite as well as the hon. gentleman, and his own experience was that people thought that the employment of kanakas should and would be done away with as quickly as possible. He regarded this as a good opportunity to provide for the exclusion of the kanakas. From the commencement of the employment of this labour twenty years ago, Queensland had regarded the plan in anything but a favourable light. Public meetings had been held and agitations had been got up against the labour from the time of its first introduction. By what sort of legislation did they exclude the Chinese by a poll-tax of £10 per head and introduce kanakas—a worse kind of labour—for nothing? The hon. member for Ipswich (Mr. Macfarlane) appeared to think that a poll-tax of £10 per head would not be sufficient to keep kanakas out of the colony. But a poll-tax of the same amount had effectually kept out the Chinese, and if the law were rigidly enforced he believed it would prove sufficient to effectually keep out kanakas. He did not care whether the poll-tax was £10 or £50, so long as it had the desired effect.

Mr. ARCHER thought the senior member for Stanley had misunderstood the meaning of the Attorney-General. What the hon. gentleman intended to say was, that the planters discharged a third of their kanaka labour every year and took on another third in its place. There was a wide difference between the Chinese and the kanakas with respect to their importation and employment here. China was a country with a population of some hundred millions, possessing

an enormous capacity for immigration; and unless Queensland took some precautions she might, in the course of time, be completely overrun with Chinese, when it would be necessary either to put them down with a high hand or to give them possession of the land. But the kanakas were comparatively few in number, and inhabited islands scattered over the Pacific, in some of which—Fiji, for instance—labour was scarce. He did not believe they could import as many as 100,000 kanakas into Queensland. He was sorry to notice that the kanakas constituted a race which was rapidly dying out, because he regarded them as being very superior to most of the wild races so far known to the world. He did not wish to be regarded as agitating either for the introduction or non-introduction of kanakas. But he could see no necessity for legislating against the introduction of kanakas in the spirit which they legislated against the introduction of the Chinese. It would be a decided mistake to put a poll-tax upon the kanakas. There would be no doubt that the sugar industry, if it ever were to be established at Mackay, was established there at the present time: if it could not keep its head above water without assistance now, it would never be able to do so. But Mackay was a paltry district compared to the enormous extent of sugar-growing country which the colony possessed. A large quantity of land in the North had been taken up for purposes of sugar-growing; but he doubted whether it would be put under cultivation at all if the importation of kanakas were prohibited. Some hon. members believed that kanakas were not necessary upon a sugar plantation. This was a matter of opinion. He believed that the kanakas were necessary. He knew that at Mackay—and he had the information from reliable sources—there were some plantations where one white man was employed in proportion to six kanakas, and other plantations where one white man was employed in proportion to three kanakas. There were not only one or two men employed in proportion to a hundred kanakas; in some cases there were 20 per cent. of white men and in others as many as 33 per cent. The kanakas, therefore, did not overcrowd the plantations. He was convinced that if the senior member for Stanley visited Mackay during the recess he would return to Brisbane with modified views upon the matter.

Mr. O'SULLIVAN said the question was not whether they were in danger of being overrun by the Chinese, or whether the Chinese were better labour than the kanakas. At that time the country would no doubt be prepared for the occasion, and the question was not the difference between black labour and Chinese labour. His opinion was that Chinese labour was far better than kanaka labour; and the hon. gentleman did not give the real reason for preferring kanakas to Chinese. It appeared to him that the Chinese knew their rights better than kanakas, and that the kanaka could become a greater slave than the Chinaman. He believed that was the question at issue. As to sugar-growing, he maintained that white labour could grow sugar as well, if not better, than black labour. They had proof of it in their own district; and with regard to breaking up the immense area of country that was fit for sugar-growing, he thought it need not be given away at all in immense estates as it had been, but that it would be much better to give it away in blocks of 80, 160, 320, or 640 acres, so that people of small means and their families could settle upon it. It would be very much more profitable than going into the hands of half-a-dozen capitalists who employed nothing but black labour. It was a mere assertion, that he was not prepared to swallow, that 33 per cent. of white labour accompanied these blackfellows. He knew when they first came here—about twenty or thirty that were brought by Captain Towns, and were sent to the Logan, there was one man watching them. That man had a flock of sheep, and the kanakas had a long consultation as to whether they should tackle the man and eat him or tackle the sheep. When the man heard the consultation and came to understand what it was about he took to his heels, and the consequence was that the kanakas had to tackle the sheep, and there was little doubt that had the man stood his ground they would have eaten him first. The hon. member for Blackall had explained away the speech of the Attorney-General, and said he meant one year in place of three; but supposing he did mean that, the amendment would give the sugar-growers four years; and surely if the sugar industry was not properly established within four years it never would be, considering the time they had been at it and the encouragement it had received, and the sooner they gave up their estates to be thrown into the hands of small settlers with families who would be of some use to the Empire, which these men were not, the better.

The Hon. J. DOUGLAS said it did seem looking rather ahead, perhaps, to legislate in a matter which would affect them some three or four years hence; and while he was disposed to support the Bill as it stood rather than imperil its passage, still he was quite aware that the resolution of the hon. member raised a very serious question indeed. He quite agreed that the people of this colony did not look forward to any permanent aid from kanaka labour, because, as had been pointed out by the hon. member for Blackall, the kanaka race was not a lasting race. The probability was that the Polynesian race would not survive another century; and, in that respect, no doubt it was entirely different from the Mongolian race; and politicians, in dealing with the question of races, might very well take that calculation into consideration. He did not think, therefore, that the people of Queensland or Australia looked forward to any permanent aid from this race, or indeed from any Asiatic race. Their ambition and desire was to create a peaceful power here with its source of power derived from the European race; and there was no doubt that that was the fundamental principle which would govern their politics in the future. There was no doubt that the aid that struggling industries had received from kanaka labour was considerable; and the question was whether it was desirable that they should encourage the sugar-planter to believe that he might rely upon that labour, and bolster the industry up in that way. He doubted very much whether it was; and therefore he felt indebted to the hon. gentleman for drawing attention to these facts. What, after all, did the hon. member propose to do? To levy a tax of £10 per head upon each islander introduced. That would be little more than a tax of a few pounds a-year extending over the three years of his agreement, and he doubted very much whether it would have the effect the hon. gentleman contemplated — that it would prevent the introduction of kanakas altogether. He (Mr. Douglas) believed there were many sugar-growers who would willingly pay the tax. It might lead to employers seeing that they got a better class of men. They had now to take weak, emaciated men, who were scarcely able to bear the strain of being deported from the islands; and hence the large mortality that had occurred. It might have that effect, and it would be a beneficial effect. He was not at all sure that they would not readily pay the increased taxation for that purpose, and

he was the more inclined to believe that, because he knew that in the employment of coolie labour the Indians brought to work in the West Indies and Mauritius cost very much more than introducing kanakas into Queensland. The probability was that the £10 tax would not nearly make up the difference between the outlay. It might therefore fairly be concluded that the money would be readily paid; the revenue would thereby be considerably augmented, and he was not sure it would not be a justifiable make-weight against the use which planters made at the present time under the license to obtain inefficient workmen. He was, therefore, not indisposed to consider that the proposition of the hon. gentleman would, in itself, not be inacceptable. It would not too suddenly retard the progress of sugar-growing. If they were ultimately to put a stop to kanaka labour there was no doubt some such warning as this should fairly, in justice to the planters themselves, be given. They would then know that at a certain period they would have to pay £10 for every kanaka they introduced, and it would be fair warning. They could in the meantime ascertain whether it would be cheaper to introduce coolies, which was an alternative he knew some sugar-planters already contemplated, especially in the northern districts. There was, at any rate, this advantage in coolie labour—that a large proportion of the natives of India remained in the West Indies and Mauritius, and probably a large proportion would remain here. In that respect the introduction of coolies from India would be infinitely better for the future prospects of the country than the introduction of kanakas. In the one case, they were not a reproductive people—only males were introduced; on the other hand, from India they might introduce families, and, if they did, they should have permanent colonists—men infinitely more intelligent and higher in the rank of civilisation than the kanaka. There were to be found amongst them men of as aristocratic a race—he supposed those were the men the hon. member for Stanley would like to introduce into this colony—men of as high and as aristocratic breed as they were themselves; and from that point of view it would be probably desirable to attract the attention of sugar-growers to the fact that they could not rely upon the kanaka permanently—that they must look elsewhere, and, if they could not get Europeans, at any rate they might get men of their own race from the shores of India who were at present British subjects.

Mr. NORTON said, according to the arguments of the hon. member (Mr. Douglas) they were to suppress the introduction of kanakas to introduce Indians in their place. He (Mr. Norton) would ask in what respect would the working man of the colony be benefited by a change of that nature? In place of kanakas they would simply be introducing an equally cheap class of labour, and the men who came to the colony would remain in it and not go away. They would be brought from a country as thickly populated almost as China, and if a stream of immigration set in from there it would swamp the country just as much as Chinese immigration was likely to. He believed the hon. gentleman advocated a poll-tax on the Chinese, and if so, he (Mr. Norton) could not imagine on what principle, or imaginary principle, he (Mr. Douglas) could advocate the introduction of Indians. He (Mr. Norton) did not intend to support the amendment of the hon. member for Stanley. It was not altogether a question of bolstering-up the sugar industry. There was no doubt that that industry had been benefited, and the colony too, he believed, by the introduction of these islanders, but that was not the whole of the question. He believed, and always had believed, that these islanders could work in canefields better, and bear the work better, than white men could. But that was not the whole question. The question was whether the white man, if he could do the work, would be able to stand the wear and tear of a hot and moist climate combined as well as these islanders could? It appeared to him that the work was most unhealthy in its nature. In the hot summer months, when there was an excessive downpour of rain, was the time that the effect of working in the canefields was most felt, and most injuriously felt; and he believed that although it was less unhealthy to kanakas than to white men, still, to kanakas themselves it was most unhealthy, and for that reason he thought that if men were to be employed in that labour it was better to employ kanakas than white men—better to employ those who suffered least; and at the same time if there was to be great mortality from this work, he believed that it was better for the colony generally that that mortality should be amongst kanakas than amongst white men. For himself, he would rather three kanakas died than one white man. He agreed with the remarks of the hon. member respecting the limited number of these people, and believed that hon. member's argument to be perfectly fair. The number of kanakas in the islands from which these labourers were brought was decreasing year by year, and as each year passed there would be a less number of islanders brought over. For these reasons he should oppose the amendment.

Mr. KINGSFORD thought the amendment of the hon. member (Mr. O'Sullivan) would defeat itself. It would be a clear case of class legislation. It would put extra power into the hands of large capitalists, and settle the small man. The large capitalist would be able to pay the £10, but it would push out the small man who was dependent upon his labour, and he thought it was a mistake. A remark was made by the Attorney-General that rather surprised him. It was that this was an amendment in which no important principle was at stake. It appeared to him (Mr. Kingsford) that there was a very vital principle at stake. It did not lie in the superiority of Chinese over kanakas, nor in the question of the enhancement of the revenue, nor in the advantage that accrued to sugar-growers, but it was simply this: were they, as Queenslanders, or was Queensland, to stand out from the whole world by putting something more prohibitory than a three-rail fence round the colony? The question to be decided was whether the colony was to be the first to prevent any race from coming to it as to a free country; whether there was to be a universal prohibition or an arbitrary prohibition. In discussing other matters the Committee got astray and lost sight of the main question. He had already stated his opinion on the subject—namely, that if the right to introduce kanakas were conceded, they should have a right to go wherever they please, and every member of the community should have a right to employ them. He maintained that it was not right to utterly prohibit them from coming. If the hon. member believed they ought not to be allowed to come, he would achieve his object more effectually and more immediately by introducing an amendment stating that from this time forth for evermore kanakas should be prohibited from coming to Queensland. If hon. members would confine themselves to that question, the matter would soon be settled. His opinion was that according to the constitution of the colony, its past history and its present pretensions and standing, hon. members did not dare to say to any coloured race, any more than to the white race, "You shall not have entrance." There was no doubt that up to the present time great evils had arisen in con-

nection with the introduction of kanakas, and a great many would have large bills to pay when they were called to account for the way in which they had treated kanakas; but the law was sufficient for all purposes if carried out. The imposition of a tax upon kanakas on their introduction to the colony was unfair, because its effects would be partial—it would enhance the interests of some and depreciate those of others. The question was, ought the Legislature to issue a fiat that so far as any kanakas were introduced they should have greater liberties than heretofore?

Mr. REA said if the amendment were agreed to the sugar-growers would have to suffer in consequence of the rejection of the hon. member's (Mr. Griffith's) amendment, which would have made the Bill applicable to kanakas who had served their term. The people of the northern part of the colony, he believed, were principally concerned in the question of the presence in the colony of that class of kanakas. The whole of the colony had also been affected by the unprecedented and outrageous conduct of the Colonial Secretary in introducing blackfellows contrary to law; other persons being afterwards prevented from introducing them in a similar manner. That was what had raised such a bitter feeling all over the colony against the introduction of black labour. The great mistake appeared to be that in legislating at this end of the colony hon. members were apt to forget that a large portion of the colony lay within the tropics. The difference between a canefield there and one in the southern part of the colony, or in New South Wales, was very great; in the latter a white man could do the work, whereas in the North no amount of wages would induce a healthy man to engage in that occupation. In attempting to legislate on the subject the Government should have learnt statesmanship enough to have made a distinction between the North and the South. If the amendment was modified so that the operation of the proposed tax should be restricted to the south of the colony he would vote for it. What was right and fair in the portion of the colony lying within the tropics was not necessarily so in the southern portion.

Mr. O'SULLIVAN said scarcely anything had been said in the debate to which it was necessary for him to reply. He entirely agreed with the hon. member for South Brisbane that the labour should be restricted at once, but the hon. member should recollect that in doing that a great injustice would be done to capitalists who had invested in the sugar industry. With regard to the statement that white labour would not do in the North, he could tell the hon. member (Mr. Norton) that that was a very old statement and a very false one. It was made in America during the time of slavery and black labour, but it was now exploded, and he was surprised that an hon. member usually distinguished for strong, able, good common-sense should offer such a silly excuse. It was the greatest libel that could be made upon a white man to say that he could not do what a black man could do. He (Mr. O'Sullivan) had seen natives of the colony sink down exhausted under the sun while white men could go on working; he had employed them often in house-building, felling timber, and every sort of bush work, and he had never known one yet who could stand the heat as a white man could. The hon. member (Mr. Norton) said the colony had been benefited by the introduction of these blacks—but what was the use of the hon. member making statements he could not prove? The colony had very much lost, because the blacks had kept white labour out and taken the wages which would have supported white people. As to the question of percentage, he believed there was, on the average, about two whites employed on plantations to every hundred kanakas.

Mr. PRICE said he agreed with the hon. member (Mr. O'Sullivan) in thinking that kanakas could be dispensed with eventually; but unfortunately the circumstances of the colony at the present time were such that they could not be dispensed with yet. They should, however, be restricted to the employments for which they were first introduced into the colony—namely, cotton and sugar growing—and in three years' time he had no doubt the colony would be able to do without them in those industries also. At the present time there was no population of white men in the colony who could be compelled to work on plantations. He had known instances in his own district where white men had struck for higher wages just when they were most seriously wanted. He also agreed with the hon. member (Mr. O'Sullivan) in hoping that in three years' time all the kanakas in the country could be returned to their islands, and that none would be allowed to remain as free men in the colony. A gentleman who had a great interest in what was called "trapping" islanders, had informed him that plenty of the islanders would come to do household work, look after buggies, &c., but they had a great objection to working on the sugar plantations. He was of opinion that they could not be done without on the plantations at present, but he hoped that in three years' time they would not be wanted.

Mr. GRIFFITH said he intended to vote for the new clause. He was of opinion that the clause would not be prohibitory, but that it would have a considerably restrictive effect. The Committee had heard lamentations from the Attorney-General and the hon. member for Mackay, that if the amendment was carried the sugar industry would be ruined. He did not think it would have any such effect. In the first place, it might diminish the introduction of islanders, because employers would not pay the £10 a-head unless satisfied they were able to afford to do so; in the second, it would tend to guarantee their due care while here; and it might tend to reduce the mortality which had been so great and so terrible on some plantations. The amount of the tax appeared in the eyes of many hon. members to be something almost ruinous; but probably hon. members were not aware of what planters in Demerara were called upon to pay for coolies. From a copy of the ordinances of Demerara he found that the indenture-fee payable by employers to the immigration fund in respect of each adult immigrant was 50 dollars. The proposition of the hon. member for Stanley was not therefore unreasonable, or calculated to cripple and ruin the sugar industry, as some hon. members seemed to fear. As he had shown, the indenture-fee in Demerara was 50 dollars for each coolie——

The COLONIAL SECRETARY: For how long are they bound?

Mr. GRIFFITH: Five years.

The COLONIAL SECRETARY: That amount goes to an immigration fund for the purpose of importing them.

Mr. LUMLEY HILL: Is the employer required to pay the passage money as well?

Mr. GRIFFITH said he was not sure on that point, but he found that if any coolie was allowed to be re-indentured a fee of 10 dollars per annum was payable for a further indenture, the time not to exceed five years. The proposed tax would be £3 6s. 8d. per annum for the three years; and estimating the number of kanakas

in the colony at 3,000, he could not see how that could ruin the sugar industry. The Act proposed a tax of 30s., and, therefore, accepting the amendment would simply be increasing the amount by £8 10s., the actual increase being less than £3 per head per annum. The amendment would probably have the effect of checking the employment of kanakas where they ought not to be employed; and believing that to be a desirable result he should support the amendment.

Mr. KING said he should oppose the amendment, because he believed that its first effect would be to restrict the investment of capital in Queensland. There was now some hope that the fertile lands of the North would be taken up and utilised for sugar-growing. A former member of the House (Mr. Fitzgerald) and his partners had taken up a quantity of land on one of the northern rivers, and other capitalists would no doubt follow. There was therefore a probability that lands which had been known for many years to be rich and well suited for sugar-growing, but which had remained unavailable and unoccupied simply for want of people with capital to take them up, would now be utilised. The process of settlement had commenced, but if it were intimated to those who were taking up the land that after a short period they would not be able to obtain islanders without paying an import fee of £10 a-head a very serious check would be given to the movement. When hon. members considered what a very small portion of Queensland was yet utilised for sugar-growing in proportion to the immense area known to be suitable for that industry, they would see the advisability, at least until the whole of the rich coast lands stretching beyond Mackay to Cape York and even round to the Gulf of Carpentaria had been occupied, of not taking any step which would be likely to hinder such occupation of the land.

Question put.

The Committee divided :—

AYES, 13.

Messrs. Griffith, Douglas, Garrick, Dickson, O'Sullivan, Fraser, Price, Macfarlane, Beattie, Grimes, Kingsford, Rea, and Hamilton.

NOES, 14.

Messrs. Macrossan, Perkins, McIlwraith, King, Beor, Palmer, Archer, Weld-Blundell, H. W. Palmer, Sheaffe, Thompson, Stevens, Norton, and Lumley Hill.

Question, therefore, resolved in the negative.

Clauses 9 and 10, as printed, put and passed.

Clause 11—"Number of passengers—proportion of passengers to deck area"—on the motion of the COLONIAL SECRETARY, amended by the substitution of the words "seventy-four cubic feet" for "one hundred and forty-four cubic feet."

On clause 12—"Conditions of license; master to provide for Government agent; vessel to be properly found in medicine; penalty for obstructing Government agent; age of labourers; water and provisions on the voyage; length of voyage"—

Mr. GRIFFITH said he noticed that in subsection 4 the provisions were somewhat inconsistent with those of other parts of the Bill. That subsection said, "no passenger shall be introduced for field work;" whereas, in other places, the Bill provided that no labourers should be introduced into the colony except for field work.

The COLONIAL SECRETARY said the object was to prevent islanders being brought here to do mere household work. He had had so much trouble of late about that very thing that he was quite willing to omit the subsection.

Question—That subsection 4 stand part of the Bill—put and negatived.

Clause, as amended, put and passed.

Clauses 12, 13, 14, 15, 16, 17, and 18, as printed, put and passed.

On clause 19—"Transfer of labourer"—

The COLONIAL SECRETARY moved that the first paragraph of the clause be omitted, with the view of inserting the following :—

No transfer of the services of a labourer shall be made except with the full consent of the transferror, the labourer, and the inspector or a police magistrate, nor until a bond for five pounds for such labourer intended to be transferred in the form in schedule J to this Act executed by the transferree and two sufficient sureties, approved by the inspector, has been given to provide for the return passage of such labourer to his native island at the expiration of the agreement.

Clause, as amended, put and passed.

Clause 20—"Employers not to remove labourers without permission"—passed as printed.

On clause 21—"Wages to be paid in the presence of Polynesian inspector"—

Mr. KING said he wished to propose amendments securing the payment of the wages half-yearly, which the Colonial Secretary, at an earlier period of the discussion, had offered to accept. He proposed to attain his object by moving the omission of the words "his engagement, or at the end of each year," with a view of inserting the words "each six months." He also proposed to move the omission of the words "should he so desire," in the next line of the clause.

Amendments agreed to, and clause, as amended, passed.

On the motion of the COLONIAL SECRETARY, the last two lines in clause 22—"Wages of labourer to be recovered by Polynesian inspector"—were omitted, and the clause, as amended, was passed.

Mr. GRIFFITH said there was nothing in the Bill to provide as to what was to be done if the islander did not wish to go home at the end of his engagement. He begged to propose the following new clause, to follow clause 22 :—

At the expiration of the engagement of any labourer, his employer shall either cause him to be returned to his native island, or, if the labourer do not then desire to return, pay the sum of £5 to the Immigration Agent to be applied in defraying the cost of the return passage of such labourer when required by him.

Question put and passed.

Mr. DOUGLAS said he proposed to insert a new clause to follow the one just passed, and to provide that

No labourer shall be required to work for more than eight hours in the field or ten hours under shelter in any one day.

There seemed to him to be justification for such a proviso. They had seen from official reports that, in some cases, islanders had been overworked, and the Legislature were bound to protect them from that. Drs. Wray and Thomson partly attributed the mortality in some cases to overwork. They said the hours of labour varied somewhat on different plantations, but averaged about ten hours daily, and they added—

"We consider the hours too long—too long for all, and certainly excessive for new recruits who have but lately left an existence of savage idleness. We would suggest eight hours a-day for five months in winter, and nine hours for the remaining months, and we would recommend that at least on sugar plantations this be made compulsory."

Having had that recommendation, it seemed to him that the Legislature were bound to make some provision regarding the hours of labour, in the interests not only of the islander but of all. The Demerara ordinance to which his hon. friend the leader of the Opposition had referred provided that the hours of labour should be seven in the field and ten in the building, and it was

therefore somewhat milder than the one he proposed. There was nothing inequitable in his proposition.

The COLONIAL SECRETARY said he should oppose the clause. They were being asked to civilise the Polynesian off the face of the earth. They had no such clause for white labourers, and he could not see why they should do more in this respect for Polynesians than for Europeans. Why should they over-civilise them? Besides, there might be times in the sugar harvest when it might be absolutely necessary to work more than eight hours. The clause was drawing it too fine; and, moreover, he was not going to pin his faith to Drs. Wray and Thomson. He had great respect for them; he believed they did their work conscientiously and well to the best of their knowledge, but they were comparatively new chums, and he was not going to take all that they said for gospel and legislate upon it. He believed the doctors made some gross mistakes, and that with a little more experience they would themselves confess to the mistakes.

Mr. DOUGLAS thought the clause was wanted. They were doing a great deal more for the black than the white labourer, because he required more taking care of. The white man could take care of himself, but even as regarded the white man they took care that his rights were respected. In the old country it was a common thing to legislate against the employment of children. The Legislature had to see that the rights of labour were not abused. They might be abused, as was evident from the report of Drs. Wray and Thomson. These gentlemen were appointed by the Colonial Secretary himself, and it was very clear from their report that great mortality had arisen among Polynesians, and that they partly attributed it to over-work. If the Government appointed experts to examine into matters where grievous complaints had been made they should to some extent act up to their recommendations. One of the chief objections to Polynesian labour was that the Polynesian belonged to a race which was not capable of taking care of itself. Having undertaken to introduce an exceptional kind of labour they must apply exceptional kinds of restrictions to it.

The Committee divided :—

AYES, 8.

Messrs. Douglas, Garrick, Griffith, Rutledge, Grimes, Macfarlane, Fraser, and O'Sullivan.

NOES, 17.

Messrs. Palmer, Perkins, Dickson, McIlwraith, Cooper, Beor, King, Hamilton, Price, Stubley, Weld-Blundell, H. W. Palmer, Amhurst, Stevens, Macrossan, Lumley Hill, and Rea.

Question, therefore, resolved in the negative.

Mr. KING said he believed this was the place where he ought to introduce some amendments of which he had given notice relating to the re-engagement of islanders in the colony. When he drew up the amendments which were originally printed, he provided that when islanders were re-engaged, after the first term of their service had expired, that the persons employing them should pay a license of £2 per year; that the islanders should only be employed in tropical or semi-tropical agriculture; and that they should not, under any circumstances, be employed in municipalities. He had since heard that in the municipality of Mackay there was a very large sugar plantation. The whole of the buildings and the machinery were in the municipality, consequently if that clause had been passed it would have had the effect of shutting up that one very large existing plantation. In addition to this he had had remonstrances from some of his constituents. The area of the Maryborough municipality was very large, and contained a great deal of land that might be employed in the cultivation of sugar in the future; and the objection was, that the adoption of that amendment would prohibit the cultivation of that land for sugar-growing. He determined, under these circumstances, to abandon that part of his amendment, and thought it would still be sufficiently stringent as it now stood to keep the islanders to the same work as they were originally employed upon. He would therefore move—

Any person desirous of engaging an islander who has completed his original term of service, or who is otherwise free to hire in the colony, shall apply to the Immigration Agent in Brisbane, or to any Polynesian inspector, for a license so to do, stating the estate or place where it is intended he is to be employed, and the name and native island of the islander he proposes to engage.

No license shall be granted unless the applicant proves to the satisfaction of the Immigration Agent or Polynesian inspector that the islander whom he is desirous of engaging is intended to be employed solely in tropical or semi-tropical agriculture.

Such license shall be in the form of schedule N hereto, and shall be for the term of one year, and the applicant therefor shall, previously to its issue, pay a fee of £2 for every islander so to be employed.

Question put and passed.

Mr. KING moved the insertion of the following new clause :—

"Any person who employs an islander who has completed the term of his original agreement in the colony, or is otherwise free to engage, without obtaining a license so to do, as provided in the last preceding section, or who employs him otherwise than in tropical or semi-tropical agriculture, shall for each such offence be liable, on conviction before two justices of the peace, to a penalty of £10, or, in default of immediate payment, to imprisonment for any period not less than one month.

"One-half of the penalty recovered under this section shall be paid to the informer."

Mr. O'SULLIVAN said he would not vote for the clause unless the words "not exceeding" £10 were employed.

Mr. KING said in that case the clause would have no application whatever. Everything would be dependent upon the justices.

Mr. O'SULLIVAN said there might be extenuating circumstances, and, in his opinion, the clause was too arbitrary.

Mr. GRIFFITH said he had been looking how a conviction might be got under the clause, and it struck him there would be practically great difficulty in getting one, as the clause was worded. It would be necessary to prove that the term of the original agreement was completed, and that might be practically impossible—or else it would be necessary to prove that at the time the license was issued the islander had completed his original agreement, or that it had in some way come to an end. This would be a matter entirely within the knowledge of the party accused, so that there would be great difficulty in getting a conviction. The offence should be for employing an islander not under agreeement under this Act or license: then the accused person would be able to defend himself. As the clause stood, the informer would have to prove a negative; he would have to prove that there had been an agreement and it had expired, or, not having expired, had in some way come to an end, and that the islander was free to re-engagement. He was desirous of making the clause stringent, but so that it might practically be enforced.

Mr. KING said the alteration in the words which the hon. member for North Brisbane had suggested would be useful. He therefore proposed to amend the clause so as to read thus :—

"Any person who employs an islander otherwise than under an agreement for service made under Part III. of

this Act, without obtaining a license so to do, as provided in the last preceding section, or otherwise than in tropical or semi-tropical agriculture, shall for each such offence be liable, on conviction before two justices of the peace, to a penalty of ten pounds, or, in default of immediate payment, to imprisonment for any period not less than one month.

"One-half of the penalty recovered under this section shall be paid to the informer."

Mr. GRIFFITH hoped the hon. member would not make the clause so strict as to endanger its passing. As well as a maximum, there should be a minimum of, say, £2 or £1; and it should be added that upon conviction the license should be cancelled. It ought also to be provided that the burden of proof should rest on the accused person.

Mr. RUTLEDGE thought there was a danger of going too far towards the other extreme. He did not know what statistics would prove with reference to the number of islanders in the colony whose term of service had expired; but there must be a considerable number, and if the clause were passed what would become of them? There was no provision for sending time-expired men back to their islands, and the consequence would be that no man would employ them and they would be left to starve. Men who, in the exercise of humanity, wished to give them a little employment for the sake of their food would be deterred from doing so on account of the penalty to which they would render themselves liable. He was as anxious as anyone to see the number of Polynesians restricted, so that they might not unnecessarily come into competition with white labour; but if they permitted the clause to pass in its present shape they would be violating some of the commonest laws of humanity. This was a matter which required more attention than hon. members seemed inclined to give it.

Mr. WELD-BLUNDELL said it was utterly impossible that the Committee could allow such a clause to pass in its present shape. There were hundreds of kanakas in different parts of the colony whose terms of service had expired, who were free men to all intents and purposes, and could work where they liked for wages. Such a clause, if passed, would reduce a large number of men to a state worse than that of beggary—to a worse position than a native dog; for a man who employed one of them even for his food rendered himself liable to a fine of £10. Such a clause, if passed, would be a disgrace to the Committee, and Queensland would be held up to ridicule throughout the colonies.

Mr. KING said that if the clause was passed in its present form there was plenty of work on the sugar plantations for the whole of the islanders who were now knocking about the towns. He was somewhat amused at the idea of charity entertained by the two hon. members who had last spoken—giving them food in exchange for their labour; but before finding work for starving islanders some work ought to be found for their fellow-countrymen. There were not so many time-expired Polynesians in the colony as to create any anxiety about their starving. Many of them could be sent back immediately if they wanted to go; there were, he believed, funds available for that purpose, and those who imported them were liable to pay their passage back to the islands. He did not anticipate any trouble on that score. With regard to the amount of penalty, he was not particular to its being £10, but it ought, at any rate, to be substantial, so that the men who employed them contrary to the Act should not make a profit by the transaction.

Mr. RUTLEDGE said that one effect of driving the men away from various localities where they found employment might be that sugar planters who now employed white men would discharge them and take on the kanakas under the pretence that the law compelled their employment in that kind of labour only, and that by employing them they would be serving at the same time their own interests and the cause of humanity. All were anxious that their fellow-countrymen should receive the first consideration; but the true remedy was that proposed by the hon. member for Stanley (Mr. O'Sullivan), and he exceedingly regretted that through not knowing the matter was coming on so early, other engagements prevented his being present and voting for it. All time-expired islanders could not find employment in the neighbourhood of Brisbane, and they might not have the means of getting away to Maryborough or Mackay. Such men, after wandering about in a state of starvation, would be left to die of hunger.

Mr. WELD-BLUNDELL said that if it was the object of the hon. member (Mr. King) to compel kanakas to return home after the expiration of their term of service he was perfectly willing to support him; but it ought to be done in a different way. If the hon. gentleman would introduce a Bill requiring kanakas to take out a license of £10 per head per annum, it would not only be a small source of revenue to the country, but the kanakas would be placed in so disadvantageous a position compared with white men that probably many of them would at once return to their islands the moment their term of service had expired. No injustice would be done to the men who were in the country, and it would be the best means of getting them out of it again. A similar plan was adopted in Saigon and Manilla with regard to Chinese, and it had been found to keep them in check very effectually.

Mr. PRICE said he should support the new clause, as he believed it to be a step in the right direction.

Mr. NORTON said the effect of the clause would be to drive every kanaka out of the colony who had finished his term of service. If that was what the hon. gentleman meant, why not say so at once, and insert a clause making it compulsory? He hoped the hon. gentleman would withdraw the clause. They should compel islanders to return home after their three years' term of service had expired, or allow them to remain and do as they liked, with the exception of not permitting them to compete with white labour in towns, which was the one great cause of complaint against them.

Mr. DICKSON said it seemed to him that the proposed clause would be very severe in its operation, and he would like to hear the Attorney-General say in what way the provision would affect naturalised islanders. It seemed very hard that men who had become naturalised should labour under the disabilities contemplated by the clause.

The ATTORNEY-GENERAL: I will reserve my opinion until the occasion arises.

Mr. REA made some remarks, which, owing to the storm, were quite inaudible in the gallery.

Mr. GRIFFITH hoped the hon. member who moved the amendment would not make it too stringent. It would be a monument of folly to pass a clause without any provision for its enforcement, but it would be equally unwise to insert a provision which could not be enforced. He thought, too, that the provisions of the clause should not apply to the employment of labour for a period not exceeding seven days.

Mr. WELD-BLUNDELL thought there could be no objection to the passing of the clause, pro-

viding it were stipulated that it should not apply to those islanders who had received their freedom, or had completed their term of service up to the present date.

Mr. KING said he would ask leave to withdraw his clause, the Colonial Secretary having promised to consider amendments which would meet his views.

Proposed clause withdrawn.

Clauses 22, 23, 24, and 25, put and passed.

On clause 26—"Districts may be proclaimed in which hospitals are to be established"—

Mr. GRIFFITH asked whether islanders who had served the term of three years were to be allowed to have the benefit of the hospitals, and whether their employers were to contribute a capitation fee?

The COLONIAL SECRETARY said that when the Bill was drawn there was no anticipation of an amendment such as that which had been carried on the motion of the hon. member for Maryborough, which would bring islanders and labourers into the same category. In subsequent clauses he would move the omission of the words "or islanders."

Clause put and passed.

Clause 27—"Employers to contribute towards maintenance of hospital"—"Penalty for failing to pay capitation fee"—amended by the omission of the words "or islanders," and passed.

On clause 28—"On proclamation of district, hospital to be erected"—

The COLONIAL SECRETARY moved that the words "or islander" be omitted.

Mr. GRIFFITH asked why should not a Polynesian be allowed to be sent to an hospital? It might be a question who was to pay for him, but why prevent him from going there?

The COLONIAL SECRETARY said there was nothing in the Bill to prevent a Polynesian being sent there.

Mr. RUTLEDGE said many persons who were subscribers to hospitals would give a ticket to Europeans, but would not give it to an islander. The difficulties in the way of islanders getting into an ordinary hospital would be very great. Very few of them would receive sufficient wages to enable them to pay medical expenses, and he thought no distinction should be drawn between an islander and a labourer in regard to treatment in the hospital when sick.

Mr. MACFARLANE asked how did the Colonial Secretary propose to pay for maintenance if the fund provided was not sufficient?

The COLONIAL SECRETARY said clause 27 provided for a capitation allowance for the support of the hospital.

The clause was then amended as proposed, and agreed to.

Clause 29—"Appointment of resident surgeon to hospital"—put and passed.

Clause 30 was, on motion of Mr. GRIFFITH, amended to read as follows, and agreed to:—

Every employer in such district shall be entitled to send any of his labourers or islanders, when sick, to such hospital for treatment; and the cost of the treatment and maintenance of any labourer, as well as the salaries and allowances of the surgeon and attendants of such hospital, shall be defrayed from the "Pacific Islanders' Fund," hereinafter mentioned. The cost of the treatment and maintenance of any islander, not being a labourer within the meaning of the Act, shall be paid by his employer.

Clauses 31 to 39 agreed to without discussion.

The COLONIAL SECRETARY, in moving clause 40—"Penalty for harbouring islanders without notice"—said he did so formally, but the clause had slipped into the Bill without his knowledge. He did not understand why a man should be fined £20 for harbouring a labourer. A labourer might be brought to his place seriously injured or on the point of death, and he would have to be left there while the man sent to the nearest inspector, who might be fifty or one hundred miles away, to report it. He hoped the clause would be negatived.

Mr. RUTLEDGE said he was glad to hear the Colonial Secretary express his disapprobation of this clause. If he had not done so, he (Mr. Rutledge) should have thought it his duty to move that it be omitted, because it might be made use of for great oppression, as a similar enactment had in the United States.

Question put and negatived.

Clause 41 passed as printed.

On clause 42—"Labourers and islanders not to be supplied with spirituous liquors"—

Mr. MACFARLANE said he was very glad to see the Colonial Secretary was so careful with the islanders in this respect, and wished that the hon. gentleman would exercise a similar caution in the case of white men. When the boats ran down on the Sabbath day to watering places, drink was given to drunken men who were not so wise as kanakas.

Question put and passed.

On clause 43—"Breaches of regulation punishable by fine"—

The HON. J. M. THOMPSON asked whether this was a general penalty to be inflicted for any breach of the Act? It appeared to him to be an extremely dangerous clause.

Mr. GRIFFITH said it would apply to the whole of the Bill, if no other proviso were inserted.

Question put and passed.

Mr. GRIFFITH moved that the following new clause be inserted:—

"Any inspector may institute and prosecute any proceedings in any court of justice in the name and on behalf of any islander for any relief to which such islander is by law entitled."

Question put and passed.

Clauses 44 to 47, and schedule A, passed as printed.

In schedule B—"Employer's bond"—an amendment altering the amount of bond for each islander from £23 to £5 was agreed to.

Schedules C, D, E, and F, passed as printed.

On schedule G—"Agreement between employers and labourers"—

The COLONIAL SECRETARY moved an amendment making the islanders' wages payable at the end of every six months instead of yearly.

Question put and passed.

Mr. KING drew the attention of the Colonial Secretary to the desirability of increasing the ration. At a meeting of planters in Maryborough it had been pointed out that half-a-pound of meat was insufficient, and that the customary ration in the district had been one pound. He had been informed that Dr. Power when visiting the plantations had given it as his opinion that when islanders were put to hard work they required as much solid and substantial food as white men did under similar circumstances. The planters at Maryborough were of opinion that half-a-pound per diem was not sufficient, and he had been told by them that they were always in the habit of allowing one pound. He considered that the experience of those gentlemen was a correct guide by which to go,

and he would therefore move that "½ lb." be omitted from the ration list with the view of inserting "1 lb."

The COLONIAL SECRETARY said the ½ lb. of meat was put in as a transcript of the present Act, but he quite agreed with the amendment, although from his own experience he could say that it was hardly necessary, as the islanders always had as much meat as they wished to have.

Question—That the word proposed to be omitted stand part of the Bill—put and negatived.

Question—That the word proposed to be inserted be so inserted—put and passed.

Clause, as amended, agreed to.

Schedules H and I put and passed, with verbal amendments.

On schedule J—

The COLONIAL SECRETARY moved the substitution of the following new schedule :—

"TRANSFER BOND.

"Know all men by these presents that A. B. of C. D. of and E. F. of are held and firmly bound unto our Sovereign Lady Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, in the sum of five pounds of good and lawful money of Great Britain for each labourer transferred to the said under transfer bearing even date herewith to be paid to our said Lady the Queen, her heirs and successors, to which payment well and truly to be made we bind ourselves and every of us jointly and severally, for and in the whole, our heirs, executors, and administrators, and every of them firmly by these presents.

"Sealed with our seals. Dated this day of 18 .

"Whereas by the Pacific Island Labourers Act of 1880, it is amongst other things enacted that no transfer of any labourer shall be made until the transferee has entered into a bond with two sufficient sureties to be approved by the Government to provide for the payment of the return passage to his native land at the expiration of his agreement of every islander transferred to him: Now, the condition of this obligation is such, that if the above-bounden immediately upon the expiration of the agreement of each labourer transferred to him under transfer bearing even date herewith, defrays the cost of the return passage of such labourer to his native island, or pays to the Immigration Agent a sum of five pounds for the purpose of providing such return passage, then this obligation to be void, otherwise to remain in full force and virtue.

"Signed, sealed, and delivered by the above-bounden [L.S.]
[L.S.]
in the presence of [L.S.]
J.P."

Question—That schedule J, as printed, stand part of the Bill—put and negatived.

Question—That the new schedule stand part of the Bill—put and passed.

Schedule K, L, and M, put and passed.

Mr. KING moved the following new schedule as Schedule N of the Bill—

"SCHEDULE N.

"*(License to employ time-expired Islanders.)*

"In pursuance of the provisions of the Pacific Island Labourers Act of 1880, I, the undersigned, hereby authorise to employ, in tropical or semi-tropical agriculture at , the islander named in the margin for a period of twelve months from the date hereof; and I hereby acknowledge to have received from the said the sum of pounds, as the fee payable on the issue of this license.

"Immigration Agent, or
"Polynesian Inspector."

Mr. O'SULLIVAN said that before the question was put he should like to know wheher it was the intention of the hon. Colonial Secretary to proceed any farther with the Bill? He was of opinion that in the face of the very close division which took place on his amendment in such a very thin Committee that the Bill ought not to go any farther; at anyrate, he should like to hear from the hon. gentleman whether the Government intended to recommit it, as he (Mr. O'Sullivan) had some other amendments to submit to the Committee which he would like to come on on Wednesday next, when there would be a larger attendance of members. The hon. Colonial Secretary must have seen that in the very thin Committee that evening there was only a majority of one against his (Mr. O'Sullivan's) amendment. His hon. colleague (Mr. Kellett) had to leave town on private business; and had the members for Darling Downs been present there was no doubt that the amendment would have been carried. He thought it was a very dangerous thing to bring forward important measures for discussion at the Monday sittings, especially when the House sat on Fridays and many country members could not attend on Monday. The present was a favourable opportunity for asking the hon. gentleman if he intended to go on with the Bill, and if he did, whether he would be good enough to have the Bill recommitted on Wednesday, so that he (Mr. O'Sullivan) might have an opportunity of introducing an amendment similar to that which was so nearly carried that evening?

The COLONIAL SECRETARY thought the hon. member was asking a great deal too much. There would be no finality in legislation if he agreed to a recommittal of a Bill, after getting it through, in order that an hon. member who had been defeated on an amendment might have an opportunity of bringing it on in another form. He intended to proceed with the Bill, and should recommit it for the purpose only of reconsidering the hon. member for Maryborough's clause.

Mr. O'SULLIVAN said that perhaps the Colonial Secretary would concede to him the same concession as he intended giving the member for Maryborough?

The COLONIAL SECRETARY said the circumstances were altogether different. The member for Maryborough withdrew his clause on the understanding that the Bill would be recommitted for the express purpose of considering it. The member for Stanley, on the other hand, had introduced his amendment and been defeated on it. It was not his (Mr Palmer's) fault that certain members were not present. If the Government were to put off measures until there was a full House he did not know when they would get through their business. There was not a single member of the Opposition present when the House met that afternoon. Would that have been a reason for not going on?

Mr. O'SULLIVAN said he acknowledged having been defeated on his amendment by one vote; but was that a reason why he should be debarred from proposing another amendment different to the one rejected? He had such an amendment to propose to clause 8.

The COLONIAL SECRETARY said the hon. member might move his new clause as an amendment to the member for Maryborough's clause. He would not recommit the Bill for the consideration of a new clause.

Mr. O'SULLIVAN said he should be satisfied to follow the Colonial Secretary's advice if his new clause would fit as an amendment to the member for Maryborough's proposition.

Mr. GRIFFITH said, considering that the Bill was brought forward on a Monday, that not more than half the members of the House

were present, and that one of the most important points was defeated by one vote only, the member for Stanley was not making an unreasonable request. Moreover, asking for a recommittal was not requiring a great concession, because if a majority wished a recommittal they could get it.

Mr. RUTLEDGE said he did not think the request of the member for Stanley was unreasonable, and he apprehended that the discussion would be confined to the amendment which the hon. member intended to introduce. Hon. members were not aware that an important matter like this Bill would be brought up so early that day, and the division that took place was not a fair expression of the opinion of Parliament.

The COLONIAL SECRETARY said the duty of hon. members was to attend in their places. The Bill before the Committee was high up on the business paper, and only one measure was postponed, and then the postponement was to give members further time for consideration of the measure. There would be no finality in legislation if the Government committed and recommitted Bills in order that members who had not attended to their duties to the country might have an opportunity of voting.

Mr. WELD-BLUNDELL said he hoped the Colonial Secretary would act up to his present determination not to recommit. There would be no end to divisions if a member who had been defeated on a particular amendment were to have the opportunity of trying it on another occasion. The probabilities were that in a full House the result would not have been altered.

Mr. O'SULLIVAN said the hon. member ought to know more about the Parliamentary rules before he took upon himself to advise the Colonial Secretary not to recommit the Bill. He (Mr. O'Sullivan) would see whether they would not get the recommittal.

Mr. WELD-BLUNDELL said he sincerely hoped that they would see. The House was not to be dictated to by one hon. gentleman.

Mr. MACFARLANE said that only a few nights ago the Colonial Secretary recommitted a Bill at the instance of the member for Mitchell, and in refusing the member for Stanley's request he was guilty of partiality.

Mr. WELD-BLUNDELL said he presumed from the member for Stanley's speeches that the recommittal was to be for the purpose of introducing a clause of the same character as the one which was rejected. The hon. member had the opportunity of moving it that afternoon, at the end of the last clause, but apparently did not do so in order that he might have another trial on another day.

Mr. O'SULLIVAN said he could not understand why there should be a recommittal for the member for Maryborough and not for him. He would insist upon a recommittal.

Mr. KING said he would point out that his case was entirely distinct. He had his amendment before the Committee, and had the Colonial Secretary, when asking him to withdraw it, not given the assurance that the Bill would be recommitted for the purpose of reconsidering it, he should have pressed it to a division.

Mr. O'SULLIVAN said he asserted that a majority of the House was in favour of his amendment, which was a stronger reason for asking for a recommittal than the member for Maryborough had given for obtaining a recommittal for his clause.

Mr. RUTLEDGE did not think the hon. member deserved any credit for withdrawing his amendment with a view to its being reconsidered. He saw very clearly that if he had pressed it to a division he would have lost it, hence his wisdom in withdrawing it on the Colonial Secretary's terms. Why should not the same concession be extended to the member for Stanley?

Mr. KING said he certainly did not imagine that his amendment would be lost on a division. Possibly it might have been because some gentlemen who had exhibited themselves hitherto as supporters of white against black labour had that evening——

Mr. O'SULLIVAN rose to a point of order. Was it parliamentary to say that members had "exhibited" themselves? Was the word "exhibited" parliamentary?

The CHAIRMAN: I do not think the word "exhibited" unparliamentary.

Mr. KING, continuing, said that some hon. members who had exhibited themselves as the great champions of white labour against Polynesians had that evening turned round. He certainly did not withdraw the amendment because he was afraid of being defeated. The wording of the amendment required careful consideration, and he thought it was desirable that time should be taken in framing it, and that it was not necessary the business of the House should be detained whilst that was being done.

Mr. O'SULLIVAN said that the hon. member seemed to be the champion of those who were in favour of doing away with kanaka labour, but this was not a thing that had occurred to some of them yesterday. He had been against this labour ever since he had been in the colony. There was not a single instance in which that kind of labour had come before the House ever since separation that he had not voted against it. The probability was that the hon. gentleman was as fond of popularity as anyone else, but if he were member for anywhere but Maryborough he would be on his (Mr. O'Sullivan's) side.

Mr. RUTLEDGE said his opinions had not undergone any change as to the merits of white men as against Polynesians, but he hoped that as long as he had the honour of a seat in the House he should not be a party to any extreme measures. He recognised the claims of humanity whether a man were black or white, and any measure that would force them to perpetrate an act of inhumanity to a man with a black skin would never have his support.

The COLONIAL SECRETARY said he would ask the hon. member for Stanley what amendment he proposed to introduce? He had informed him (Mr. Palmer) that he proposed to strike out 30s. in the 8th clause, and substitute £10. Was he right?

Mr. O'SULLIVAN: No; the hon. member is not right, and never was.

The COLONIAL SECRETARY: Did not the hon. member tell me that two minutes ago?

Mr. O'SULLIVAN said he did tell him so, but he did not tell him all.

The COLONIAL SECRETARY asked whether he understood that the hon. member wished to confine himself to clause 8 of the Bill?

Mr. O'SULLIVAN: Yes.

The COLONIAL SECRETARY: Then, on that understanding I will consent to recommit the Bill for the consideration of clause 8 and the hon. member for Maryborough's new clause.

Question—That the new schedule be inserted—put and passed.

Preamble put and passed.

The COLONIAL SECRETARY moved that the House go into Committee for the consideration of clause 8 of the Bill.

Mr. O'SULLIVAN asked whether the hon. member intended to recommit the Bill that night? His (Mr. O'Sullivan's) object was to recommit it on Wednesday.

The COLONIAL SECRETARY: Certainly.

Question put.

Mr. O'SULLIVAN moved as an amendment that the recommittal of the Bill stand an Order of the Day for Wednesday. The House would see at a single glance that there was not the slightest use, in the present state of the House, in having the Bill recommitted to-night for the consideration of his amendment; but by Wednesday the news would have gone abroad that the amendment was to come on, and members would attend. If it was the wish of the Government that the subject should get fairplay, they would consent to have the Bill recommitted on Wednesday, when there would be a full House.

The PREMIER said the Government could not consent to the amendment made by the hon. member that the reconsideration of the Bill in committee should be postponed till Wednesday. The Government had quite enough to get through their business, managing as well as they could themselves, without throwing themselves entirely on the hands of private members. They had had a great deal of difficulty in managing the business of the House, from the obstruction they had received on the other side; but for hon. members on their own side to propose such an amendment was asking too much. He had not only arranged the business for Wednesday, but had intimated to the House what it was. He had stated that for Tuesday and Wednesday there was the Railway Bill, and that arrangement could not be altered. A motion of this sort took the business entirely out of the hands of the Government and destroyed all management.

Mr. GRIFFITH did not think any difficulty the Government might have had in arranging business was attributable to any obstruction on the part of the Opposition. The Premier might very well, in the few words he had to say, have omitted reference to them. Whatever the conduct of the Opposition had been it had been deliberate, and had certainly not been undertaken to interfere with the arrangements of the Government in carrying on their legislation.

The COLONIAL SECRETARY said of course they expected a lecture from the hon. member for Brisbane. He would appeal to the hon. member for Stanley whether he had not given way to him a great deal that evening? He had consented to recommit clause 8, after previously refusing to do so, on the full understanding that the hon. member was then prepared to introduce his amendment.

Mr. O'SULLIVAN: I said it was for Wednesday.

The COLONIAL SECRETARY said no private member or any other member had a right to dictate to the Government as to the time they should go on with their business; that was taking the business out of the hands of the Government altogether. He would tell hon. members that if they chose for party purposes, or any other purposes—and he believed they had succeeded in passing a very good Bill through so far—to say that this Bill should be recommitted for Wednesday, he did not think they would see it again this session.

Amendment put and negatived.

The COLONIAL SECRETARY moved that clause 8, as printed, stand part of the Bill.

Mr. O'SULLIVAN moved that the following words be added to the clause:—

From and after the 31st day of December, 1883, every applicant shall, previous to the issue of a license, pay to the Immigration Agent at Brisbane the sum of £10 for each labourer proposed to be introduced instead of £1 10s. as hereinbefore provided. If the number in respect of whom the payment is made be not introduced, the surplus over and above the amount of £10 for each labourer introduced shall be returned to the applicant.

Mr. AMHURST said he would put the effect of the amendment in a very few words. If it was the wish of hon. members to destroy the sugar industry in the North, they would do so if they passed the amendment. The North was entirely dependent on tropical agriculture, and it was impossible to carry that on without coloured labour. The small farmers would be the first to be ruined, and the larger growers would hold on as long as they could; but it meant the total annihilation of that flourishing industry. Many thousands of pounds would be lost to the colony. One firm alone had spent £300,000 in machinery and plant, a great deal of which was on its way out; and if the amendment was passed they would have to sell it for old iron.

Mr. GRIMES said the Committee had heard the opinion of one sugar-planter on the subject; and he would now give them the opinion of another sugar-planter. There was not the least danger of the sugar industry being blotted out of Queensland by the passing of the amendment. Sugar-growing would go on just as before; and as the contract for the mail service had been ratified, Mackay would be the first port of call, and the sugar-growers there would get the pick of the immigrants. The sum proposed was only an addition of £3 6s. 8d. a-year to the wages of kanakas, and those who employed them could well afford to pay that amount. If white people were employed in the industry twice that sum would go to the revenue from Customs duties alone.

Mr. O'SULLIVAN said the ruin predicted by the hon. sugar-planter from Mackay had been predicted thousands of times, and even in the House of Commons itself. If the industry would be ruined without slavery, the sooner it was ruined the better. But he did not believe a word of it. By the amendment, the planters would have six years during which to employ kanaka labour on existing terms, and if with that and with all the encouragement the industry had had it was still to be propped up, then the sooner the big plantations were broken up and small farmers settled on the land the better.

The Committee divided:—

AYES, 13.

Messrs. Griffith, Dickson, O'Sullivan, Macfarlane, Rea, Grimes, Beattie, Fraser, Rutledge, Garrick, Douglas, Price, and Stubley.

NOES, 16.

Messrs. Palmer, McIlwraith, Macrossan, Perkins, Cooper, Beor, King, Thompson, Amhurst, H. Palmer, Sheaffe, Swanwick, Weld-Blundell, Stevens, Norton, and Hill.

Question, therefore, resolved in the negative.

Mr. KING said he had prepared a clause which he thought would meet the principal objections raised against the clause he had moved at an earlier period of the evening to stand at the end of Part III. He now moved the following clause:—

Any person who employs any islander otherwise than under an agreement for service made under Part III. of this Act without obtaining a license, or who employs an islander for whom he has obtained a license, otherwise than in tropical or semi-tropical agriculture, shall for each such offence be liable, on conviction before two justices of the peace, to a penalty of not less

than £5 nor more than £10, or, in default of immediate payment, to imprisonment for any period not exceeding one month. One-half of the penalty recovered under this section shall be paid to the informer; and in all proceedings taken under this section the burden of proof of the existence of any agreement or license shall lie upon the accused person.

The clause was so framed that if a man employed a Polynesian in a town, or at any occupation forbidden by the Act, there would be no difficulty in bringing him to account for it. The fine he now proposed was not less than £5 nor more than £10, and could not therefore be regarded as excessive. If the Committee accepted the clause he thought it would meet the difficulty with which they had had to contend in placing Polynesian labour in a proper position with regard to the white labouring classes in towns.

The COLONIAL SECRETARY said he felt slight delicacy in speaking on this at all, because he agreed to take the amendment of the hon. member as it appeared in print; and he would much rather have it as it appeared in print originally. He would submit to the Committee, and to the hon. member himself, whether there was any necessity for this clause at all? Clause 43, as passed, fully provided for this matter—

"Any person who offends against any of the provisions of this Act, for which no penalty is herein specially provided, shall be liable for the first offence to a penalty not exceeding ten pounds; and for the second or subsequent offence to a penalty not exceeding twenty pounds nor less than five pounds."

He did not see why they should have distinguishing fines for each offence under the Act. That surely was penalty enough.

Mr. GRIFFITH said the clause the Colonial Secretary had just referred to would have been quite sufficient if the Government had accepted the amendment he (Mr. Griffith) suggested that afternoon. The clause as it stood made no negative provision against employing islanders, except under license in some way; and therefore there was no penalty—there would be no offence.

Mr. O'SULLIVAN said the proposed new clause looked to him not only stupid but tyrannical. It said any person who employed a kanaka without a license should be subject to a fine, and he would give an instance of how it would work. Supposing he wanted to send for a doctor in a great hurry in case of a serious accident or anything of that kind, and simply put a kanaka on horseback to go for him, would he not come under that clause? He was satisfied that he would; and as he believed the provisions of the Bill were sufficient to meet the case he should oppose the new clause.

Mr. KING said the remarks of the hon. member for Stanley were absurd when he spoke of a man sending for a doctor coming under this clause. He did not suppose anyone would talk of employing a labourer to go for a doctor and to do nothing else. He did not see how a kanaka going for a doctor once during twelve or six months, or even during one month, could be held to be a labourer within the meaning of the clause, any more than if a house was on fire it could be said that a kanaka was employed because he handed a bucket of water. Of course they must trust that the Act would be administered in its proper sense, because if any Act were administered under any such bias as the hon. member seemed to think might be displayed in this case, the whole law would be unworkable. He (Mr. King) should have been willing to accept the 43rd clause as satisfactory if he could see that it applied to a breach of this new clause, which he believed it did not, and he hoped the House would accept the amendment. With regard to the remark of the Colonial Secretary that he would have accepted the clause as originally printed, he (Mr. King) had only to say that he found it necessary to make some verbal alterations in order to make the clause work effectually.

Mr. GRIFFITH pointed out that by making an amendment a shorter clause than that moved would be sufficient to meet the case.

Mr. THOMPSON said it seemed to him that the very difficulty the hon. member for Stanley (Mr. O'Sullivan) suggested would arise from the use of the word "employ." If they were not to employ a man except under an agreement, of course they let in all the employments not under agreement, and the very case of sending for a doctor would come under the clause. The latter part of the clause also seemed to be very unjust—that the accused person was bound to prove that he was innocent.

An HONOURABLE MEMBER: He has to produce his agreement.

Mr. THOMPSON said the accused was not bound to have a written agreement or to keep his agreement. This was creating an artificial offence, and there would be a way found of getting out of it.

Mr. GRIFFITH said there could be no difficulty as to the production of the agreement, because it was bound to be in duplicate—the immigration agent keeping one copy and the employer the other—and there could be no hardship in the production of the license. He would suggest that a maximum period for employment without license should be fixed, and also that the provision should not come into operation until the 1st January, 1882, or the 31st December, 1881; so that reasonable notice should be given.

The COLONIAL SECRETARY said he hoped hon. members would take into consideration, while they were on this clause, that there were many South Sea Islanders in the colony who were just as civilised as any white man—men who were capital stockmen and valuable servants on stations in the interior and in households in many parts of the colony. He hoped, almost against hope, that the House would not stultify itself by driving these men to ruin and beggary. They had no right to do so. He regarded the clause as a most dangerous one.

Mr. O'SULLIVAN said according to the clause a man would have to acknowledge his own guilt or prove his own innocence. He had always understood that the accuser must prove his accusation, and that a man was held to be innocent until he was proved to be guilty.

Mr. RUTLEDGE said the difficulties which had arisen formed a very strong argument in favour of postponing the further consideration of the subject for a few days. Some distinction would have to be drawn between the Pacific islanders who were already in the colony and those who would be introduced under the provisions of this measure. At present the Committee seemed to be in a complete fog, and nothing would be gained by rushing the Bill through under such circumstances. He could hardly imagine a more tyrannical measure than one which enacted that a man who for a short period, and perhaps under very exceptional circumstances, employed a kanaka should be liable to a penalty of not less than £10. The Committee could not tolerate the existence of such a provision. It was useless for any hon. member to suppose he had a monopoly of anxiety on the subject. He (Mr. Rutledge) maintained that he was as strong anti-kanaka in his opinion as any hon. member, but he was also averse to the opposite extreme of rush-

ing into provisions so stringent as to defeat the very object the Committee had in view.

Mr. WELD-BLUNDELL said he should oppose any amendment the operation of which was extended to those who, having terminated their agreement, were in the position of seeking for employment in the colony. It was fair that they should be compelled to either return to their islands or else re-engage under the old conditions. He was willing to accept such an amendment provided that kanakas now in the colony who had terminated their agreement should be exempted from its provisions; and he would move that the following words be added :—"Provided that this provision shall not be applicable to islanders who have at the time of the passing of this Act completed the term of their original agreement and are now residing in the colony."

Mr. THOMPSON said there was another feature in the clause deserving of attention. Half the penalty would go to the informer, so that if a man had a grudge against his neighbour he could vent his spite by giving information.

Mr. REA said the whole object of all the legislation that had taken place on the subject had been to keep these men out of the towns and off the stations; and the statement of the Colonial Secretary, that kanakas employed in towns and on the stations were not to be interfered with, would have induced him (Mr. Rea) to vote for the motion of the hon. member for Maryborough if nothing else had done so. The object of the Committee was to send them back to the sugar plantations, and if that object were attained the abuses suggested by the hon. member for Stanley could not occur, because there would be no kanakas left in the towns.

Mr. THOMPSON said the Committee had almost unanimously rejected the clause providing a penalty for harbouring, but this clause was only another way of obtaining the same result.

Mr. GRIFFITH said the former clause related to kanakas during their term of agreement only. This clause was absolutely necessary, in order that effect might be given to the clause inserted on the motion of the hon. member for Maryborough. Either this must be inserted or the other must be struck out.

Mr. RUTLEDGE said if there had been some provision in the present Act by which men who had served their term could be deported to their native islands at the expense of the Government, there would not be so much difficulty in dealing with the present proposition. The question now was, what would be done with those who were in the colony at the present time? If a penalty were imposed upon everyone who employed them in any other employment than that connected with sugar-growing, the result would be that there would be a superfluity of black labour for that particular purpose. Some hon. members were very properly anxious to keep these men off the stations in the interior, but the measure, if passed, would not be so oppressive upon the squatters in the interior as upon employers in the settled districts. Nothing could be more difficult than to prove a case against a squatter. It was not likely that the squatter's own "hands," the only persons likely to be in a position to inform, would inform against him, and very likely the master himself would be the nearest justice of the peace before whom the information would have to be laid. The man must therefore either connive, or else travel, perhaps, hundreds of miles to lay the information, and hundreds of miles again to prove his case. He apprehended, therefore, that squatters in the interior would not suffer so much as persons living in the more settled districts.

Mr. LOW said the hon. member appeared to have a very poor opinion of the squatters, but he could tell the hon. member that they were as honest in their dealings as any other class.

Mr. RUTLEDGE said the hon. member misunderstood him. He said nothing reflecting upon the squatters. Squatters had a perfect right to employ these men if they could do so lawfully, but he maintained that no law should be made so stringent that one class offending could not be reached as well as another class. People who employed kanakas in the coast districts would be easily reached, whereas the law could not get at those in the interior and punish them for any breach of the law.

Mr. LOW said if the hon. member did not make a charge against the squatters he insinuated it, which was much the same thing.

Mr. PRICE expressed his surprise that the hon. member for Enoggera (Mr. Rutledge), who was so strongly opposed to black labour, should have expressed himself in favour of having that labour in towns where it was not wanted at all. He should support the amendment of the hon. member for Maryborough, as he believed it would have the effect of driving black labour from the towns into the interior.

Mr. KING said he had drafted a new and shorter clause which he thought would meet the case, and, with the leave of the Committee, he would withdraw that he had previously submitted.

Clause, by leave, withdrawn accordingly.

Mr. KING said the clause he had to submit was as follows :—

"From and after the thirty-first day of December, 1880, no person shall employ any islander for a longer period than seven days, except under an agreement or license made or granted under the provisions of this Act."

He had accepted the suggestions thrown out by an hon. member, and he thought that by fixing the 31st of December plenty of opportunity would be given to the islanders to return home. To meet the suggestion of the hon. member for Stanley (Mr. O'Sullivan), that on an emergency it might be necessary to employ a Polynesian, permission was given to a person not holding a license to employ him for seven days. He had done his best in framing the clause to meet the views of hon. members on both sides of the Committee, and he hoped the new clause would be acceptable to them.

Mr. FRASER said that, with every desire to give effect to the Bill, he thought there was no wish on the part of any member of the Committtee to perpetrate any injustice; whereas if the clause was passed a great injustice would be inflicted on a large number of kanakas, as it was well known that there were a large number employed in the colony who were receiving far higher wages than they received during the term of their servitude. It was not at all likely that planters would take those men into their employment at the high rate of wages they were now receiving, and therefore care should be taken that some provision was made to meet the circumstances of the case; otherwise a most manifest injustice would be committed.

Mr. GRIFFITH thought it would be better to extend the time mentioned in the clause to six months, or even to the end of the year 1881. He considered it was a mistake to be too severe when trying to pass a new law affecting these people.

Mr. SWANWICK moved that the word "1880" be omitted, with the view of inserting the word "1881."

Mr. KING said that as it seemed to be the opinion of the Committee that the notice was too short, he should not, in deference to that opinion, oppose the amendment.

Clause, as amended, put and passed.

The House resumed; the Chairman reported the Bill with amendments; and the third reading of the Bill was made an Order for to-morrow.

The House adjourned at 10 o'clock.