Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 12 FEBRUARY 1884

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LEGISLATIVE ASSEMBLY.

Tuesday, 12 *February*, 1884.

Elections and Qualifications Committee—Burnett election.—Question.—Divisional Boards Act Amendment Bill.—Formal Motion.—Wickham Terrace Presbyterian Church Bill—third reading.—Pacific Island Labourers Act Amendment Bill—committee.—Assent to Bill.—Pacific Island Labourers Act Amendment Bill.—Message from the Legislative Council.—Adjournment.

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

ELECTIONS AND QUALIFICATIONS COMMITTEE—BURNETT ELECTION.

Mr. FOOTE, as Chairman, brought up the following report of the Elections and Qualifications Committee, which was read by the Clerk :—

"The Committee of Elections and Qualifications, duly appointed on the 8th day of November last, to whom was referred on that day a petition from Richard Wingfield Stuart, praying that the Honourable Berkeley Basil Moreton may be declared not to have been duly elected for the electoral district of Burnett, and that he, the petitioner, may be declared to have been duly elected for the said electoral district, have determined and do hereby accordingly declare :—

"1. That the sitting member has been duly elected.

"2. That the Committee make no award as to costs.

"JAMES FOOTE,
"Chairman.

"Legislative Assembly Committee Room No. 1,
"Brisbane, 12th February, 1884."

On the motion of Mr. FOOTE, the report was ordered to be printed.

QUESTION.

Mr. BUCKLAND asked the Colonial Treasurer—

If the Government is aware that large quantities of bacon, cured in Sydney and Melbourne, are being imported into this colony packed in casks in brine as pork, thus evading the duty of 2d. per lb., pickled pork paying only an *ad valorem* duty of 5 per cent.?

The COLONIAL TREASURER (Hon. J. R. Dickson) replied—

The matter referred to has been receiving, for some time past, the attention of the Customs. No importations of bacon cured in Melbourne or Sydney and packed in brine as pork are admitted into Queensland under the *ad valorem* duty; but a considerable quantity of salted pork in brine is imported, which is subjected to a further process of manufacture into bacon in this colony.

DIVISIONAL BOARDS ACT AMENDMENT BILL.

The PREMIER (Hon. S. W. Griffith), in giving notice that he would to-morrow move for leave to introduce a Bill to amend the Divisional Boards Act of 1879, said that since last Wednesday the attention of the Government had been called to a very serious defect in the Divisional Boards Act of 1879. There was no power under that Act to fill up a vacancy if at an election no candidate was nominated or an insufficient number of candidates were nominated. The attention of the Government had been called to several instances of that kind. In one case a board had become practically defunct, and in another case no quorum could be got, and there was no means of forming a quorum. He had every reason to anticipate that other boards were in the same position. The Bill proposed to be introduced was a very necessary one, and, while dealing with only the one point he had mentioned, would prevent any of the other boards throughout the colony becoming defunct during the present year.

FORMAL MOTION.

The following formal motion was agreed to :—

By Mr. MOREHEAD—

That there be laid upon the table of the House, a return showing in detail all fees paid to counsel employed by the Government in Police Court cases, from the 1st January, 1883, to 31st January, 1884.

WICKHAM TERRACE PRESBYTERIAN CHURCH BILL—THIRD READING.

On the motion of Mr. FRASER, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council, for their concurrence, by message in the usual form.

PACIFIC ISLAND LABOURERS ACT AMENDMENT BILL—COMMITTEE.

On the Order of the Day being read, the House resolved itself into a Committee of the Whole to further consider this Bill.

The PREMIER moved the following new clause, to follow clause 2 as passed :—

All agreements for service made with islanders, whether the stipulated time for their return to their native islands has arrived or not, shall be in the form in schedule G to the principal Act or to the like effect, and shall be made in duplicate, and attested by the immigration agent or an inspector, who shall retain one copy of the agreement.

Mr. MOREHEAD said that as he understood the clause it compelled any islander who re-engaged, to do so for more than three years; and, further, he took it that it applied to time-expired islanders.

The PREMIER said it was not intended that the clause should apply to time-expired islanders. That would be provided in another clause; and he did not know how it came to be forgotten. He noticed it the other night when

preparing amendments, but somehow it had been forgotten. He was glad, however, that the hon. gentleman had called his attention to it. With respect to the term of service, he did not see why any islander should not engage for three months; but if there was any doubt on the matter it would be easy to add a proviso. He would therefore move that the following words be added to the clause:—

Provided that the term of service specified in any such agreement may be for any period not exceeding three years.

Question put and passed.

Clause, as amended, agreed to.

The PREMIER moved the following new clause:—

The term "labourer," when used in the third, fourth, and fifth parts of the principal Act, shall include all islanders, whether the stipulated time for their return to their native islands has arrived or not.

That was to include time-expired islanders.

Question put and passed.

The PREMIER moved the following new clause:—

When at the expiration of the engagement of any islander he enters into a fresh engagement for service for a period of not less than twelve months, then if—

(*a*) The sum of five pounds has been paid by his first employer to the immigration agent to defray the cost of his return passage; or

(*b*) That sum has been paid by his then last employer to a former employer under the provisions of this section;

the sum so paid shall be recouped by the new employer to the next preceding employer by whom it was so paid

Mr. BLACK said he believed the object of the clause was to, as far as possible, compel the islanders to go home at the expiration of their agreements, and he agreed with the principle which was sought to be arrived at, by to a certain extent making it penal for a second employer to induce a labourer to remain in the colony until he had incurred the penalty of £5, which had been paid by the previous employer. He thought that the clause would be better if the words "for a period of not less than twelve months" were struck out. He did not see why the second employer should not be equally liable whether the term of his agreement was six, ten, or eleven months; for the first employer had not only introduced the islander, but had made an efficient servant of him. Perhaps the Premier would say what he thought of the suggestion, and whether he would consent to the words being left out.

The PREMIER said he had no objection to accept the hon. gentleman's amendment, and omit the words. The object of the clause was not so much to drive islanders out of the colony as to do what was fair between employers.

Mr. BLACK moved that the words "for a period of not less than twelve months" be mitted.

Mr. SCOTT said he would like to know how the amendment would affect time-expired islanders. If a man chose to employ a time-expired kanaka for a week or a few days, according to the clause as proposed to be amended he would be liable to pay £5, in addition to whatever wages he would have to pay. He did not think that would work at all.

The PREMIER said the only islanders to whom the section would apply were those at present under engagement, or who might come under engagement. It would only operate in respect to the future. When any islander finished his three years' service his employer was bound to pay his passage back to the islands, or pay £5 to the immigration agent. If the islander did not go away, but remained in the colony, his next employer must pay the £5. The clause did not apply to time-expired islanders.

Mr. MOREHEAD said the matter was not very clear, because the word "islander" covered all islanders, whether time-expired or otherwise. He thought it should be made clear that the clause did not apply to time-expired islanders. It was quite possible that there were time-expired islanders under engagement at the present time—such, for instance, as the islander in the employ of the hon. the Colonial Treasurer; and it should be made perfectly clear that the clause did not apply to time-expired islanders.

The PREMIER said the original employer was not bound to pay the £5, except in the case of an islander under his first three years' engagement. After the three years' engagement expired he was under no obligation to pay the return passage, but the transferee from him would be bound to pay the £5.

Mr. SCOTT said the first employer was to pay £5, and the second employer was to pay the first. According to that, it was perfectly clear that if a man employed a kanaka whose time had expired he would have to pay £5, although he only employed him an hour. It would work very badly indeed.

The PREMIER said it would certainly prevent the indiscriminate employment of kanakas after the expiration of the first three years for short periods.

A message from the Governor having been announced, the CHAIRMAN left the chair and the House resumed.

ASSENT TO BILL.

The SPEAKER informed the House that he had received a message from His Excellency the Governor, assenting in the name of Her Majesty to a Bill to repeal the Railway Companies Preliminary Act of 1880.

PACIFIC ISLAND LABOURERS ACT AMENDMENT BILL.

The Committee resumed.

Mr. ARCHER asked whether the £5 would have to be paid for those who were already time-expired islanders, or only for those who were now under original engagement. There might be many men who were under engagement, but not their original engagement. Would it only apply to those who were now under original engagement?

The PREMIER: Yes, or those who might come under original engagement. The operation of the clause was not retrospective. It related only to those islanders of whom it could be said that at the expiration of their original engagement they entered upon a fresh term of service, and that, concurrently, the employer paid the immigration agent £5. It could only operate in the future in respect of islanders now under service, or who came to the colony afterwards and entered upon an original engagement.

Mr. MOREHEAD said he understood that it applied only to those who entered service under schedule G.

The PREMIER: Yes, or who may hereafter become employed under that schedule.

Amendment agreed to.

Question—That the new clause, as amended, stand part of the Bill—put.

Mr. MOREHEAD said that if the hon. gentleman would insert the words "under schedule G" after the word "service" it would make the matter perfectly clear.

The PREMIER said it would only occur in the first engagement of any islander; there was no necessity for the amendment. It was only the

first employer who paid the £5, and the clause did not apply to anyone else. The first employer had to pay £5 to the immigration agent to provide for the return of the islander; but he was the only person who paid it.

Mr. SCOTT said the first employer paid the £5, but the clause said that the second employer should recoup that £5 to the first employer, even if he only employed him for a few hours.

The PREMIER said that was according to the amendment of the hon. member for Mackay. With respect to the objection of the hon. member for Balonne, he would point out that an engagement must be under the form of schedule G.

Mr. MOREHEAD: Then I understand the engagement must be under the form of schedule G?

The PREMIER: Yes.

Clause, as amended, put and passed.

On clause 3—"Officers of labour ships and recruiting agents to be approved by the Minister"—

Mr. ARCHER said he certainly agreed with the hon. gentleman, that it was advisable that masters and agents ought to be approved by the Government; but the hon. gentleman did not know what difficulty he was putting himself into by passing such a clause.

The PREMIER: I do, indeed.

Mr. ARCHER said the hon. gentleman must acknowledge that he had already appointed some agents to recruiting ships, and also Government agents, who were no more fit to be Government agents than they were to be commanders in the British navy. He knew personally that he had done so, and would inform him privately of those cases. He perfectly endorsed the hon. gentleman's object in bringing forward the clause; but could assure him that the Government was the worst person, or rather, he would say, corporation, that could select any person for an office of that kind. They did not know the men, and their political friends could bring pressure to bear upon them, without their knowing anything about them at all. They were quite unable to properly decide upon the appointment of recruiting agents; and also upon that of Government agent, which required a far higher standard of men. He agreed perfectly with the clause, but believed that it would only lead to the worst people being appointed.

The PREMIER said he should be very much indebted to the hon. gentleman if he would tell him anything against any of the Government agents who had been recently appointed. He was aware of the difficulty there would be in working the clause; but he already required information as to the character of masters, mates, and recruiting agents before he signed a license, and if that could not be produced he would not sign it. He was aware that the Government might be imposed upon, and he should be indebted to the hon. member if he would give him information with regard to any agent who had been appointed. It was very difficult to obtain proper persons.

Mr. MOREHEAD said that the present was not an inopportune time to ask the Premier whether it was true that Mr. Duffield had been sent down to the South Sea Islands to report on the labour trade?

The PREMIER: He has been gazetted as a Government agent.

Mr. MOREHEAD said he assumed, then, that Mr. Duffield had not received a special appointment to report on the labour traffic.

The PREMIER: Certainly not.

Clause passed as printed.

On clause 4—"Persons employed in labour ships to be paid fixed wages"—

Mr. BLACK said he had previously pointed out that that clause would prevent masters of ships going to the islands at all if they happened to be part owners.

The PREMIER: Oh, no.

Mr. BLACK said the clause provided that—

"No person shall pay or give, or agree to pay or give to the master of any ship employed in carrying passengers from the Pacific Islands to Queensland, or any other person employed thereon, any sum of money or other valuable consideration, the amount whereof is dependent either in whole or in part upon the number of passengers conveyed to Queensland: But the remuneration of the master of every such ship, and of every other person employed thereon, shall be at a fixed rate, either for the voyage, or dependent wholly upon the time occupied in the voyage."

It seemed to him that the captain of a ship, being part owner, as many of them were, would come within the scope of the clause, because his remuneration undoubtedly depended upon the number of passengers he brought. The next section of the clause stated that—

"If the provisions of this section are violated in respect of any ship, whether by the owner, charterer, or any other person, the ship, her tackle, apparel, and furniture, shall be forfeited to Her Majesty, and the person offending shall also be liable to a penalty of one hundred pounds."

Many shipowners, wishing to enter into the trade in a perfectly legitimate manner, and anxious to go down themselves to see that the trade was properly carried out, would be prevented by that clause from doing so. He thought, therefore, that the following addition should be made to it:—

That nothing herein contained shall affect the remuneration which a master of any such ship, being a part owner thereof, may be entitled to for his share in such ship.

That would exempt a master who was also a part owner from the operation of the clause.

The PREMIER said the clause was not intended to interfere with such persons. Surely, when the master was also part owner they would not speak of his share in the profits of the voyage as part of his pay! He did not look upon that as remuneration for managing the ship, whether afloat or ashore—it was profit and not remuneration. The object of the clause was to stop the paying of head-money, which was just as bad as kidnapping. He proposed to limit the 2nd section of the clause by inserting the word "master" after "charterer," and the words "employed thereon" after "person."

Mr. MACROSSAN said the object of the clause seemed to be to prevent the master of a ship from filling his vessel with as many passengers as he could get, and as quickly as possible. It would be a simple matter for the owners to give the captain a share in the profits, and it would immediately become his interest to get passengers just as much as if he got head-money. He was afraid, therefore, that that object would be defeated, and that they would only be multiplying provisions that were of no avail.

The PREMIER said he did not think the head-money to the captain was the worst feature. Worse still was the head-money to the recruiting agent.

Mr. MOREHEAD asked the Premier what construction he put upon the words "or other valuable consideration"?

The PREMIER said the words meant anything of value given by way of a present, such as land, or a house, or a piano, or a gold watch.

Mr. ARCHER said it would be almost impossible for anyone to prove that the master had received "valuable consideration" from the owners for filling his vessel rapidly.

The PREMIER said he fully recognised that, but the penalty had been made so severe that it was not worth a man's while to run the risk of being found out.

Mr. MACROSSAN said he would point out to the hon. Premier that the captain of a ship might raise a man's wages above the ordinary wages given to sailors engaged on such vessels, and the sailor might afterwards swear that he got it for doing what the clause was intended to prevent, and so bring the captain under the operation of the clause.

The PREMIER said that sailors' wages were provided for by the Merchant Shipping Act, and were entered on the ship's articles. If a sailor got more than he was entered for on the articles, it would be very good evidence as to what he got it for.

Mr. BLACK said he hoped the Premier would accept the amendment to the clause he had suggested. As it at present stood he considered the clause opened up considerable doubt as to whether a master being part owner did not render himself liable to its penalties. His object was merely to affirm that a master being part owner should not therefore be liable to those heavy penalties. The hon. gentleman said that it was not intended that he should come under the clause. But that was not clear at present, unless the hon. Premier altered the wording of the clause.

The PREMIER said he had no objection to the hon. gentleman's amendment, if it were to the effect that the mere fact of a master being part owner would not be sufficient to bring him under the section.

Mr. BEATTIE said that the fact of a captain being part owner would not bring him under the clause. Suppose there were three persons owning a ship, and one was master of it, the amount of remuneration he was to receive as master would have to be entered on the articles of the vessel; but if, in addition, they were to give him a bonus for every nigger he caught, that of course would bring him under the clause.

Mr. MACROSSAN asked if the clause would prevent a ship being worked in that trade on the co-operative principle?

The PREMIER said he presumed the hon. gentleman referred to the case of ships being worked on a "lay," like a whaler was often worked; but surely no hon. member would imagine a ship going to the South Seas and the crew getting so much for every boy they caught. The clause would certainly prevent it.

Mr. MOREHEAD said he was sure no member of the Committee agreed with the principle of "head-money." He certainly did not believe in it, but he did not think the clause as it stood would attack that. It would, he thought, still exist in a more aggravating form, and the law would not reach it.

Question put and passed.

On the motion of the PREMIER, the clause was further amended by the insertion of the words "employed thereon" after the word "person" in the 11th line.

Mr. BLACK moved the addition of the following words to follow the clause :—

> Nothing herein contained shall affect the remuneration to which a master of any such ship, being part owner thereof, may be entitled as his share of the remuneration of such ship.

The PREMIER said that what he understood the hon. member to intend was, that the mere fact of a master of a ship being part owner should not be sufficient to bring him under the operation of the section. To that extent he went with the hon. member, but that was already provided for by the clause, as had been already pointed out by the hon. member for Fortitude Valley. The remuneration of every person employed in the ship was stated in the articles, whether they were paid by the month or by the voyage, and any further remuneration than that mentioned in the articles would be a reason for the operation of the clause. The share in the profits which a master who was part owner got was no part of his remuneration as master.

Mr. STEVENS said he thought the clause explicit enough, as he could not see how the profits made by a master as part owner could be called part of his remuneration as master.

Amendment put and negatived.

Clause, as amended, put and passed.

Clause 5—"Detailed statement of accounts to be sent in"—put and passed.

On clause 6—"Firearms or ammunition not to be supplied to islanders"—

Mr. SCOTT asked whether that was meant to apply to other places, or only to Queensland?

The PREMIER said they could only legislate for their own colony. He intended shortly to frame regulations for the guidance of Government agents, and one of the instructions would be that in the event of firearms being taken on board by the master of the ship at any island, the Government agent should immediately order the ship to return to Queensland.

Clause put and passed.

Clause 7—"Islanders not to be employed except in tropical or semi-tropical agriculture"—put and negatived.

The PREMIER moved the following clause as a substitute for clause 7 :—

> From and after the first day of July, 1884, it shall not be lawful to employ any islander except under an agreement for service attested as hereinbefore provided, nor except in tropical or semi-tropical agriculture.

Mr. BAILEY said he wished the Premier would inform hon. members whether maize was included in "semi-tropical agriculture?"

The PREMIER said he did not know where maize originally came from; but he believed from North America. He did not think it was semi-tropical agriculture.

Mr. MOREHEAD asked the hon. gentleman whether he thought potatoes ought to be included in semi-tropical agriculture?

The PREMIER: No.

Mr. MOREHEAD said he thought they were semi-tropical. Sweet potatoes were semi-tropical agriculture, and so was maize. He did not see why the small farmers should be deprived of the use of kanakas.

Mr. BAILEY proposed the following amendment to the clause :—

> Any person may employ a time-expired islander for agricultural work, provided his place of employment is within two miles of a municipality, and that the agreement be for not less than twelve months, and be assented to by the district Polynesian inspector.

Those were the three safeguards for protecting the public interests from the evils complained of. First of all, they were not to be allowed to work on farms within two miles of any municipality. In this way they would not be likely to trouble the townspeople. Then, in the next place, the agreement being for not less than the twelve months, there would be less risk of there being a vagrant class of islanders wandering through the country seeking work; and, then, having all the agreements assented to by the inspector, there was a guarantee that the inspectors of the time-expired islanders would always see that their wages were safe. With those safeguards—if the Premier would consent to them—all the causes of complaint they had heard so much of lately would be removed, and they would also avoid confining islanders to the one employment.

The PREMIER said the amendment did not define what "time-expired islanders" were. The

only way in which the restriction could be carried out, as he had before explained, was by a penal provision, and then they had to consider how they were going to punish offenders. Unless they defined what was a "time-expired islander" and provided a simple mode of proof, the prosecutions would break down. He undertook last week to introduce a clause to distinguish time-expired islanders—those who had been in the colony some time, and might be said to be domiciled here—from others. He did not know what the hon. member meant by "time-expired islanders." Did he mean all those who had finished their three years' engagement? If he did, then the result of the amendment would be to spread islanders all over the colony.

Mr. BAILEY said he looked upon a time-expired islander as one who had served his three years on a plantation. If he did not choose to return to the islands, or to re-engage on a plantation, then he should be allowed to engage on a farm. He thought that farmers ought to have the opportunity of employing men who had learnt how to work.

Mr. KELLETT said he thought the object of the Bill was to restrict kanakas to plantations. The amendment would give them a large distribution through the country. But he went further, and said that, if a farmer could employ an islander, then anybody should be able to do so. He did not see why the sugar-planters alone should be allowed to employ them. He thought that if they went as far as the Bill proposed it was quite as much as they could do at present. If they allowed farmers to employ black labour, instead of restricting it, they would be spreading it by allowing it to be employed all over the country. He would like to see a clause inserted to provide that on some day, which could be easily fixed, no more kanakas should be imported into Queensland; and he thought it very advisable that such a date should be fixed in the Bill, because the amendment proposed was an indication of the evil way in which the employment of black labour would extend in the colony. Unless that was done there would very soon be so many kanakas in the country, and so many persons interested in them, that it would be impossible to restrict them, and they would have the blackfellows all over the colony. He would be very sorry to see the amendment carried, because he believed it would be a step in the wrong direction.

Mr. ISAMBERT said that the amendment proposed by the hon. member for Wide Bay would nullify many parts of the amending Bill. In the abstract the hon. gentleman was perfectly correct. If the sugar-planter was permitted the privilege of employing cheap and reliable coloured labour, why should not other employers be able to do the same? Sugar was acknowledged to be one of the most profitable kinds of agricultural produce, and, if cheap reliable labour was necessary for it, how much more necessary was it for maize, that was not so profitable? That was an abstract view of the measure, but they were not legislating for injustice, and every law, whether in the Acts or regulations, relating to coloured labour was a law of injustice. Every line was injustice and compulsion, and the Bill before them did not propose to act justly. It simply proposed to confine and narrow down the injustice, and the evil existing. They wanted to confine a wrong which they could not help now existing, and in that way to make it gradually less. The amendment which was proposed would be most mischievous. The hon. member for Fassifern, who had suggested something similar to it some days ago, was soundly rated by his constituents, who were very angry with him for doing so. It was impossible to deal out justice in the matter, whatever Bills they brought in. All they could do was to confine the wrong, and narrow it down as much as possible.

Mr. BAILEY said he was afraid that the hon. gentleman hardly understood what he meant by his amendment. They had the labour existing in the colony, and there were plenty of time-expired men to whom alone he proposed to give that freedom. Would the hon. gentleman say that those men should be slaves altogether? It was almost condemning them to semi-slavery by confining them to two kinds of work, and would the hon. gentleman say that they were to be wholly slaves? Some of the men he spoke of had their time expired for over six or even ten months, and were working for people about the colony. Were they to be driven back to the plantations? He was sorry to find that Southern members knew so little of the way farmers worked north of Brisbane, and the disadvantages under which they laboured. They had no reliable or cheap labour. Nearly all they had was unreliable untrained labour, which they had to make the best of. They had to employ men at the highest rate of wages who did not know how to work, and that at the time when distress was caused by the drought. They had to compete with black labour, for the planters grew maize on one side of the fence, with the great advantage of being able to employ that kind of labour, while the farmers who grew it on the other side of the fence could not employ that labour, and yet had to compete with those planters. He could not see the objection to the amendment, without which the time-expired men, whom they were supposed to treat as free men, would be condemned to downright slavery.

Mr. BLACK said they were gradually approaching the inevitable consequence of the climatic conditions of the country. Black labour was the only description of labour which would make agriculture profitable to those engaged in it, and that would be more and more recognised every year. He could not see why farmers who could not do without black labour should be handicapped and crippled year after year in their struggles through the want of it. In no place was this more exemplified than in the district of Rosewood. He had seen the farmers there attempting to grow sugar, with almost every condition to make their efforts a success, but they were simply crippled for the want of proper labour to make the industry the success it should be. The residents of Rosewood were for the most part Germans, who obtained all their information from the German Press; and he was sorry to say that they had been systematically misled by that Press, and by their representative in the House.

Mr. ISAMBERT: It is not true.

Mr. BLACK said he was only expressing his opinion on the matter, and he was quite sure that the prosperity of the district would be assured when they recognised the fact that black labour was the only kind of labour which would make their planting profitable. He believed the time would come when that would be recognised all over the country.

Mr. ISAMBERT said that during the present session they appeared to have departed from the usual practice with regard to Bills. They were brought forward, read a second time; then they got a double second reading in committee, and the discussion raised by the hon. member for Mackay was simply opening up the whole question again. The object of that hon. member was to benefit men of capital and limit and reduce the employment of white people; but

that was what the country had condemned, so there was no discussion to be raised again on it. He could inform the hon. member that if the Rosewood had been nice open plains of the best description, and cheap labour had been admitted there, there would be only two or three rich men where there were now hundreds and thousands. If the farmers of the Rosewood had been permitted to employ black labour, not one-tenth of the national wealth would have been created that there had been. Black labour was only used in speculative agriculture where a few got rich, and was labour that no one could interpret as otherwise than slavery. With regard to the produce grown not being profitable enough, he could tell the hon. member that the farmers there employed the cheapest labour existing. They employed their own, and by doing so they had become independent; they were well off; their property got value; and they created infinitely greater natural wealth than was possible in the Mackay district with all its sugar-planters. With regard to the people being misled, he could inform the hon. member that such was not the case. They were led rightly when they fell in with the majority of right-minded and liberty-loving fellow colonists; and if such syllogisms, such falsehoods, were advanced in the German paper as were advanced in other papers in the colony, they would not be believed, because the people had too much sound common sense. An English writer of the highest eminence, in speaking of the land laws of different countries, had said that the settlement of farmers on small areas produced an amount of education amongst the masses which no amount of schooling in England could give, and that England was about 100 years behind the education of those countries that had those land laws. In travelling over France, farmers might be found who could neither read nor write who had more education than many a learned man in England.

Mr. GRIMES said the hon. member for Mackay took every opportunity of preaching the doctrine that the only proper labour to be employed was black labour. But the Southern planters did not admit the truthfulness of that doctrine. The hon. member said he pitied the Southern farmers, because they had every facility for carrying on agriculture with the exception of one thing—that they had not the proper sort of labour—cheap reliable labour. Now he (Mr. Grimes) knew a good deal about Southern farmers, and he could tell the hon. gentleman that they pitied the Northern planters for not knowing Europeans better, and not encouraging white men more than they did. They really pitied them to see them working away with ten blackfellows, when two white men could do the same work. There was a large amount of pity of that kind existing he could assure the hon. member. With reference to the amendment of the hon. member for Wide Bay, he thought that the definition "tropical and semi-tropical agriculture, productions, and fruit" would certainly include maize. He did not see why it should not; and he thought they would go further than that. He saw nothing in the clause to prevent a person who established an orangery, or a banana, or pine-apple plantation, employing kanakas, as all those productions would come within the definition in the Bill. He thought it would be rather dangerous for the hon. member for Wide Bay to pass the amendment. He would gain nothing by it, and if they admitted that maize should be considered a semi-tropical product, the Northern planters would certainly go in for it.

Mr. BAILEY: They do now.

Mr. GRIMES: As sugar got cheaper, and the demand for maize increased in the North, the planters there would be sure to grow it as an intermediate or rotation crop, instead of planting sugar season after season; and he thought that if the hon. member had any desire to see the farmer of the Wide Bay district progress he would not press the amendment.

Mr. MOREHEAD said it had been said of a Roman emperor that, noticing the difference of opinion that existed amongst people of the same profession, he said, "How these Christians love one another"; and he (Mr. Morehead) thought the same might be said of agriculturists, for they had a nice triangular duel going on between the hon. members for Oxley, Wide Bay, and Mackay. For his own part he thought the amendment improperly worded, the words "time-expired" not appearing in any portion of the Bill, and therefore having no meaning as far as the Bill was concerned. He thought, however, that what had fallen from the hon. member for Wide Bay required a great deal more consideration than appeared to be given to it by some hon. members, and notably the hon. member for Rosewood, who evidently thought he was still a German, and forgot that if he was he could not be a member of that House—that unless he was an Englishman he could not hold a seat in that House. And yet he got up and extolled the education of Germany as against that of Englishmen. He (Mr. Morehead) did not think that the hon. member would get many members of the Committee to sympathise with him in that course of conduct. He hoped the hon. member for Wide Bay would not abandon his amendment, but that he would so shape it that it might be inserted in the Bill, perhaps as an amendment on the next clause. He was sure that if he did so he would get a good deal of support from both sides of the Committee. The hon. the Premier had said that maize was not a tropical production, but he (Mr. Morehead) was prepared to prove that it was. On referring to the "Encyclopædia Britannica" he found it stated:—

"It is not known in the native state, but is most probably indigenous to tropical America."

With the hon. member for Wide Bay, he really did not see why such things should exist as did exist about Maryborough—a sugar-planter on one side of a fence growing maize by means of cheap coloured labour, and on the other a farmer cultivating it by dear white labour. It was an anomaly that should be set right. He did not see that it in any way affected the great question of the employment or non-employment of kanaka labour. If it was good in one case it was good in the other, and any amendment would have his support that served out the same sort of sauce to the goose as to the gander.

Mr. SMYTH said that he could not agree with the argument of the leader of the Opposition. The hon. member for Wide Bay said that farmers grew corn on one side of the fence with white labour, and planters grew maize on the other side with cheap black labour, which was an injustice. The farmers on the Downs could bring their maize down by rail to the market, but the farmers in the Northern districts had not that advantage. In the Wide Bay district he knew places where kanakas took the place of white men, and where they were doing all kinds of work. He did not see where the line was to be drawn between the planter and farmer. The planter ought to be allowed to grow maize to provide himself—for his own consumption, but not for market. The leader of the Opposition tried to show that maize and potatoes were tropical productions. They knew very well that both maize and potatoes grew better down South than they did up North, where they grew under great disadvantages. In Bundaberg maize did not grow well, and he

thought the further they went North the more unsuccessful that production would be. Maize ought to be excluded. It was better that the farmer should get 6d. or 9d. more and have it grown by white labour.

The HON. R. B. SHERIDAN said it seemed to him to depend not so much upon what the production was as the locality where it was grown. Maize was a tropical production, and sweet potatoes were a tropical production;—in fact, the sweet potato was not a potato at all; it was a convolvulus;—and the question to be amended was—Where is the line to be drawn between tropical and semi-tropical agriculture? He thought the question was rather the line to be drawn as to locality than what was grown there, because no matter where the place was, in the tropics or out of them, the same natural productions would be grown. Potatoes could be grown within the tropics, so could maize. Potatoes could be grown almost up to the Arctic regions, and maize could be easily grown in Italy and parts of England. The question was one as to locality entirely, and where the line should be drawn within which kanakas were to be employed.

Mr. STEVENS said he did not see how the amendment could be part of the Bill at all. It was perfectly opposed to the spirit of it. The intention of the Bill was to confine coloured labour to a certain class of work, and if the amendment were admitted it would simply extend the field for kanaka labour, and they would have the old cry over and over again. With regard to maize grown on the planter's side of the fence, he thought it was in nearly all cases grown for the use of the planter himself—for feed for his horses. So far as he knew, the corn was never sent to market to compete with farmers, but kept for the planter's own use.

Mr. MIDGLEY said he dissented entirely from the definition of the question which had been stated by the hon. member for Logan. The question before the electors was not that coloured labour should be limited to sugar-planters, but that it should be diminished and adjusted. He did not remember ever hearing a word, so far as he was concerned, in favour of granting that kind of labour entirely to sugar-planters—giving them every facility for procuring it and monopolising it, to the exclusion of all others. The position was rather this—they had been tolerated in Queensland in agriculture because of the trying climate, and he contended that the simple and straightforward way to have solved the difficulty would have been to allow the Polynesians, while they were in the colony, to be engaged in any kind of agricultural pursuits. After all, he maintained that tropical agriculture was not the question, or sugar, or rice, or spices. It was a question of latitude—a question of heat and trying climate. He thought that the simplest and most satisfactory solution of the question would have been to have decided that while those men were in the place they should be confined to agricultural work, and that exclusively. To begin with, the thing was class legislation. But chopping up, and dividing, and subdividing agriculture, and saying that certain agriculturists should have them, and that certain ones should not, was carrying the matter too far. He need hardly repeat what he said on a previous occasion, that his sympathies were with the views of the hon. member for Wide Bay. He did not see any reason for receding from those views, or being ashamed or afraid of the position he had taken up. He did it conscientiously and honestly. If members on his side were to speak just as they thought on the matter, there would be a majority in favour of allowing those men, if they were to be allowed at all, to be employed by farmers as well as by others. He had spoken to some constituents of the hon. member for Stanley on the subject, and one elector from there told him distinctly that in some places where those subjects cropped up it was distinctly understood;—he could mention the name of the elector—Mr. White, a plodding, honest farmer;—it was distinctly understood that, if that class of labour was to be allowed, farmers were to have the use of it as well as the sugar-planters. He was talking to another member when the hon. member for Rosewood was speaking, and just caught something which he inferred referred to him, that he had been the subject of a great deal of castigation. He was not aware of any castigation at all. He might have been castigated in the German paper, but unfortunately he did not read German. He was not aware of the slightest castigation of any kind. Not one of his constituents had ever written or spoken to him on the subject dissenting from what he had done; on the contrary, so far as he had any intimation at all from his constituents, they approved of the position he had taken up. He should far rather support putting a termination to the introduction of those men into the colony. It would be far more satisfactory, and more like a solution of the question, than voting for their being allowed to sugar-planters to the exclusion of farmers. There was another aspect of the question which must be noticed. He was not well up in the statistics of the colony in reference to the subject, but so far as his personal observation went he noticed the fact, which would be corroborated by the statistics, that agriculture was, if anything, on the decrease in the colony, except sugar-planting. He knew that where years ago there used to be paddock after paddock, and scores and hundreds of acres under cultivation, they were totally neglected and allowed to go to grass. If it went to a vote he should vote with the hon. member for Wide Bay, and would vote for the limitation of the introduction of kanakas; not for the sugar-planter to have a monopoly of them to the exclusion of the farmer.

Mr. MELLOR said that during his election he never pledged himself to support anything of the kind proposed. He had always been opposed to employing South Sea Island labour outside plantations. There was no doubt that farmers were as much entitled to that kind of labour as sugar-planters, and more so; but that would only result in the increase of coloured labour year by year. If they intended to increase the introduction of coloured labour, they ought at once to knock off the Immigration vote, for it was worse than absurd to spend large sums in bringing out immigrants and then to introduce South Sea Islanders to compete against them.

Mr. MACFARLANE said the amendment would have a very poor chance of being carried. No doubt it would find some supporters on his side, and a good many on the other. If hon. members on the Government side would remember what they were sent there for at the late elections, he did not think any of them could support the amendment. While at the general election it was no doubt intended to agitate for the reduction of black labour, it was also intended to, as soon as possible, dispense with it altogether. And while no hon. member could logically argue against the amendment—that the farmer had as good a right to black labour as the sugar-planter—yet it was not a matter of logic but of expediency. They wanted to get rid of black labour as quickly as possible, and in the meantime to reduce the amount of it coming into the colony. But if they adopted the logical ground that the farmer had as much right to black labour as the sugar-planter, where were they to

stop? If they granted it to farmers, they must grant it to everyone who chose to apply for it. It would not be just to grant it to the farmers at, say, Maryborough, and refuse to grant it to the farmers at Ipswich or the Darling Downs. As a matter of expediency they said, "Reduce the traffic as quickly as you can, and keep it confined to the canefields." It had been suggested—and he quite agreed with the suggestion—that a time limit should be put to the introduction of coloured labour. If three or five years were allowed, the sugar-planters would have that interval in which to provide other labour. Neither he nor any other hon. member had any intention to hurt the sugar industry, but he thought that, if the planters were allowed five years to work off their present labour and employ another class, it was as much as they could in all fairness ask for. He would not support the amendment, and suggested that the hon. member should withdraw it.

Mr. STEVENS said there was another objection to the amendment. The hon. member for Wide Bay said he would not employ those men within two miles of a municipality; but did he intend to debar sugar-planters from employing them under similar circumstances?

Mr. FOXTON said he did not intend to support the amendment, for reasons that had been given very clearly by the hon. member (Mr. Macfarlane); but he thought the arguments brought forward in favour of it only went to show that there was no necessity at all for the amendment. The words in the new clause, as introduced, were—"nor except in tropical or semi-tropical agriculture." They had it from the hon. members for Balonne, Wide Bay, Fassifern, and Maryborough, that maize was a tropical or semi-tropical product, and therefore it came clearly within the definition of the new clause itself. On turning to the interpretation clause, they found that "tropical or semi-tropical agriculture" meant "field-work in connection with the cultivation of sugar-cane, cotton, tea, coffee, rice, spices, or other tropical or semi-tropical productions or fruits." Such being the case, there was no necessity for the amendment.

Mr. BAILEY said he was not asking that farmers should be allowed to import islanders. He was asking the least possible concession—namely, that islanders who had served their time, and who were now herding in towns by hundreds, should be allowed to take employment on farms, which, under the Bill as it stood, they would be unable to do. He found, however, that he could not carry his amendment, and was therefore obliged to withdraw it; but he hoped to obtain his object, though not in so good a way, by amending a later clause in the Bill.

Mr. STEVENSON said he quite agreed with the hon. member (Mr. Bailey); but after the promise that had been given by the Premier, that these clauses were not to be retrospective, he did not see any reason for the amendment.

The PREMIER said the clause had a general application; but the next clause proposed to except islanders who had been in the colony a considerable time.

Mr. MOREHEAD asked if there was any necessity for the clause at all? It appeared to him that the power provided by it already existed. Under the present Act they could not employ a Polynesian, except as provided by the clause now.

The PREMIER said they could not get them until they promised the Colonial Secretary they would employ them in that way; but they were not bound to keep their promise, and, unfortunately, that promise was very often broken. The new clause was to provide that that promise should be kept in future.

New clause put and passed.

The PREMIER moved the following new clause, to follow clause 7 as passed:—

> The provisions of the 3rd and 4th sections of this Act and of the last preceding section shall not apply to islanders employed as part of the crew of a vessel, or as attendants at a depôt or hospital for islanders; nor to any islander with respect to whom it shall, before the first day of July, one thousand eight hundred and eighty-four, be proved to the satisfaction of the Minister that he has been continuously in the colony for a period of not less than eight years.
>
> Upon such proof being made in respect of any islander, he shall be registered by the immigration agent as exempt from the aforesaid provisions.
>
> A certificate under the hand of the immigration agent that any islander named in the certificate is so exempt shall be sufficient evidence in all courts of justice of the fact of such exemption.

In considering the Bill in connection with other laws, and particularly the kidnapping law, he had noticed that the crews of vessels were not expressly excepted; although, if ever they should be, the new clause provided that the sections referred to should not apply in the case of islanders employed as part of the crew of a vessel, or as attendants at a depôt or hospital for islanders, and he did not apprehend that there would be any objection to that. A difficulty might arise with respect to the time after which an islander might be considered a Queenslander. In any case it would be absolutely necessary that some means should be provided for identifying such an islander, and a certificate under the hand of the immigration agent was provided by the clause for that purpose. With respect to the time after which such a certificate should be granted to an islander that he was free and exempt from the provisions of the preceding clause, he had suggested eight years as the time in which they might be expected to have become, not exactly acclimatised, but domiciled—that was to say, five years after the end of their first agreement. Eight years was a purely arbitrary time, and he believed that, whilst some hon. members thought it was scarcely long enough, others thought it too long.

Mr. MOREHEAD said that what the Premier asked the Committee to do was to deprive a large number of individuals of the privileges they already possessed. He did not know whether it was his intention to limit the liberty of action of a large number of people in Queensland which they had hitherto enjoyed, and to take from them privileges which they had hitherto enjoyed—with the exception of the electoral privilege—equally with every member of that Committee. The hon. gentleman had made use of an expression in connection with those people which struck him as rather strange, coming from the leader of a liberal Government. The hon. gentleman said he thought that after eight years they might be considered "free." The Committee were asked to reduce a body of people whose skins unfortunately happened to be black—and that appeared to be a crime in the eyes of some hon. gentlemen opposite—because their skins happened to be black they were to have their liberties limited. He thought the Premier could not be in earnest in moving the clause. Did the hon. gentleman suppose that, even if the Bill with this clause passed into law, it would receive the sanction of Her Majesty's representative? The Governor could never consent in the name of Her Majesty to a Bill to partially enslave a portion of the community. The hon. gentleman might laugh, but that was what the clause proposed to do. The term eight years had been inserted, he understood, as a basis for argument; but surely the hon. gentleman

had some reason for inserting eight years, or why had he not made it seven, six, five, four, or one? He would like to ask the hon. gentleman whether they, who had the blessing to live under a free Government, were to be parties to destroying similar advantages of their fellow-beings simply because their skins happened to be black, and they were consequently obnoxious to certain hon. gentlemen opposite? He was perfectly satisfied that no logical contention could be set up by the Premier to justify the action he now proposed to take, and he hoped the hon. gentleman would not be supported by a majority of the Committee; at all events, he should do what he could to prevent the clause passing in its present shape, or in fact in any shape.

The PREMIER said he could not follow the hon. member; the clause was to give a privilege.

Mr. MOREHEAD: It is to take away a privilege.

The PREMIER said the clause was to give the right of unrestricted employment to a certain class of islanders.

Mr. MOREHEAD: Who have that privilege already.

The PREMIER: Some of them.

Mr. MOREHEAD: All of them.

The PREMIER said the object of the Bill was to restrict the employment of Polynesians, and the clause was a concession to those who had been so many years in the colony. The hon. gentleman said that he (the Premier) had used the term "might be considered free." He did not remember it, but if he did it was an unfortunate expression. He trusted that all islanders were free. He thought the hon. gentleman's strictures were applicable to the preceding clause.

Mr. MACROSSAN said the Premier had told them that the Bill was to restrict the employment of Polynesians. That was the original intention, and he admitted that it was a very good intention indeed. He thought they ought to be restricted, and he believed it was conceded by both sides of the Committee that all future importations of Polynesians should be restricted. But the contention on the Opposition side was different from that put forward by the Premier. The hon. gentleman said that by this clause a Polynesian who came to the colony under an agreement for three years, and had fulfilled that agreement, and who might have been in the country after that working for himself for four years and eleven months, should be compelled to return to his native islands or go back to plantation work. But members on the Opposition benches objected to inflict an injustice upon any individual because his skin was black. The position taken up by the Premier was entirely opposed to the profession of Liberalism all over the world; and he thought there must be some hon. members behind the Premier who thoroughly understood that and were ashamed of being compelled to go on in the way they were going in that Committee. The hon. gentleman had told the leader of the Opposition that his strictures on this clause would have been more applicable to the preceding clause. That was quite true; but the Opposition allowed the preceding clause to pass on sufferance, knowing that this clause was coming on for discussion, and on the promise that a concession was to be made; otherwise they would not have done so. According to the return moved for by the hon. member for Oxley there were only 1,400 time-expired islanders in the whole colony. He did not know how that return was obtained; but, he supposed, in this way: All those islanders who had come to the colony, and who could not be ascertained to be dead or who had not gone back to the islands, were supposed to be time-expired islanders. But he thought the number was too large, as he believed many of them were dead. But taking the number stated, was it so great that they should be guilty of such a gross injustice as that proposed? To have 1,400 islanders amongst 248,000 people surely could not be considered of such great magnitude as that that House should be asked to inflict such an injustice and to go back on all the traditions of their race. They were actually asked to legislate against the traditions of their race. Those men, though they might not have known their agreement, came to the colony under a certain policy adopted by that House. There was nothing in that policy which compelled them to go back, and some of the most intelligent amongst them, no doubt, preferred to remain and cast in their lot among the people of the colony. Now, he said that that Committee had no right to deprive those men of the privilege they were allowed of being able to remain. It was no use for the hon. gentleman to say he was conferring a privilege. He was taking away a privilege and conferring none. He was taking away from those men the right they now had. He wanted them to go back to the islands, where they scarcely perhaps had a friend, or go back to the plantations and work for £6 a year. The hon. gentleman knew that many of those men were earning five or six times as much as that. It was a misfortune that they came into competition with a certain class of white labourers in the towns, but they were not to blame for that: it was the policy adopted by that House that was to blame. That House had no right to go back on the right of those men through *laches* of which the House itself had been guilty. He thought that all who were now engaged should be compelled to go back; but none others. He was quite certain that in a short time the evils which existed in Mackay, Maryborough, and other places would disappear, and that in the course of five or six years there would not be more than 200 of these Polynesians remaining; the others would either have left the colony or have died. Some of them no doubt would go back of their own free will. In that way the House would be relieved of the odium of inflicting an injustice on people who were not able to protect themselves. If they were able to protect themselves, the Premier would not be the first to propose to inflict an injustice on them.

Mr. PALMER said that, as he read the proposed new clause it simply amounted to expulsion. He looked upon the attempt to relegate time-expired "boys" back to their islands, or to make them go back to the plantations, or to accept low wages, as unjust and impracticable. It was quite contrary to that decree of justice they all pretended to admire so much. The clause provided that it should "be proved to the satisfaction of the Minister that he has been continuously in the colony for a period of not less than eight years." How was that going to be proved? They knew that savages could not count more than two or three, and how was it to be proved? Was it by affidavit—by simple assertion, or on oath; or were they to have corroborative evidence taken, and what was the nature of the proof required? The clause would apply also to islanders far away in the interior, and how was information to be conveyed to them before the 1st July that their chance of redeeming themselves would expire at that time? They had also to apply for a certificate, and how were they to apply for it and obtain it? The whole thing amounted to this: that the time-expired "boys" would have to leave the country. He thought there was a good deal of weight in what fell from the hon. member for Townsville—that as the number of those men in the country now

only amounted to about 1,400 they would make very little difference to the wage-earning class already in Queensland. He was very much struck with what fell from the hon. member for Ipswich —that they on that side had been returned to the House for the purpose of abolishing the trade altogether. He did not think they were quite carrying out the professions on which they were elected. This measure was a sort of compromise, and if they acted up to the professions they made at the elections they should stamp this labour out altogether—put their foot down and say they would have none of it. He thought there was a great deal more bother made about the Kanaka question than there was any occasion for. The whole thing was in a small circle, and it was something like shearing a hog—more cry than wool. He believed that the kanakas would die out altogether within a few years. In some of the islands the natives had almost vanished within the last twenty-five or thirty years, and wherever they came in contact with the white race they soon ceased to exist. He believed the same rule would apply to kanakas; and, having got them, why not make use of them, so long as they acted fairly and justly towards them? He objected to such an unjust clause being made law.

Mr. FERGUSON said he did not at all agree with the last speaker, because at the present time, according to statistics, the number of Polynesians in the colony were increasing year after year, instead of decreasing. He (Mr. Ferguson) stated, on the second reading of the Bill, that he would support it on the condition that certain amendments were made in committee. Those amendments were now being made, and he considered the Bill as it now stood a very fair one. He thought the Premier had met the planters in a very fair spirit. They had got almost every concession they asked for, and had been met in a very fair and liberal way. With regard to time-expired islanders, he did not see that any great hardship would arise, and the line must be drawn somewhere. They were there to legislate for the people of Queensland, and not for a few hundred blacks. He could not see any great hardship in those men having to go back to their plantations and working for 10s. or 15s. a week, because if they did not like it they could go back to their islands. Some sugar-planters had stated that those men were worth double or treble, after they had served their time, what they were when they came here, and he could see no hardship in the case. Another objection was to those black men intermarrying with white women. He did not think that even after five years they should be allowed to do that; and it was their duty to prevent it as much as possible. The most objectionable feature he saw in the whole question was the recruiting part of it. Day after day fresh proof came before them respecting the evils of it, and, as he said before, he thought the Government should take the whole matter in their hands. Until that was done it was never likely to be carried on properly. There was no doubt kanakas were the labour that was intended for the plantations, and the planters had no right to ask for anything else. He approved of the amendment, and did not see any harm that could arise from it. They never passed an Act of Parliament without someone suffering, and surely to goodness they were there to legislate for the people of Queensland, and not for a few hundred blacks!

Mr. STEVENSON said the hon. member who had just sat down had always been consistent in his objection to black labour, and he admired him for his consistency; but he did not admire the argument he used with regard to time-expired islanders. He thought the hon. member had more sense of justice and fair play in his composition than to argue as he had done. He had told them that they were there to legislate for the people of Queensland; and he (Mr. Stevenson) held that time-expired kanakas formed as much a portion of the people of the colony as any of the rest of its inhabitants. They had been brought to it under circumstances which gave them as much right to make that claim as anyone else. He held that they had as much right to be treated fairly and justly as Scotchmen, Englishmen, Irishmen, Germans, or any other men; and, as for the hon. gentleman's argument that it would be no very great hardship to make those men go back to work on the plantations at the same rate of wages as before, or go back to their islands, he maintained that it would be a great hardship. They had changed their circumstances and feelings, had formed new associations, and become civilised to an extent that they were not before they came here; and he would like to ask the hon. gentleman if any Scotchman, Englishman, or Irishman would consider it a great hardship to be sent back to their own country and work for the same wages they got before they came here. The argument was absurd. Of course the hon. gentlemen opposite would say that one was white and the other black; but they had brought those men to the colony under certain agreements, and they ought not to break faith with them any more than with white men from their own country. It was very unfair and unjust to act with such unfairness to the kanaka because he was a blackfellow, and to say, "We are legislating for the people of Queensland." He contended that when they legislated for the people of Queensland they legislated for those men also. There was no injustice being done to the white men in keeping faith with kanakas. At the same time it seemed most un-English-like, as a once hon. member of that House, Mr. Walsh, used to say—it was most un-English to introduce a clause like the present into the Bill. The hon. member for Townsville said that afternoon that he believed that many of those kanakas did not understand their agreements when they came; but he disagreed with that hon. member, as from his knowledge he knew that within the last ten or fifteen years every kanaka thoroughly understood his agreement, and knew when that agreement was made that at the end of three years he would be at perfect liberty to go where he liked, get the best wages he could, and do any work he liked in the colony. It would be most unjust if they were to break faith with those men. He could not understand why the clause had been brought forward, and why eight years, as the Premier had said, had been made the basis of argument. If injustice was to be done, eight years was simply a matter of degree. He could not possibly stop any legislation in regard to the matter, and he would not wish to if it was not retrospective. Every islander engaged up to the passing of the Bill ought not to be prevented from making the best he could of the colony, if he had been brought into it. He ought not to be sent back if he was at present under the three years' engagement. If they went beyond that it was simply a matter of degree. The principle was there, and it would simply be a matter of degree if they departed from it. He believed the Premier was not in earnest about the Bill at all. He was just playing fast and loose, and trying to keep promises he had made to the electors, and was, with the consent of many of his followers, bringing the Bill in in such a shape that it would be turned out altogether—that it would never be assented to by the Governor. He could not understand

how the Minister for Lands could stand there, after what he had said in the House, and hear the Premier argue that the clause should be passed. The Minister for Lands did not believe in it for one single moment, because he had taken a stand that no other member in the Committee had done; he had distinctly told them that he considered the kanaka was better in every respect as a labourer than the white man. How could he sit there silent and hear his chief argue that a clause should be passed depriving the islanders of the right they had? The thing was a sham from beginning to end, and the Premier was simply trying to keep faith with the electors on one hand and the sugar-planters on the other. The hon. gentleman should do either one thing or the other, and those hon. gentlemen who had been returned to the House to put a stop to that labour, and thought it wrong, ought to make the Premier bring in a Bill to stop it and not have any shilly-shallying, because the Premier must know that no Governor, on behalf of Her Majesty, would give his assent to such a Bill. He for one intended to do everything he could to prevent its being passed as it was. If he stood alone, he should not allow such an injustice to be done to the islanders. Some of the kanakas were more intelligent than many of the immigrants now being introduced into the colony; and he would go as far as the Minister for Lands, and say that many of them were far better suited to the requirements of the colony. They had introduced a certain class of people on the understanding that they, after their three years' engagement, would be, as the Premier said, "freemen." He (Mr. Stevenson) considered they were always free. So far as he had been able to see, kanakas under agreement had always been well treated and proved good labourers, but when that agreement was up they ought to be free to get the best employment they could, and any kind they liked in the colony. They had no business, and it was un-English-like, to try and expel those men, as the hon. member for Burke said, and send them back to their islands again to lead a life of misery, as they would after having lived in Queensland. There might be some excuse for saying that those who had had no experience beyond the sugar plantations should be sent away; but further than that, unless some compromise was made, if he stood alone—and he had had no communication with other members on his side—he should not allow the injustice to be done to the kanakas that was proposed in the Bill.

Mr. FERGUSON said he wished to correct the hon. gentleman. He had always stated that he would send the kanakas back, as they could always come back to the plantations at the same wages. It was said that they were worth at least double after they had been three years in the colony. They would have the whole of the plantations of the colony to go to, and could get 10s. or 15s. per week. The whole of the argument had been to restrict kanakas to plantations; but now they were to drift away from them into towns and municipalities, and go where they liked. As soon as the subject of kanaka labour was mooted, the first argument adduced by the people in the North was to confine them strictly to tropical and semi-tropical field labour, but now they were to be let loose. He did not see any hardship in what he had stated. They had all the plantations in the colony to go to for employment; either that or they could go back to their islands. They could get the best wages—as much as a white man would get—on the plantations. Surely that was no hardship!

The ATTORNEY-GENERAL said that hon. members who had been asserting that the operation of the clause would be unjust, stated that those men came here—not exactly in the same way as immigrants came from Europe, but—as free men; and that being here they had the same rights as those who came from Great Britain and other European countries. Those hon. members lost sight of the fact that the law as it stood made a great distinction between Polynesians and people coming from European countries. Every man who came from Europe or from North America came as a free man. He did not come under regulations, and there were no special statutory enactments defining the terms under which he should come and the circumstances under which he should live. It was the privilege of the subject of a friendly foreign State to become naturalised; also, under certain circumstances, a native of Asia or of Africa might become naturalised here; but there was no provision whatever in their laws for kanakas to become naturalised British subjects in Queensland. What was the use of hon. gentlemen saying that those men had the same rights as they had, and that to pass a law of that kind was to single them out for injustice? There had always been a distinction drawn between servile labour brought here under special restrictions and guarded under special restrictions, and the free man who came to the colony and had a right to become naturalised and to own property. The only rights the kanaka had were the right to be protected from injury, and the right to his wages when he had earned them. Whether that law was a good one or a bad one, there it was; and it was useless for hon. members to say that to restrict the kanaka to a certain kind of work was to do him a gross injustice.

Mr. STEVENSON said that not even a blackfellow would use such an argument as had just been used by the Attorney-General. He (Mr. Stevenson) and those who believed with him were not engaged in special pleading and talking about what was or was not the state of the law. They were acting from a love of fair play and justice, and he could not understand why the kanaka should be trampled under foot and sent back to his island. The hon. gentleman ought to be ashamed of using such an argument. As Britishers they ought to stand up for men who were to be trampled upon because they had not the technical rights of law.

Mr. MOREHEAD said he was sorry to have to correct the Attorney-General in his statement, that any man who came out to the colony came out on his own invitation and was under no restrictions. The hon. gentleman ought to know that one of the conditions under which immigrants came to colony was that they were bound to stop six months in the colony. If the hon. gentleman did not know that he was ignorant of the law; if he did know it he was guilty of a *suppressio veri*.

The ATTORNEY-GENERAL: That is only the evidence of fraud.

Mr. MOREHEAD said the hon. gentleman was evidently trying to suppress the truth. It was not their intention to interfere with kanakas during their indenture. What they contended was that when the indenture had expired the kanaka was a free man, and had the same rights and privileges as any other individual. But the question was susceptible of a very easy solution, and that was that the Premier should consent to alter the clause so as to date from on or before the 1st January last. If any kanaka could prove to the satisfaction of the Minister that he had fulfilled his agreement on or before that date he should be considered exempt. There were not, perhaps, more than 600 or 700 kanakas in the colony who were likely to prove that to the satisfaction of the Minister. The Opposition

had met the Premier very fairly that evening, and what they stood up for was a principle which went far beyond that of expediency, which had been raised by some hon. members, and that was the principle of justice. He did not think the Committee should be asked to do an act of injustice, especially to individuals who had no means of looking after themselves. Those were men who of all others Parliament should most scrupulously protect, in the same way as they would protect women and children. He hoped the Premier would see his way to accept the suggestion. It would only make a difference of 200 or 300 men altogether, and then, as that seemed to be the only controversial point left, they might very soon get the Bill through committee. If those men were sent back to their islands, they would be simply going to their death. At any rate, the habits they had learned while living among what hon. members were pleased to call civilised people would utterly unfit them to resume their former savage life. He would further add that in sending them back they were attempting to undo all that the missionaries had done in the islands—and he was prepared to admit that they had done a great deal. If they had, to a certain extent, Christianised those men or civilised them, he considered it would be a cruel thing to send them back to the islands among savages, or semi-savages. Every argument adduced was in favour of the contention of the Opposition. The hon. Premier might, he thought, accept his suggestion, if it was even to be putting into competition with white men—if it could be so called—a small number of kanakas, who had served their time, and who probably in a few years would unfortunately cease to exist. If the Bill became law the same state of affairs could not come into existence again. He hoped the Premier would accept his suggestion.

The PREMIER said he was glad to hear the hon. gentlemen on the other side talk of doing justice to the kanakas. He only hoped they would give him their assistance and help him to do justice in the administration of the Act. It was really marvellous to hear some of the arguments addressed to the Committee from the Opposition side. They were told the other day that the planters were pining for a supply of kanaka labour, and that they could absorb any number of them, and yet when they proposed by the Bill that some 900 or 1,000 kanakas should be available for them they came down and cried out about doing an injustice to the poor black. It was surprising to hear that argument from hon. gentlemen opposite. The Government wished to confine the Polynesians to the labour for which they were introduced. It had been said that the kanaka had a perfect right to go where he liked in the colony after his agreement had expired. That was to a certain extent true, but he did not consider it would be a very great hardship to withhold that concession, seeing that they came here under the understanding that they should return at the expiration of their agreement. They made provision for their return, if they chose, and they expected them to go back. He confessed that he for one did not recognise the right of the kanaka or any class of the kind coming here for three years, to stop as long as they liked; at all events, he claimed the right of the Legislature of the colony to withhold that right if they thought it for the welfare of the colony at large to do so.

Mr. MACROSSAN said the hon. gentleman spoke as if the Opposition were arguing the cause of the planter, yet he knew well they were not arguing the cause of the planter, but the cause of the men who came here. The hon. gentleman said that it was upon the understanding that the kanaka came here to return at the expiration of their agreement that he questioned their right to remain here. He knew very well that aliens could be expelled from a country at any time; but that extreme step was never taken except in most extreme cases. Even during the time of war aliens were allowed to remain in a country. Great Britain was lately engaged in war, and yet aliens were not expelled from that country; but there was simply a larger amount of supervision exercised over them than at other times. The hon. gentleman was quite wrong in assuming that those people had no right, because they had acquired a right by being allowed to remain after their engagement was up. That was where their right came in. The hon. gentleman said they had made provision to send them back to the islands, but there was nothing in the law to compel them to go back to the islands. The hon. gentleman was compelling that return now by the Bill, and he (Mr. Macrossan) had no objection to it, but he objected to the operation of the Bill being retrospective. He objected to any retrospective law, particularly in relation to people who, as he had said before, were utterly helpless—as helpless as women and children, as was pointed out by the hon. member for Balonne. The hon. gentleman might very well accept the proposition made by the leader of the Opposition. He had been astonished at the small number of time-expired labourers according to the return sent in; he believed there were some thousands.

The PREMIER: I believed so then, and I believe so still.

Mr. MACROSSAN said he hardly thought a mistake could have been made in that direction. It was simply a question of arithmetic. So many thousand kanakas had come into the country, so many had died, so many had gone back to the islands, and the balance formed the number of time-expired islanders still here. Still, he believed many of those put down as "time-expired" had died, and no record had been taken of their deaths; he believed some of them had left the country and that a great many had gone to the Straits and were engaged in bêche-de-mer fishing, and no record had been taken of them. So he thought there were not more than 1,000 or 1,200 time-expired islanders here, and many of them would not take advantage of the provisions of the clause and go home. It was only those who had been a long time here who would take advantage of it, and the Committee should do nothing to prevent any man from taking advantage of it. They were not arguing for the planter, and there was no inconsistency in their arguments.

Mr. BLACK said the Premier appeared to think that planters should connive at an injustice, because they were themselves likely to benefit by it. That was the position the hon. gentleman had now taken up, but he (Mr. Black) said that, rather than derive any benefit by acting in the unjust way contemplated by the clause, the planters would do without the labour. It was not for the sake of giving the planters an opportunity of employing 300 or 400 of those time-expired islanders that the Bill was going to pass, as the planters did not want to get labour by such unfair and unjust means. Another thing he wished to point out was this: Suppose the clause became law, and time-expired men who had been in the country between three and eight years absolutely refused to go back to the plantations, what was to be done with them? A great number of the time-expired men were now occupying positions far above that of a plantation labourer—it had been said the other day that some of them had actually married white women

and settled down; suppose they refused to go back to the plantation, what was to be done with them? Were they to be vagrants, or were they to be sent to gaol and supported at the expense of the country? He certainly failed to see how they were going to compel them to go back to the plantations. The suggestion of the leader of the Opposition was a perfectly fair and equitable one. He differed from some of the remarks made by hon. gentlemen on his side to the effect that the kanakas came here with the distinct understanding that they should be allowed to remain in the country after their agreement had expired. They came here originally with the distinct understanding that they were to go home when their agreement was up, and if the people about the towns had not persuaded them—as had been done in a majority of instances—to remain here, they would have gone home. With regard to the men whose time had expired, and who had been in the country six, seven, and eight years, he did not see how they were to deal with them, except to give them the right that white men would think themselves entitled to, if they were under the thraldom of a powerful nation. It was said that there were 1,400 of these men. He did not know how that number had been ascertained, except in the way stated by the hon. member for Townsville. He (Mr. Black) did not believe there were 1,000, even if there was that number. At Mackay, where there was certainly one-third of the islanders in the colony, there were not more than 200 at the outside; and in Brisbane there might be 200 more; but he thought the whole number would be found to be not more than 400 or 500. There was no element of danger there, nor was there likely to be, to the future of the colony. However anxious he might be to see time-expired islanders legislated for to prevent them interfering with the legitimate employment of Europeans, he could not see how they were to make the present Bill work. He was quite willing that it should apply to islanders in the colony in future with a view of compelling them to return home; and undoubtedly they would do it, and would not look upon it as a hardship. He hoped the Premier would accept the suggestion made by the leader of the Opposition.

Mr. GRIMES said they had heard a very good character of the planters in the North. If they were guided by such a sense of justice it was well for them that they did not inquire too minutely into the way in which islanders were brought into the colony. If they did, their strict sense of justice would make them refuse to hire them, and they would send them back home. He wished to put the leader of the Opposition right on a point of law. In setting the Attorney-General right, the hon. gentleman fell into a great blunder himself. He said that the Immigration Act required immigrants to remain six months in the colony; and if they left within that time they were liable to a penalty. The hon. gentleman was wrong: the time was three months, not six months. The hon. member had trusted to his memory, and his memory was at fault.

Mr. MOREHEAD: Where does the point of law come in?

Mr. GRIMES said that when the question before the Committee was previously under consideration he stated that he had an objection to inflict an injustice upon any individual, whether he was white or black. The clause, as originally drafted, would, in his opinion, inflict an injustice upon a great many of those who had served their term, and been in the colony a number of years; and he had stated that if the Premier would restrict it to five years he would be prepared to support him. With the view, therefore, of ascertaining the opinion of the Committee, he would move, that in the last line of the first part of the clause, the word "eight" be omitted, with the view of inserting the word "five."

Mr. SMYTH said that it had been stated that there were only 1,400 time-expired islanders in the colony; but it must be recollected that they were not distributed throughout the colony, but were in three or four coast towns, and it was the people of those towns who complained so bitterly against them. But he thought there was something more to look at than that. What was to become of the 12,000 islanders now under engagement when their time was up?

Mr. MOREHEAD: They were provided for.

Mr. SMYTH said they were not provided for. The amendment proposed to limit the time to five years, and he presumed those men would come under the same provision as the present time-expired islander.

Mr. MOREHEAD: No.

Mr. SMYTH said he thought so. He did not consider it any great hardship for a kanaka to be compelled to serve eight years. A young man who was put to a trade had to serve five or seven years. A kanaka, with his head-money, and what he was paid, got about 5s. per week; but he was worth 15s. per week. The hon. member for Mackay might laugh, but in Bundaberg and other places time-expired islanders were getting 15s. and £1 a week. But the planters wanted them for 2s. 6d. a week; they held the richest lands in the colony, and they wanted those men as slaves.

Mr. NORTON said he was not a great admirer of Polynesians, and he had never employed one even as a coachman, nor did he think he would do so. Some time ago he was under the impression that it would be desirable to confine time-expired men to working on plantations. Since then he had heard a good many arguments on the subject, both inside and outside of the House; and the conclusion he had come to was that those men who had been allowed to remain in the colony after their time had expired, had acquired the right to remain in it. The argument used by the Attorney-General was that those men had no rights, except the right of being protected while here, and the right to receive wages when they earned them; but the law as laid down by the hon. gentleman did not agree with the statements made by the Premier a few nights ago. The Premier then stated that some of those men had been here so long that they had a sort of vested right to remain. If they had acquired that vested right, when did it begin? Why should it begin after eight years more than any other time he could not imagine. It appeared to him that if they had a right at all it commenced when their first agreement expired, and they were allowed to remain for a further period. That was the only conclusion he could arrive at, if they admitted the existence of a right at all. He did not, under the circumstances, see how they had any legal or equitable right to compel those men to leave the colony or to indulge in any particular class of labour whilst they were in it; nor did he see how a Bill to make them do so could be enforced even if it were passed. An argument had been used on the other side of the Committee that they could not compel the coolies to leave the colony, and in like way he did not see how they could compel the Polynesian or any other class of labourer to do so. He had looked into the matter very carefully so far as the debate had proceeded, and he had thought over the subject very carefully before he decided what course he should ultimately take on the subject. He had

not decided that night, but had listened to the debates on that and previous occasions, thinking that he might possibly hear some strong argument which might make him change his views upon it. He had heard no argument but what he believed to be false. Some of the arguments had been nothing but special pleading, the arguing being just as if they were hearing a case in a court of law, where the speaker had to take up one view only. He should not pay the slightest regard to those arguments at all. As he had said before, the only conclusion that any reasonable man could come to—and, he would say, that he had been able to arrive at—was that the islanders, having been allowed to remain in the colony after their term of service had expired, had acquired a right to remain as long as they chose to do so; and there was no equitable reason why they should be compelled to leave the colony. He endorsed the principle that those now in service should be bound to leave at the termination of their engagements, but the time-expired men ought to be allowed to engage in any kind of employment for which they were suited.

Mr. BALE said that, although he intended to support the clause as it was proposed to be amended by the Premier, he was very sorry that such a law should be on the statute-book at all. He objected to any sort of special class legislation. Why were they to be called upon to legislate for kanakas specially? Hon. members on the other side of the Committee were very anxious that justice should be done to the kanaka, but they ought not to forget that white men had been induced to come to the colony under false pretences by the immigration agents at home. There were some residing close to him who had been earning from 10s. to 12s. a day at home as engineers, who had been induced to come to the colony, where they were even unable to get stones to break at 16s. a week.

Mr. STEVENSON: They are not good men.

Mr. BALE said they were good men—good men and true—who had been induced to come out to the colony under false pretences. Those were the men who should be looked after. He did not care twopence for the kanaka. He cared for his own kind and his own blood. He did not believe in special legislation for protecting the kanaka before they legislated for their own countrymen. They ought to try to introduce their own countrymen to the colony, and to give them something to do; but at the present time there were men in Brisbane who were anxious to get work but could not do so. They were legislating to let the sugar-planter get a cheap kind of labour, but he was sorry they were doing so, as he did not think they should allow 1,400 kanakas to get into the labour market to compete even with the women in the work of nursing babies. Kanakas could wash and iron, and perform all sorts of domestic work which was supposed to belong to women entirely. He believed that the kanakas, after having served their term of work, should be compelled either to engage in tropical agriculture or to leave the colony. It was very injudicious to allow them to remain here, and it seemed to him that hon. members on the other side were more anxious and sensitive on their account than they were on account of the white men who suffered for them. He believed in Queensland being a colony for the white man, and he should be very anxious indeed and very cautious in giving his vote to bring into the colony an alien race which could not mix with their own population——

Mr. STEVENSON: But they are here.

Mr. BALE said they did not want to increase the number, and he believed that if the Bill was passed as it stood it would have that effect—that it would increase the 1,400 at present in the colony to 3,000 or 4,000, and then what sort of a place would the colony become? Instead of being, as it should be, a white colony, they would become so mixed up that they would not know what class of men they were. The three years suggested by the Opposition was a very short period. At the end of three years they would probably have another 1,400, and the thing would most likely go on until they would have 4,000 or 5,000 of those islanders let loose upon society, and doing all sorts of domestic work, not only that of men but also of women. He objected to anything like class legislation, and maintained that they should legislate for the good of the whole community, and not for a particular class such as the sugar-growers.

Mr. MOREHEAD said that, as one of the electors represented by the hon. member who had just spoken, he was very much grieved at the remarks he had made. The hon. member evidently did not understand anything about the matter. He talked about 3,000 or 4,000 kanakas being let loose upon the colony every year, but if he had listened at all to what had been said he would have known that the largest number that could possibly exist in the colony—if they did exist—was 1,400, and that they must diminish month after month and year after year, and in a few years must cease to exist altogether. If these clauses became law, there were only a certain number of islanders who had served their time who would be exempt—that was to say, who would be free. The others had all to go back. He (Mr. Morehead) had made a suggestion to the Premier, to which he had not received any reply, and the hon. member for Oxley followed by moving an amendment. He therefore thought the hon. member should withdraw his amendment until the amendment he suggested to the Premier was decided by the Committee. The amendment he suggested was to omit all the words after "he" in the 2nd line, with the view of inserting "has fulfilled his agreement on or before the 1st January, 1884." He thought he was fairly entitled to an answer from the Premier as to whether he would accept that amendment.

The PREMIER said he did not understand the hon. member for Balonne to suggest that as an amendment which he intended to propose, and thought a very proper course was taken by the hon. member for Oxley in moving that the word "eight" be omitted. If the amendment suggested by the hon. member for Balonne was adopted, they would have to make a further amendment so as to exclude islanders who had made application to return to their islands. He thought the amendment of the hon. member for Oxley would be a step towards the solution of the question, by determining whether eight years should or should not be the period fixed. Of course, if the amendment was carried they could then insert "five" or "three and a-half."

Mr. MOREHEAD said he made a proposition to the hon. gentleman to which he received no reply, and then the hon. member for Oxley moved an amendment that would supersede his. He thought he was entitled to a reply.

Mr. GRIMES said he waited to see whether any other amendment was going to be moved before moving that the word "eight" be omitted; and he did not think his amendment would prevent the hon. member from moving his. He had simply moved that "eight" be omitted, with the view of inserting "five."

Mr. MOREHEAD said that if that was the amendment it would be all right.

The PREMIER: Of course, if "eight" is omitted, any other number may be inserted.

Mr. MELLOR said it appeared to him that the Opposition did not want the time-expired islanders now in the colony interfered with at all. Not long ago they proposed to bring coolies from British India, and, as they were so anxious about kanakas, he wondered what would have been the result if they had succeeded in introducing coolies who were British subjects. He thought the colony had escaped a great danger in that. The hon. member for Normanby had stated that the islanders brought to the colony distinctly understood their agreements before they came; but he thought the hon. member must be greatly mistaken. It was well known that that trade, as carried on at present, was very much abused by traders going to the islands and trading for the natives through their chiefs. There the chief's word was law, and if they told their subjects to go they must go whether they were willing or not. The chiefs were given guns and a few trifles, and their subjects were obliged to go, because, if they disobeyed, it would be death to them. He therefore said that, do what they might in the matter, that part of the business could not be divested of the appearance of something like slavery. He thought the people of the colony were bound to give the hon. the Premier credit for trying to meet the sugar-growers as fairly as he possibly could in regard to this matter. They must admit that it was absurd. It was not his desire to injure the sugar industry, which was a very important one; but he thought the planters had been met in a very fair spirit, and, as had been argued by the hon. member for Rockhampton in a very sensible and straightforward speech, the Bill should be accepted. In reference to the proposed amendment, he should certainly be in favour of five years instead of eight. It would meet the case, and hon. members opposite might accept that. It would only be doing justice to the people in the large towns where the time-expired islanders congregated.

Mr. MACFARLANE said he did not believe in any compromise at all in the matter. They must draw a line somewhere, and if they allowed those who served five years to be exempted they would increase the number. Suppose they made it three years, they would then do an injustice to those who were two years. He liked the way the hon. member for Townsville put it. He said, after a labourer had served three years on the plantation and four years and eleven months besides, that islander would have to go, whereas a man who had been a month longer would be allowed to remain. If they made it three years and eleven months they did an injustice to those who were four years, and if they made it one year and eleven months they did an injustice to those who were two years. He hoped the Opposition would agree to eight years, or allow all the time-expired islanders to leave the colony. It was as well to draw the line either at five, seven, or eight years. The hon. member for Mackay made a remark to the effect that, rather than do an injustice, the planters would do without black labour. That was what the hon. gentleman meant, if he did not exactly use those words. But if that was the case he hoped the Premier would take him at his word, and do away with black labour altogether. There would be no class legislation then. If black labour were done away with, before the existing agreements were up there would be ample time for getting another class of labour, and in ten years hence the colony would be in a far better position with regard to sugar-growing than if the planters were allowed black labour. He was speaking to a gentleman yesterday from the Maryborough district who told him he had five white men only on his plantation, and had written back to his friends in Brisbane telling them that those five would do more work than thirty kanakas. He could not give his name, but he was in the Maryborough district. If that was so, and the planters would rather have white labour—which they had over and over again said—the sooner they made a commencement the better. Many members on the Government side of the Committee would like to see coloured labour done away with, after three or four years, altogether.

Mr. MIDGLEY said they seemed to be going on the assumption that they were expected by the people to do an injustice. It had been frequently stated that there was some injustice to be inflicted upon somebody in the matter. He could not see why an injustice should be done to any time-expired islanders, but to make the enactment retrospective would be to inflict a needless injustice upon a certain class in the community. They had not been sent to settle the question as a Parisian mob would settle it—unjustly, arbitrarily, and harshly; but to settle it in an intelligent, fair, and, if possible, permanent way. He regretted to hear members on his side, one after the other, speak in such a way as to lead him to suppose they were coming to his way of thinking, and then sheer off right away somewhere else. He had judged from several speeches that the final decision of members would have been given in the cause of right and liberty and justice, but they were not working up to that climax when they would vote for a motion which would deprive the time-expired islander of the rights he had supposed himself to be entitled to. But there was a higher law than the law of the land. There was a law of fairness and humanity, and equity between man and man, and a law which they were as much entitled to regard as any law in Queensland. It was quite possible to carry British arrogance, British assumption, and overbearing a little too far till it become truly ugly and repulsive to the eyes of the world. There might be some social reasons for their diminishing and ultimately excluding Polynesians, but he could not imagine why they should force those men back again to a state against which every instinct and feeling revolted. Supposing that those islands were annexed and became part of the British dominions, as might be the outcome of the Convention held in Sydney, what would be their position? Should they claim the right to go to Samoa and Fiji and do anything they liked, and have laws on the statute-book actually prohibiting those men from coming to Queensland? He should like to hear some explanation on that point. He had not heard a single argument advanced why they should do anything that was arbitrary or unjust to those islanders. Let those who were in employment go back, and those whose time had expired remain in the colony.

Mr. ARCHER said he had been exceedingly pleased with the remarks of the last speaker, for he believed that to send civilised blacks back to their islands would be a great cruelty. If the law had not hitherto been enforced, it was not the fault of the kanaka, whose offence—if it was one—in not going away they had condoned. No member of the Opposition had said a word against enforcing the law with respect to kanakas still under their agreements. What they objected to was compelling time-expired, civilised men to revert to a state of savagery. So gross a piece of injustice might be justified, if the life or death of Queensland depended upon it; but it simply affected 1,200 or 1,300 men, who would every year decrease in number. The death-rate among Polynesians, he regretted to say, was much higher than it ought to be, and he had not the slightest doubt that in ten or twelve years a kanaka in a township would be rarely seen.

Mr. MOREHEAD said it was about time to set hon. members right as to the position occupied by the kanaka when brought into the country. The 23rd section of the principal Act stated:—

"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 does 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 said labourer when required by him."

If that did not make the kanaka a free man he (Mr. Morehead) did not know what did. He would ask the Premier if he had considered how that clause would square with the amending clauses?

The PREMIER said the question was entirely one of degree. It was not desired that the Bill should offer the kanakas any inducement to remain in the colony, and he had been acting on the assumption that it was the desire of the Committee that they should go. It was only the other day that the hon. member for Mackay said the Bill was dealing with the wrong thing altogether, and that what was wanted was to prevent the employment of time-expired islanders in towns. As soon as they attempted to deal with time-expired islanders, they were told by the Opposition, "Oh, poor fellows! you must not touch them; they must be left free to do as they like." He could not follow the argument of hon. members opposite, and they could scarcely be believed to be in earnest when they contradicted themselves in such an extraordinary manner. The line must be drawn somewhere. There was no magic in eight years, or six years, or five years; they wanted to deal practically with men who had really given up the intention of going back to their islands. If a man's agreement terminated on the 31st December last, that was no proof that he did not intend to go back to his island; whereas if he remained in the colony five years continuously after the expiration of his agreement, that would be substantial evidence of his intention to insist upon remaining in the colony. They wanted to draw the line with the least injustice to the kanaka and the white man, especially the white man, in the towns of Maryborough and Mackay particularly, where they were coming into competition with each other. At Mackay kanakas were engaged in all kinds of work, and had actually driven away immigrants who had been brought out from Great Britain at a large expense.

Mr. BLACK: No.

The PREMIER said they were engaged in nearly every occupation, and some, he believed, were kept as a kind of decoy. He did not think those men had any special claim for consideration, although he would be reluctant to do an injustice to any class. But they had to consider not only the kanakas, but their own people as well. It was their desire to deal with the question in a practical manner, and without doing injustice to any one. The hon. member for Oxley proposed five years as the limit. If a man had been here less than two years after his first three years' engagement, he could not have become very civilised, and no injustice would be done. As he said before, it was simply a question of degree. He had considered eight years a very fair time, but he was not wedded to it. Hon. members were perfectly free to express their own opinions upon the subject without regard to his views, and he hoped hon. members would express their opinions exactly as they thought themselves.

Mr. STEVENSON said that hon. members had pretty freely expressed their opinions, and why had not the leader of the Government given the leader of the Opposition an answer to the suggestion he had made? Why had not the hon. gentleman said whether he would accept that suggestion or not? The hon. member would no doubt tell him there was an amendment in the way, but he felt sure the hon. member for Oxley would withdraw his amendment, if the Premier would only give the leader of the Opposition an answer. The hon. gentleman said it was a question only of degree. It was, if they gave in to that; and if there was to be any giving in at all the Premier might well be satisfied to accept the suggestion of the leader of the Opposition. For his (Mr. Stevenson's) part, he thought the leader of the Opposition had gone too far and given in too much. Several arguments they had heard from hon. gentlemen opposite did not apply to the subject at all. The hon. member for Wide Bay (Mr. Mellor) had rather let the cat out of the bag when he said the Bill would deal very fairly with the sugar-planters; but he had understood that the Bill was brought in in pursuance of the pledge given by the Premier to get rid of black labour altogether. Now they found from one of the hon. gentleman's own supporters that it was a Bill introduced to deal fairly with the sugar-planter. He had thought the pledge was quite the other way. The hon. gentleman had said there were a good many people about Brisbane looking for work, and he (Mr. Stevenson) had interjected, "Why don't they clear out?" What he meant was, why did they not clear out of Brisbane to get work? He believed they ought to be sent out, and the Government ought to give them every facility to get work outside Brisbane. Wages outside Brisbane were very high, and in the Western district ordinary labour could not be got under £2 a week. A man came in to him the other day seeking for work, and he told him he had been out as far as Gold Creek looking for it. Why, as he told that man, when he came to the colony first he had gone 600 miles out for work. But, in any case, the argument did not apply: these men had the right to go where they liked, and take what work they liked, and the Committee had no right to interfere with their right, unless the Government were going in for the same system of repudiation in regard to that matter as in every Bill they had brought in that session. Those men came here with the full understanding that after their agreement had expired they were allowed to go where they liked in the colony, and get what employment they liked, and at the best wages they could get; and a gross injustice would be done them if the Committee legislated now to compel them to go back to the plantations or to their islands to die a miserable death, for that would be the result of such legislation.

Mr. MACROSSAN said the leader of the Government had not advanced the solution of the question a single bit by accusing members on the Opposition side of inconsistency, and telling them he could not follow their arguments. He thought their arguments had been very plain, and there had been no inconsistency whatever, so far as he was aware, in his arguments about time-expired islanders. He had always been opposed to the employment of islanders in towns, and had proposed years ago that they should be confined to the plantations; but he had never proposed that after men had been allowed to be employed in towns, they should be compelled to go back again to the plantations. The hon. gentleman had said it was simply a question of degree—whether it should be six, seven, or eight years. He (Mr. Macrossan) thought it was not a question simply of degree, but a question of principle; and upon a question of principle he did not think they would be justified in accepting a compromise. It was a

question of great principle—whether men should be enslaved or not. The hon. gentleman and other hon. gentlemen on the opposite side said that it was not a great hardship that those men should be sent back to their islands or be sent to work on the plantations again; but the very fact that they desired, in the exercise of their free will, to remain in the colony rendered it slavery to compel them to return to their islands. The arguments used by different members on the Opposition side of the Committee that evening had far greater force since the leader of the Opposition had read the clause of the Act by which the law contemplated those islanders would remain in the colony. Whatever force was in their arguments before was certainly very much strengthened by the discovery of that clause. He had been expecting the leader of the Government to get up and reply to that clause, but he carefully avoided it. He was not aware that the law gave those men the right to remain, but it did so, and if any had chosen to remain the Committee had no business to take that right from them. They were not giving them a privilege, as the hon. member had contended more than once that evening; but they were depriving them of the very greatest privilege—one which they themselves would fight to maintain—that was the right to the exercise of their own free will. Many of those men were partly civilised and Christianised before they came here, and the missionaries had objected to their coming; and certainly they had acquired some higher degree of civilisation when they came in contact with the whites. Those were the men who had chosen to remain here, and not the savage kanaka: and it would be an act, not only of injustice, but of unfeeling cruelty to send those men back to their islands or to compel them to work on plantations. The fact that they had chosen other employment was proof that they did not wish to work on the plantations. He hoped the hon. gentleman, when he got up to argue a question, would not abuse the Opposition by saying they were inconsistent, and show his own want of clearness by saying that he could not follow their arguments, which were clear enough and unanswerable. Would the hon. gentleman accept the proposal made by the hon. member for Oxley, to leave a blank in the clause and let the Committee fill it in? If the hon. gentleman would accept it he would get through the clause much sooner. They knew very well that the hon. gentleman had a majority who would throw justice and—as the hon. member for Fassifern said—truth and liberty to the wind. They argued one way, and finished up by saying they would vote another; in fact, they voted as the hon. gentleman wished them. If he wished, by his majority, to force the term of eight years, the Opposition could not alter it; but they would take care that they did not do anything to inflict an injustice.

Mr. STEVENS said he thought that some of the intelligent electors of the colony would hardly know what to make of their representatives. He did not believe there were half-a-dozen men in the Committee who did not tell their constituents that they would do what they could to confine kanakas to tropical agriculture or endeavour to do away with them altogether. The whole question had now been fully discussed, and he thought that the opinion of hon. members generally was, not that the term should be limited to three or five years, but that some time should be fixed when it should be commenced. He was inclined to think it would be better to take it from the end of last year. That would meet the difficulty fairly. There would be no injustice done to the kanakas, the planters would have no reason to complain, and the working men would not suffer at all.

Mr. MOREHEAD said he proposed to quote from a paper which was supposed to be a friend to the Premier, though why he did not know. An article appeared in the *Telegraph* on Thursday, February 7. It alluded to people who were constantly writing to the *Courier* and other papers as to coolie labour, and then gave an extract from the Natal *Mercantile Advertiser* (a Durham paper) of December 1, 1883:—

"While urging and demanding the imposition of restrictions on the number of Indians who are brought into and allowed to settle in Natal, no one will wish to hamper the sugar-growing interest. All that will be sought to be accomplished will be that when the Indians have completed their indentures to the planter they shall be compelled to re-engage themselves in service or return to their own country. The terms are fair enough. It is not right that the coast interest, a comparatively small though wealthy one, should prosper selfishly at the expense of the whole colony, and the least that can be agreed upon will be that while the colony bears a good portion of the expense of this introduction of labour for the benefit of the planters the colony shall not be withered by the fastening on its vital portions a life-destroying parasite. On the 30,000 Indians already in this colony the new conditions could not be imposed, because they were not insisted upon when the people agreed to come to Natal; but as they are here, and as they evidently mean to stay here, they should be made to contribute as substantially as their profit warrant to the government, and support, and development of the country."

That was the way another British colony proposed to deal with a great evil—an evil certainly out of proportion to any that could arise in Queensland by the small number of kanakas who would be allowed to remain. He hoped the Premier would see that the newspaper which supported his party, by the extract it put in, would deal fairly with the time-expired kanakas as the Natal Government proposed to deal with the 30,000 coolies there. He trusted the hon. member for Logan would agree to the proposition they had made. A concession was being made by their party, and he trusted the suggestion would be accepted.

Mr. ISAMBERT said that if they considered for one moment the amount of sense of fairness pumped up by the Opposition that evening, and considered what utter strangers they had been to a sense of that justice in their conduct in the past by their treatment of the kanakas, the contrast was very great. From the very moment these men were engaged to the time they left, it was one great crime and horror. They were robbed when they were recruited, and robbed when they left. The hon. member for Mackay tried to prove too much. They had heard that kanakas were willing to do work which white men would not do; but how was that brought about? It was brought about by compulsion. In Mackay there was a system of robbing kanakas when they got their money, and it was there that the "mean white" was produced. He was told that many kanakas robbed their masters of sugar and sold it for rum, and that the "mean whites" assisted them in it. The hon. member for Mackay knew it, but he was careful to hide it. It was not a question of justice or fair play; it was a question of how to limit the evils already existing, No one doubted that by compelling islanders to return, or re-engage, an injustice would be committed; but that was nothing to the wrong that had been committed. To remedy that, they were obliged to say that the time should be limited to either five or eight years.

Mr. BLACK said that he did not often take any notice of what the hon. member for Rosewood said on a subject such as that now under discussion, because the hon. gentleman knew nothing about it.

Mr. ISAMBERT. I have seen enough of it in Maryborough.

Mr. BLACK said the hon. gentleman was so grossly ignorant, if it was parliamentary to say so—if not, he would withdraw the expression and use some other words to express the hon. gentleman's ignorance—that it was hardly worth while replying to him. The hon. gentleman said that kanakas were robbed on leaving the colony. That was an exploded charge which used to be brought forward in the early days, when it was supposed that the kanaka was a much-injured individual. The kanaka could look after his own interests as well as any working man, and, so far from being robbed, he got far more value for his money than he (Mr. Black) could. For years before the kanaka got his final payment, his chief amusement on Saturday night was in going from store to store to see where he could get the cheapest things. The kanaka was not robbed, and he (Mr. Black) would be failing in his duty to the storekeepers in Mackay—as well as to those in Brisbane and Maryborough—if he allowed such a charge to pass without contradiction. That the kanaka was not robbed was a piece of information which it would be well for the hon. member to treasure up. Another thing which the hon. gentleman did not seem to know was that the Polynesian Act was never passed in the interests of the planters, but to protect the Polynesian. If they swept away the Act to-morrow the result would be that coloured labourers would still be brought into the colony, but without any regulations. That was the greatest danger to the working man that could be contemplated, and it was the danger which was creeping into the country at the present time. The planters, finding that they could not get enough labour, and that the Government were hampering them, were even now sending to several parts of the world to obtain unregulated coloured labour. There laid the real danger to the working man. Did the hon. gentleman know that no less than 3,000 unregulated coloured labourers came into the colony last year? That could be verified by a return which had been laid on the table of the House. He asked hon. members to pause in the face of such a growing evil, as, if some means were not taken to stop it, it must grow. He had always insisted that there should be proper regulations, but there was nothing now to prevent the planters going to Singapore and bringing down Malays. They might sweep away the Act if they liked, but they could not prevent the introduction of coloured labour, while at the same time they removed the only safeguard which the working men of the colony now possessed. He did not think that any hon. member of the Committee meant to say that they should pass an Act to prevent every man whose face was a little darker than theirs from coming into the country. There was a free trade in labour, as there was in everything else, and those who employed coloured labour were only trying, by bringing pressure to bear on the Government to make them understand the danger of having it brought into the colony without regulations. The hon. member for Rosewood talked about the gaols in Maryborough and Mackay being filled with Polynesians. That was not the case, but why should he (Mr. Black) attempt to argue against it? The hon. gentleman said also "that he represented more mean whites" than any other hon. member; that was not only an insult to the people, but it was also untrue. He could prove it by the fact that the condition of the working men in Mackay was better than in any other part of Queensland, as could be easily proved by the Savings Bank returns, which showed that the increase in the savings of the working man lately was greater in Mackay than in any other part of the colony. Another thing which the hon. gentleman did not bear in mind was that, notwithstanding all that was said against the coloured man, the homestead selectors actually came of their own free choice and took up more homesteads in the district of Mackay than in any other district of the colony. Could a place where that was going on be such a dreadful place after all? He did not think it was worth his while taking any notice of the statements the hon. gentleman had brought forward. They were simply the imagination of his own brain, and could not in any way be substantiated. He (Mr. Black) had expressed those opinions on several previous occasions, and anything the hon. member might say, or however he might try to insult the constituency he (Mr. Black) had the honour to represent by calling them "mean whites," and saying the gaols were full of kanakas, he could afford to treat with contempt. He might, perhaps, have misunderstood the hon. member, as his utterances were not always very clear; but if he had given utterance to any expressions that were not warranted by what the hon. member said, he should be happy to apologise if he pointed them out.

Mr. ISAMBERT said the hon. member had on the present occasion made the same kind of speech that he always made when trying to defend a bad case. He (Mr. Isambert) did not say that all the people at Mackay were "mean whites," but that there were more of that class of people there than anywhere else in the colony. Black labour was bound to produce the same result here as it did in South America during the slave trade; and if they continued to import cheap labour of that kind they would have "mean whites" all over the colony, and the white population would have to clear out. The hon. member had done more to disprove his own arguments, when he presented a petition to the House, signed by several hundred persons, asking the evil in question to be done away with altogether, than anything that could be said. Nowhere was the evil so crying as at Mackay.

The PREMIER said, as far as he could understand, the opinion of the Committee was that eight years was too long a period, and he would therefore accept an amendment fixing it at a shorter time.

Mr. GRIMES said the hon. member for Mackay had stated that kanakas leaving the colony had never been robbed or cheated in buying goods; but if he would turn to a report from Mr. Horrocks, Polynesian Inspector, which would be found in "Votes and Proceedings for 1877," vol. 2, page 1237, he would find the statement that they had been robbed was perfectly true. It having been reported to the Inspector that certain Polynesians on board the "Chance," who were returning home, had been cheated in the purchase of goods at Maryborough, he had appointed a mercantile gentleman, Mr. Southerden, to go to the vessel and examine the goods and state their value. From his report it appeared that in the case of one islander, named Murook, who had expended £13, there was an overcharge of £4 18s. 4d. Was there no robbery there? Then, in the case of Cooperlow the expenditure was £14; overcharge, £2 13s. 6d. In other cases there were overcharges of £3 14s. 4d. on an expenditure of £14; £5 12s. 9d. on £12; £3 4s. 4d. on £14; £6 3s. 6d. on £15, and so on. There were about a hundred instances; and how, in the face of that, could the hon. member stand up in the Committee and say boldly that kanakas had never been robbed? They had been robbed repeatedly of hundreds of pounds by storekeepers.

Mr. ARCHER said he did not see what the statements of the hon. gentleman had to do with the question. The hon. member for Mackay stated

that kanakas were not robbed, but that was a general statement. It was something the same as saying that white men were not robbed of their wages, and yet they saw every day cases in the police court where servants claimed more wages than they were paid, so that either masters must rob their servants or servants made very false charges. There might be some dishonest storekeepers in Maryborough who cheated kanakas, but they were not going to defend all the storekeepers in the country. What the hon. member for Mackay and hon. members on that side of the Committee were contending for was that the planters did not rob them—that they got their money from the planters; it was the storekeepers and not the planters who robbed them. But that had nothing to do with the question before them, which was, whether they were justified in sending men who had worked in the country as civilised men for years back to their own islands, whether they were willing or not, to return to a state of savagery? He maintained that they were not justified in doing so, and thought the suggestion of the hon. gentleman at the head of the Government was one that might very fairly be accepted.

Question—That the word "eight" stand part of the clause—put and negatived.

Mr. MOREHEAD moved that the blank be filled up by the insertion of the word "three," and in order to make it clear he would add, after the word "years," the words "from the 1st January, 1884."

Mr. GRIMES said that before the amendment was put he would ask whether his amendment should not be put; he had a prior right, and moved that the blank be filled up by the insertion of the word "five."

The PREMIER said the 131st Standing Order was as follows:—

"When there comes a question between the greater and the lesser sum, or the longer or shorter time, the least sum and longest time shall first be put to the question."

Mr. MOREHEAD said that if the hon. member for Oxley was going to take advantage of a trick——

Mr. GRIMES: It is not a trick.

Mr. MOREHEAD said a suggestion was made by himself to the Premier. He suggested that the time should be three years, and before he could get an answer from the Premier the hon. member for Oxley thought he would steal a march and move his amendment. He would not get it. It was a trick that was unworthy of any member of the Committee. The proposition he made was a distinct one, and he was waiting for an answer from the Premier.

Mr. GRIMES said he certainly objected to being shunted in that way. He moved the omission of the word "eight," with a view of inserting "five."

Question put.

Mr. MACROSSAN said he thought it was very unfair of the hon. gentleman at the head of the Government to allow that. The hon. member knew perfectly well that the leader of the Opposition had made a proposition. He proposed that the 1st January last should be taken as a period, and asked the Premier if he would accept it. The hon. gentleman gave him no answer. One or two members got up and spoke, and all the time the leader of the Opposition was waiting for an answer from the Premier. He did not know whether the leader of the Opposition knew the member for Oxley was taking advantage at the time. He certainly did take advantage, and made a proposition during the time the leader of the Opposition was waiting. It was very unfair and uncalled-for that the leader of the Government should not ask his supporter to withdraw his amendment and allow the other to be put.

The PREMIER said that when a blank was created to be filled up any member of the Committee might propose to do it. There was no question of priority. The Chairman was bound to put the longest period first. Suppose any hon. member proposed a longer time, that would supersede the question proposed by the hon. member for Oxley, so that there was no question of priority. So long as the hon. member proposed a longer time than the three years, his motion must be put first. There was no taking advantage, as the Standing Order expressly provided for such cases. If he was not satisfied with five and proposed seven, his motion would supersede the other. The rule was an arbitrary one. What difference would it possibly make?

Mr. MOREHEAD said he would not allow himself to be tricked by the hon. member at the head of the Government. The hon. gentleman fell back from giving an answer to the proposition he made for some considerable time, and in the meantime a scheme was devised to prevent the suggestion he had made being put to the vote. The hon. gentleman had better learn a little about Polynesians, as was his (Mr. Morehead's) intention.

The PREMIER: Do you mean obstruction?

Mr. MOREHEAD: Yes; if the hon. gentleman could not do that which was right and proper, he would show him that the Opposition were not to be beaten by force of numbers.

The PREMIER: Why did you not say so before?

Mr. MOREHEAD said they had no intention, and the hon. Premier knew it. They came there prepared to do what they considered justice to all men, and that justice was proposed to be done; but what were they to think of the legislators opposite, or the Ministry? He held in his hand the original Polynesian Bill—a Bill brought down by the Government, and when the Premier was waited upon by deputations from different parts of the colony with regard to it, he told them not to trouble him with any information—he knew all about it, and that he knew more than they could tell him. The hon. gentleman next came down with a bundle of amendments. Then he issued "greenbacks," which he served out to hon. members as the outcome of his law and wisdom. Then he amended them again. That night he had submitted a large number of amendments on his amendment, and yet he asked them to go on with those shreds and patches. The Bill would have to be recommitted half-a-dozen times before it could be put in order. The hon. gentleman did not know his own mind; and he now proposed to deal with the question of time-expired labourers in order to pacify some little clamour which had not arisen—certainly not in Brisbane or anywhere else, so far as he was aware—and in doing so he was attempting to do an injustice to a considerable number of men. He had made a proposition to the Government—a reasonable proposition, because as he had shown by the 23rd section of the principal Act, kanakas, at the expiration of their agreement, were free to stay in the colony or go, as they liked. But holding as they did that the increasing number of time-expired islanders in their midst was not a good thing, they were willing to meet the Government and let the past go. He would not be a party to doing an injustice to men who had done them no harm, and who had certainly not interfered with the white man's labour market in Brisbane. He would again ask the hon. gentleman to assent to his proposition. It was a

small matter, but it would enable them to avoid the stigma of repudiation. He would ask the hon. member for Oxley to withdraw his amendment and substitute three years instead. He did not think the Government would be surrendering anything in the matter, while the Opposition were surrendering a great deal.

Mr. MACDONALD-PATERSON said the Premier would not be performing his duty, or keeping faith with the country, if he acceded to the suggestions that came from the other side. Indeed, he would be hardly keeping faith with the country if he acceded to the amendment of the hon. member for Oxley. The constituencies which had sent representatives who sat on the Ministerial benches had decided that that class of labour should be entirely confined to plantation work; and he could not understand the attempt to bring the Premier into a position to which he trusted the hon. member would never let himself be lowered. The Premier must stand fast to what he had put before the Committee, and it was time for them to say to the Opposition, "Thus far shall you go, but no farther." If the Premier attempted to go beyond the amendment of the hon. member for Oxley, he would not be keeping faith with the country nor with the members at his back representing the great majority of the constituencies.

Mr. STEVENS said he did not see what harm it would do if the hon. member for Oxley gave way on the point. If a majority was in favour of five years, a shorter time was not likely to be carried. He wished to say that, as far as he was concerned, he should not take part in any obstruction. They were there to settle the question, and if the majority did harm it would rest on their own heads.

Mr. MACROSSAN said the hon. member for Moreton was under a mistake—namely, that they went to the country, and that the country returned them on the question that time-expired kanakas should be sent back to the plantations or to their islands after having been eight years in the colony or five years. He did not think the Kanaka question was before the country at all during the elections. It was the Coolie question that was then before the country. The hon. member was out of his depth entirely. But the Premier did not deserve much credit for the way in which he had introduced the Bill; for after examining all the amendments, and comparing tham with the principal Act, it would be found that the hon. gentleman had been re-enacting what was actually in existence, evidently showing that he did not understand the Kanaka question so thoroughly as he tried to lead the deputation that waited on him to believe, when he said that he required no information from anyone on the subject. The hon. gentleman now had to get his information from members who threatened what they would do to him if he dared to recede from the five years proposed by the hon. member for Oxley. He (Mr. Macrossan) had been a long time a member of the House, but he had never seen a supporter of the Government attack the leader of it as the hon. member for Moreton had just done. He had seen several members on the Government side of the Committee differ from their leader, but he had never before seen them bully him, and it was certainly a very humiliating position for a Government and the leader of a Government to occupy. The hon. member spoke of settling the question, but he was not settling the question. He had told them the other day that the question was not ripe for settlement. He did not think it would ever be ripe for settlement so long as the present Government remained in office. It was too good a fruit not to leave hanging on the tree to ripen, because if once it ripened it would fall off, and there would be no more nibbling at it. They were going to have the Chinese question shortly, but that was not ripe either, he believed. The Kanaka question certainly was not ripe, from what they had seen that afternoon; and it was not going to be settled by the Bill before them. If the country, as had been said, had said anything at all about the settlement of the Coloured Labour question generally, no other conclusion could be come to than that it was a decision that there should be no more of it. But the Kanaka question was not before the country at all. The hon. gentleman at the head of the Government knew very well that the position he (Mr. Macrossan) occupied upon that question was the one he had always occupied, and the one he occupied at his election. He had never receded a single inch from the opinions that he expressed in that House before the dissolution of the last Parliament, and when before his constituents. He even went further. It was not a question of kanakas, but a question of coolies, and of Chinese more than of coolies in his electorate; and it was also more a question of Malays than of coolies, and the kanakas were left in the background altogether. There was a sort of tacit admission, not only in his electorate but, so far as he could observe, in all the other electorates, that the Kanaka question should be kept out of view altogether. The hon. gentleman at the head of the Government had himself stated more than once that he could never see his way clear to interfere with the Polynesian question. He believed the hon. gentleman had made use of those exact words. He was often, he said, urged by his friends to prohibit the importation of kanakas, but he could never see his way clear to interfere with their importation, as they had been allowed to come into the country. So far from the question being a burning one—as the hon. member for Moreton claimed—he believed the hon. gentleman at the head of the Government could settle the question if he pleased, and make it three, five, or eight years, or entirely prohibitory, and the country would not interfere in the matter. He did not believe for a single moment that if the country was polled to-morrow it would go in for inflicting injustice on a single kanaka. He had more faith in the honest intentions of the electors of the colony, and in the sound common sense and knowledge of justice of the working men of the colony, than to say they would for a single moment consent to do an injustice to a few kanakas in the colony who had worked out their three years' engagement. Any working man who looked seriously at the question would see at once that there was no danger in it. The hon. member for Mackay told them that there were only about 200 time-expired islanders in Mackay, and he believed there were more in Mackay than in any other town in the colony, with the exception, perhaps, of Maryborough. Those two places complained chiefly of the evil of kanakas being allowed to work in towns, but even if there were 250 in each of those towns the evil would not be so very great, and, as had been pointed out that afternoon, it would be every day getting less; it would not be allowed to grow. The provisions they had already inserted in the Bill would prevent the evil from growing. All the Opposition wanted to do was what he believed the country would approve of—that was, not to do an injustice to those kanakas who had served out their three years' engagement. He did not know whether the hon. member for Oxley was aware that he was taking an advantage when he made his amendment and the hon. gentleman at the head of the Opposition was waiting an answer from the Premier. Had he got that answer he would have proposed an amendment; he was

only waiting to see if the hon. the Premier would accept the amendment. He would have made it if the hon. gentleman had refused; they would have gone to a division, and there would have been an end of it. But the present circumstances had all the appearance of an advantage being taken, whether intentionally or unintentionally, by the member for Oxley. As to the 131st Standing Order, he did not think it was ever made to meet a question of that kind. It was made to meet a question in defence of the colony in the expenditure of money. If the hon. gentleman at the head of the Government looked at the Standing Order and used his memory, he was quite certain he would come to the same conclusion that he (Mr. Macrossan) had come to upon that subject. Shorter or longer time in the present question was not a question where money was concerned, but was quite a different thing. If the hon. member for Oxley would withdraw his amendment——

The COLONIAL TREASURER: It cannot be put afterwards. The longest time must be put first.

Mr. MACROSSAN said it would be the longest time then. There would be no other time before the Committee.

The PREMIER said it was not worth disputing about such a thing. It was hardly fit for full-grown children to talk about. Whether the Chairman ruled one way or another would not make the slightest difference.

Mr. MOREHEAD said the hon. gentleman would not assist the debate by talking in that way. What were they all but full-grown children?

The COLONIAL TREASURER said that he had recommended the hon. member for Oxley to propose his amendment in pursuance of the Standing Order. He put it whether, in case the amendment of the hon. member for Balonne was lost, the hon. member for Oxley would be excluded from proposing his amendment; and he thought he would. In pursuance of the Standing Order the longest term would be put first, and if the hon. member for Oxley had not proposed his amendment that of the leader of the Opposition would have been the first, and any subsequent amendment would have come within that. He wished it to be understood that the Government did not press the amendment of the hon. member for Oxley out of any discourtesy to the leader of the Opposition, but simply in pursuance of the Standing Order.

Mr. MOREHEAD said he had spoken to the Premier across the table, and suggested three and a-half years, but he had not got an answer as to whether the hon. gentleman would accept the proposition that was made to him. He might have done so, especially as he stated that "eight years" was not a hard-and-fast line, but was simply used as a basis for discussion.

The CHAIRMAN said that if the hon. member for Oxley consented to withdraw his amendment to allow the amendment of the hon. member for Balonne to be put, and that amendment was negatived, he could move any other amendment either higher or lower.

Mr. GRIMES: Is that your ruling, Mr. Chairman?

The CHAIRMAN: If the amendment of the leader of the Opposition is negatived, of course you can move yours afterwards.

Mr. GRIMES said that under those circumstances he had no objection to withdraw it, and allow the amendment of the hon. member for Balonne to be put.

Amendment withdrawn.

Mr. NORTON said he could not understand the objection the Government had to the proposal of the leader of the Opposition. The hon. Premier had admitted that those men who had lived a certain time in the colony had acquired the right to remain, and then came the question—When should the right begin? It was clearly laid down in the principal Act that those men should remain here if they chose. That was a matter of principle and of law, and why the Premier should hold out against what was clearly stated he could not for the life of him conceive.

Question—That the word "three" proposed to be inserted be inserted—put, and the Committee divided:—

AYES, 14.

Messrs. Archer, Norton, Perkins, Nelson, Stevens, Lissner, Midgley, Palmer, Hamilton, Lalor, Morehead, Black, Stevenson, and Macrossan.

NOES, 23.

Messrs. Griffith, Rutledge, Dickson, Dutton, Sheridan, Brookes, Smyth, Mellor, Macdonald-Paterson, Isambert, Jordan, Buckland, Foote, Foxton, Higson, Grimes, Bailey, Bale, Macfarlane, Moreton, White, Beattie, and Salkeld.

Question resolved in the negative.

Mr. GRIMES moved that the blank be filled up with the word "five."

Mr. STEVENSON said he wanted to know distinctly whether, if that amendment were carried, any other amendment could be moved substituting a lesser number?

The CHAIRMAN: No other can be moved.

Mr. STEVENSON said that under those circumstances the motion should not pass, and he would take up his stand on that. He would point out the inconsistency of several hon. members on the other side of the Committee in the vote they had just given. He would point out the injustice that was to be done to the time-expired kanaka, because many members on the other side of the House did not understand the question. The hon. member for Gympie, the hon. member for Enoggera (Mr. Bale), the hon. member for Wide Bay (Mr. Mellor), he could prove by the speeches they had made that night, did not understand the question. The Minister for Lands, he would also show, had given a vote entirely in contradiction to the opinions he had expressed in the House. He had already pointed out that the hon. gentleman had distinctly stated that he had employed kanakas on his stations, not only in the work of shepherding, but for domestic purposes; and that in every respect he preferred them to the white men. He could not understand how that hon. gentleman could go back on what he had stated, and simply follow the leader of the Government to the other side of the Chamber when the division bell rang. The hon. member would have no right to claim in the future that anything he said in the House should have any attention paid to it at all. It seemed that argument was to go for nothing now. He would not have given in even so far as the leader of the Opposition had done, and he was satisfied that hon. members on the Opposition side of the House ought not to give in any further. Even now injustice was being done to the kanakas, but it would be an increasing injustice if any further compromise were made, and he hoped none would be made. He himself would stand there and read papers or anything else to obstruct the passing of the Bill. With regard to the question of justice for the time-expired kanaka, the stand he took up was that it was quite un-English that such a proposition should come from the other side of the Committee—that they should be compelled to go back to their islands or else continue to work on plantations. A good deal had been written on the subject of black labour since it was raised in the House, and he was going to read a letter which he wanted put into *Hansard*. It was by a gentleman who had always supported the party on the

other side of the Committee. It was written by Mr. Bashford to the *Townsville Herald*, and was as followed :—

"DEAR SIR,—I last addressed the public through the columns of your valued journal at the commencement of last December, and at that time I gave you my impression as to the nature and appearance of the country around Mourilyan Harbour and the district through which the Mourilyan Sugar Company's tramway from the plantation to the harbour passes, and I also then declared myself as being strongly opposed to the employment of Chinese, kanakas, or any other class of coloured labour, either on the sugar plantations, tramway works, or in any place where the adoption of it could be possibly avoided.

"Since writing the letters referred to I have made another visit to this locality, arriving here on the 11th January, and the results of my making a longer stay here, in the height of a tropical summer, have caused me to form new ideas regarding several matters, but more especially upon the question of the respective value of white and coloured labour, and having, as above stated, not only in recent election speeches, but at other times, declared myself to be a strong "anti-chinkie" man, I consider it to be my duty to give you my reasons for the change of my opinions, and trust that they may not be considered out of place.

"My experiences during the excessive heat of the past fortnight have proved to me that the average white man cannot do the work required of him in railway undertaking, in a country and climate similar to this; and in proof of my assertion I give you herewith a small memorandum of the number of white men engaged upon the construction of this tramway, who, during the week ending Saturday, 19th January, daily turned out in a morning, intending to do a fair day's work. From which it will be seen that the proportion of them who knocked off during the week mentioned, in working hours, from the heat of the sun, sudden or continued attacks of fever and ague, or by other causes compelled to return to camp, amounts to 210 out of a total of 427, equal to a loss of 50 per cent. in labour—a very serious one in time and money to the contractors, and which also tells greatly against the boasted stamina of the white labourers in any climate."

Then, after giving the proportions, he went on to say :—

"The work of forming the Mourilyan Company's tramway from the harbour to the plantation, seven miles, was commenced at the end of last July, and up to the present time—a period of six months—some 800 to 900 white men have come and gone, after staying here but very short periods, in consequence of the heat and unhealthiness of the place; and out of the original eighty who came up first with the contractors from Brisbane, only five now remain here, and these have all more or less suffered from fever during the time. Therefore, considering that there has been a large amount of work to be done in proportion to the short length of the line, it will be seen that the contractors (Messrs. Ross and Alderton) have had to suffer heavy loss, and a most serious difficulty to contend with, in this matter alone."

Mr. ARCHER called attention to the state of the Committee.

Quorum formed.

Mr. STEVENSON resumed—

"Last December it was found absolutely necessary to introduce Chinese in order to complete the line within contract time, and accordingly fifty Celestials were engaged. Since then the number has been largely increased, there being now on the line some 180 of these gentry at work in the cuttings and on the embankments. But they also are subject to the 'ills which mortal flesh is heir to,' and not infrequently drop out of the ranks of their mates in ones and twos, and retire homewards 'welly sick,' but nothing to the extent that white men leave work.

"There is no doubt whatever that Chinese can stand the climate in these scrub countries a very long way better than even seasoned colonials. But as regards their working capabilities they cannot hold a candle for a moment to the white man in good health, the latter being able to do at least three times as much as the former; but against this must be placed to the credit of the Chinaman the fact that, although he may only get through a comparatively little work during the day, yet he sticks to it throughout.

"He has one steady space and a set stroke or movement for doing his work, all day long, and if he is disturbed in these 'he takes a spell,' and stands still apparently never to go again until the ganger reminds him of his duties, but although not such a consummate loafer as the kanaka, the Chinkie requires constantly looking after. 'Johnny' has also peculiar ideas of his own as to the way in which navvying should be done; for instance, if he has any 'stumping' to do he is not satisfied unless himself and his mate are supplied with a full set of tools, axe, grubber, shovel, and pick, which are not always at hand, and failing any portion of these, he will chop the root while his mate looks on, and when the root is cut through the grubber commences, and the axeman 'spells' until the job is finished, and another root selected to operate upon, thus two men do only the work of one. The 'Chinkie' also knows how to take care of himself, and invariably erects his humpy and makes all his domestic, social, and culinary arrangements before commencing on a job, and setting aside the all-pervading and pungent odour of opium in Chinamen's humpies, their dwellings contrast very favourably as a rule in comfort and cleanliness with the camps of the white men, the latter being generally 'run up' or 'pitched' in a happy-go-lucky sort of style in spare time during progress of work. Not sufficient attention is paid to the suitability and dryness of the site chosen, and the proper precautions for securing cleanly, comfortable, and healthy quarters are too often neglected; in consequence of which sickness is the inevitable result in a climate like this. During working hours one seldom sees a Chinaman refreshing himself by drinking water, he has either a billy of tea, or some limejuice and water, which he considers 'welly good shandy-gaff,' and he drinks seldom and in small quantities, whereas the white man swills water by the bucketful during his work, which has an enervating effect, and is a frequent cause of disordered stomach.

"The wages at present being paid on this tramway are for white carpenters 14s., pick-and-shovel-men, platelayers, horse-drivers, and general labourers, 8s. to 11s. per day of eight hours, and to Chinamen 5s. 2d. per day of ten hours; but notwithstanding the difference in rates, white labour would be far and away the cheaper in the end, provided the men could stand the climate of these districts. Experience proves, however, as far as this line has shown me that they cannot do so; the sun is too powerful for them. The malaria rising from the dense scrub and jungle takes a strong hold upon them, fever and ague supervenes, and the men are utterly incapacitated for work for weeks and perhaps months afterwards, involving the heavy loss to the contractors in time and labour, as shown in the preceding memorandum. I am therefore, much against my inclination, in summing up the case, 'White *v.* Yellow,' and calculating the high wages paid to the Europeans, his inability to stand the climate, and the loss and inconvenience caused by his constantly knocking off work, compelled unhesitatingly to give my verdict in favour of the Asiatics, and I regard them and kanakas as being the only fit form of labour for these northern sugar lands. Moreover, I consider, and it is my firm opinion, that any railway contractor asking white men to come up to these parts during the summer months to do navvies' work, and objecting to the employment of Chinese in a dense scrub country, should be compelled to work himself to see how he likes it; then he will soon confess that the work in question is only fit for Chinese and Polynesians, and will quickly make no bones about engaging them.

"If any railway or other contractor or employer of labour is of a different opinion to mine, let him come up here and see for himself what I have seen and experienced daily on this line—namely, men walking about the semblance of living ghosts, women calling upon God to deliver them from their sufferings, and men, light-headed and half-delirious with fever, leaving in numbers for the Townsville Hospital, and I guarantee that in a very short time he will speedily be converted to my way of thinking.

"Personally speaking, I sincerely trust that I may never have a railway contract or any share of one for such another undertaking in a similar district to the present, as I would much prefer to live in dear old Limestone, on half rations and a threepenny shandy-gaff under my belt as a daily allowance."

Mr. ARCHER called attention to the state of the Committee.

Quorum formed.

Mr. STEVENSON resumed—

"In conclusion, it may not be out of place to give you some additional particulars of the nature of the country and the work done on the track.

"We have passed through over six miles of dense scrub and jungle, with trees 50ft. to 100ft. in height, interlaced with creepers, lawyer canes, and thick undergrowth. The timber principally consists of silky oak, apple-tree, gums, bean-tree, blood-wood, ti-tree, and a little pencil cedar. The heat along the line is intense, varying recently from 115 to 124 degrees in the shade.

and the only cool air that reaches us is the fag-end of the breeze from the harbour. The total length of the tramway is 6 miles 60 chains, and the work has consisted of cutting two banks about 26,000 yards. The timber used consists of about 17,000 sleepers. Two miles of formation, ballast, etc. So the work has not been as easy as on some of the lines down south, although this is only a 2ft. gauge. The rails are laid from the harbour up to the Five-mile, and I hope by pushing on the platelayers to have the engine into the plantation before this reaches you, and then I shall be off to Cooktown immediately. It is not my intention to employ Chinese in Cooktown, as the nature of the country is very different to this, being nearly all forest land and the climate is not nearly so oppressive. I am doing my utmost to push on the work here and to clear out of this unbearable region as soon as possible, and there is not a white man on the ground who doesn't wish the same, and who will not back me up in saying that to leave this part of the country to the Chinkies and the blacks is the best thing we can do."

That was a letter from Mr. Bashford, which showed it was not possible to do without black labour in the colony. He thought that, after the amendments that had been proposed, they had better have some time to think over them; and the best thing to do would be to move the Chairman out of the chair and ask leave to sit again to-morrow.

Mr. SMYTH said he supposed the hon. member thought he did not know anything about kanakas. He did not know a very great deal, but had made it his business to know as much as he could. He had been through the Bundaberg district, and paid not merely flying visits to the different plantations, and had gained a fair knowledge of the matter. He did not represent a kanaka constituency, but a mining district. When they got poor reefs that it did not pay to work they did not come crying for cheap labour, but looked out for improved appliances for working the poor stone. The same with the sugar-planter: he would have to get better appliances for working his mill. He had read the letter of Mr. Bashford. He did not know him at all. He wrote a long letter about the malaria on his railway works in the North. He had been given to understand that Mr. Bashford was the same contractor who had a contract near Roma. There was a great deal of sickness on that line also, and doctors had to be sent up from Brisbane. It was strange that he should be the only man who had so much sickness. There were contracts further north where there were no complaints. He could not account for it, unless it might be from the "tommy" shops that followed in the wake, where they kept Caboolture and Mackay rum that would kill at fifty paces. That was the reason of the malaria. Mr. Bashford's evidence would not hold water. He wanted to persuade the Government, after they had given him contracts to be performed by white labour, that the work was only fit for Chinamen, and Malays, and kanakas. He hoped that members on the Government side would take no notice of Mr. Bashford's letter.

Mr. MOREHEAD said he hoped the hon. member for Normanby would not continue to obstruct: he had made a good fight. The Opposition wished to carry out the promise made by them that they would assist the Government in passing their measures. He had no intention of obstructing. They were prepared to give a reasonable support to the Government, and the best thing they could do was to let the hon. member's motion go.

Mr. STEVENSON said, no doubt the leader of the Opposition and his party had made up their minds that the matter should go. He wished to show what his feeling was in the matter, and make a protest. He had pointed out over and over again the injustice that was being done to those men, and that it was most un-English-like. They had always boasted that when once a man set foot on British soil or upon the deck of a British ship he was a free man; but what were they doing? They were legislating to make slaves of people—men who had considered themselves free men for the last five years. Those men were to be forced to either go back to the plantations or return to their islands and die a miserable death. It was really shameful, disgraceful, that such an Act should be passed by the Legislature of Queensland. He should read to several hon. members what they had said with regard to that labour. He would quote what the Minister for Lands said. Hon. members opposite had spoken one way and voted another, but no one had been more inconsistent than the Minister for Lands. He had been consistent in only one thing that evening, and that had been his silence. He had not dared to speak on the question one way or the other. After what he said the other night it was the most glaring case of inconsistency that was ever known in the Committee. He would read to the Committee what the hon. gentleman said when he spoke on the second reading of the Bill. On that occasion the Minister for Lands said:—

"The hon. member who has just sat down directed his remarks chiefly to what he termed the monstrous tyranny of introducing kanakas, and limiting them to certain work on sugar plantations, and sending them back to their islands after their time is up. I think the leader of the Opposition was a prominent and distinguished member of the party and Government who stated over and over again that coolies were to be brought under regulations, and strictly confined to cane-growing, and cane-growing alone."

"Mr. MOREHEAD: Hear, hear!

"The MINISTER FOR LANDS: And sent back at the end of their time. If it is tyranny to do as is now proposed, it is still more monstrous tyranny to do as was proposed by the hon. member's party. The people we are dealing with now are comparative savages, but the others are in many cases highly civilised. What becomes of the consistency of the hon. member? I cannot see where it comes in.

"Mr. BROOKES: Nor anybody else.

"The MINISTER FOR LANDS: A good deal was said about class legislation. Nobody is more opposed to class legislation than I am, and I think every member of the Government is opposed to class legislation. Hon. gentlemen must remember that the Premier, when introducing the Bill, stated that sugar-growing existed under certain conditions; that the industry was fostered and brought into existence by the employment of kanaka labour, and that to cut off the supply entirely must result in the destruction of the industry; so he proposes to put this part of the labour under restrictions which will lessen the evil acknowledged to exist. Squatters were referred to by the hon. member for Normanby as having employed kanakas. I was alluded to as one. I admit that I have employed kanakas; and if I considered only my own interest apart from that of the country generally, I should employ them all through if I could get them, both for outdoor work and as domestic servants—simply because they are cheaper and in every respect better.

"HONOURABLE MEMBERS on the Opposition Benches: Hear, hear!

"The MINISTER FOR LANDS: Hon. gentlemen cheer as if I had made a mistake; but I am quite prepared to say it over and over again, both in the country to my constituents and to the men who work for me. I have had plenty of white labour, and I have no hesitation in expressing my opinions. I was forced into the employment of black labour, especially in the Mitchell district. I was the last man to employ kanakas"—

He (Mr. Stevenson) denied that, and was prepared to prove that he himself was the last man to employ them in the Mitchell district. The hon. gentleman continued:—

"Though I had them for only three years, and was obliged to do so because the employment of black labour had driven every white man out of the district. When the gentlemen on the other side who were then in power cut off the supply of labour in the country districts, the Mitchell district absolutely collapsed for a time. That was the reason why I and others had to employ them.

"Mr. STEVENSON: You admit they were better?

"The MINISTER FOR LANDS: I said they were cheaper, and on some occasions better for the work. In shepherding, especially, I would rather employ a blackfellow now than put a white man to do the work. I would much rather do any of the work on a canefield than shepherd a flock of sheep. That is the last thing I would employ a white man to do, as it is infinitely worse and more degrading than anything that can be conceived in connection with a canefield. I was very much surprised at one admission on the part of the hon. member for Mackay, who said that the small sugar-growers would be absolutely ruined if the kanakas were prevented from coming in. He also stated that the families of small growers help them to produce the cane; yet he said that cane cannot be grown except by kanakas. That does not agree with the statement that men with their wives and young children grow cane and prepare it for the mill."

"Mr. STEVENSON: He did not say that.

"The MINISTER FOR LANDS: He said so distinctly and emphatically. I do not pretend to know much about sugar-growing, but my opinion is that it can be grown profitably by white men who have the help of their families, but that to employ ordinary white labour at high wages would leave no margin of profit. Where that kind of labour is performed by the family generally it is easily done, but if that same family grows corn or wheat and has to employ labour the profits are so small that there is no possibility of carrying on the business."

He hoped the hon. gentleman would be prepared to explain how it was he came to give the vote he had given to-night, and how he ever came to join men whose feelings were in favour of doing away with black labour. The hon. gentleman ought, in justice to the Committee, to explain the vote he had just given. If he did not, it showed that he had not the courage of his opinions. Before proceeding further, he would wait for a reply from the hon. gentleman.

After a pause,

Mr. STEVENSON said that, as the Minister had declined to explain himself, he would again point out his inconsistency and the inconsistency of hon. members on the other side who did not understand what they were talking about, nor the question on which they were asked to vote. He had done all he could to protest against the legislation that was taking place, and as he seemed to stand alone he could not go much further in the matter. At the same time he felt that he was in the right, and he repeated that they were doing a great injustice to a class of men who had been brought there on the good faith of the legislation of the colony. They were committing an act of repudiation which was disgraceful to them. Having said this much, and throwing the responsibility on the Premier and his followers, he would leave the matter; but he was glad to have been able to mark his disapprobation of the legislation they were now passing through the Committee.

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

Clause, as amended, put and passed.

Mr. GRIMES said he thought this was the place for the new clause, of which he had given notice, and which he would move as follows:—

It shall not be lawful to work an islander more than nine hours on each of six consecutive days in every week, commencing with the Monday of each week. The hours of work shall be estimated exclusive of the time allowed for meals.

Speaking to the new clause, he was free to admit that it was not well in ordinary cases for the Legislature to step in and interfere between employer and employé, but many cases had arisen in which it had been absolutely necessary. It had been deemed necessary to step in and make such legislation as he proposed in the case of the factory operatives in the United Kingdom. Their hours of labour were excessive, and were found to be detrimental to their health, especially the health of young children and women. The Imperial Parliament thought it wise to restrict the hours of labour. It was not his intention, in the clause he had given notice of, to interfere with the employment of kanakas where properly worked; but they were people who, as both sides had admitted, could not take care of themselves, and purely in the cause of humanity he thought it necessary to move some clause to restrict the hours of labour. Those who took an interest in the matter were aware of the excessive mortality which occurred amongst Polynesians. He might refer to the report of the Registrar-General for 1882, as the mortality amongst Polynesians in that year was most alarming. He found it had risen to 82·64 per 1,000. The death-rate in 1875 reached 85·11, and was so great that the Government of the day thought it advisable that a commission should be appointed to inquire into the cause of the death-rate, and, accordingly, two gentlemen were appointed to make inquiries. In their report, amongst other things, they said that the excessive death-rate was in a measure due to overwork. Hon. members would bear with him while he read one or two extracts from that report. He quoted from the "Votes and Proceedings for 1880," vol. II., p. 415. The Commissioners said:—

"We consider the hours too long—too long for all, and certainly excessive for those new recruits who have but lately left an existence of savage idleness. We would suggest eight (8) hours a day for five (5) months in winter, and nine (9) hours for the remaining months, and we would recommend that, at least on sugar plantations this be made compulsory. And not only the duration, but the amount of labour should be regulated. The greatest mortality was on those plantations where, other things being equal or nearly so, the number of islanders employed was inversely to the number of acres under cultivation—where there but few to do the work, there the greatest number of deaths occurred; and it would be well to insist that in the absence of other labour or assistance, and where only Polynesians are employed, a certain number of these should go to every hundred (100) acres or parts thereof."

That was the opinion of two medical men sent up to make inquiries upon the subject in 1875. Further on they said:—

"We are of opinion that the excessive mortality among the South Sea Islanders on Yengarie, Yarra Yarra, and Irrawarra, the sugar plantations of R. Cran and Company, is owing to poor feeding, bad water, overwork, and the absence of proper care when sick."

Again, Mr. Horrocks, referring to the matter in his report for that year, says:—

"There can be little doubt that the hours of labour on plantations are too long, and that too little regard is given to the nature of the work the islanders have to perform. It must be patent to anyone that young recruits who have never worked, and who in many cases are as soft as females, cannot all at once do heavy work in the canefields or at the mills. Little attention is, however, as a rule, paid by employers to this point, and the new arrivals are put at it with often fatal results. I have remonstrated, but without effect; having no power whatever to stop the evil."

He proposed in the new clause he had submitted to give the Polynesian inspector the power to stop the evil. With reference to the treatment of the sick and the question of proper rations they had already dealt with, but they had never dealt with that other cause of death—overwork. In the cause of humanity he considered it would be a disgrace to them as legislators to stand by without endeavouring to find the cause of that excessive mortality, or, having found the cause, not to step in and do something to remedy the evil. He found the hours he proposed were mentioned in the regulations drawn up for the employment of coolies, had they been permitted to come here; and, as he suspected the planters had something to say in connection with those regulations, he did not apprehend that there would be any opposition to the clause. It would be in the interest of the planter to support the clause, for if some step were not put to the abuses which existed in the present system of employing kanakas the Imperial Government would step

in and do away with it altogether. He begged to move that the clause follow the last clause as passed.

Mr. MOREHEAD said he trusted the Premier would see his way to move the Chairman out of the chair. It was not fair to ask hon. members to go on at that hour with a new clause, such as that just proposed, more particularly as the hon. member for Oxley had quoted from reports which hon. members had not had an opportunity of examining, in order that they might see whether other evidence could not be got at variance with what was said by the hon. member.

The PREMIER said it was an important clause, and he was not disposed to accept it without some modifications. The only reluctance he had to moving the Chairman out of the chair was his desire to get on with the business of the session. This Bill was not through committee, and there were other clauses to pass, though they were formal, and ought to go through without discussion. He thought some restrictions should be made in the hours of labour, and the reason why the Government did not undertake it was that the Bill was brought in to deal with particular phases of the question—namely, the evils in the introduction of islanders, and the question of employment in the colony. If the hon. member for Oxley desired to press his amendment, he was afraid they could not go on with it until next day.

Mr. GRIMES said he would like to press his amendment, because he believed it would strike at the cause of a good deal of the excessive mortality amongst Polynesians.

The PREMIER said the clause would have to be altered, and it would be convenient to have it in print. He would suggest to the hon. member to withdraw the clause, let the Bill go through in the form in which the Government wished it; and on the next day he would undertake to recommit it for the purpose of considering the clause.

Mr. GRIMES said that on that understanding he would withdraw the clause for the present.

Amendment withdrawn.

Clauses 8—"Penalties"; and 9—"Evidence"; —put and passed.

In clause 10—"Mode of prosecution"—the words "the principal Act or" were inserted in the 1st line; and the clause, as amended, was put and passed.

On the motion of the PREMIER, the following new clause was inserted after clause 10 :—

Penalties for offences against the provisions of the tenth section of this Act may be sued for and recovered at the suit of any person. Penalties for offences against any of the other provisions of this Act, or of the principal Act, may be sued for and recovered at the suit of an inspector, or any other person authorised in that behalf by the Minister.

Mr. HAMILTON said that he proposed to insert another new clause in the Bill. Some of the Opposition members had that evening expressed themselves to the effect that they had been returned on the understanding that they would abolish black labour. The present Bill was only coquetting with the Black Labour question, and, as the Premier had failed to attempt to do what his supporters had admitted he had promised to effect, he would introduce a clause which they could not well object to support. He proposed the following new clause :—

From and after the 31st day of December, 1885, 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 £50 for every such islander, the sum 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 £50 for each islander so landed or permitted to land.

The PREMIER : Propose it to-morrow, and have it printed.

Mr. HAMILTON : Then I will postpone it till to-morrow.

Clauses 11 to 13 passed as printed.

The CHAIRMAN reported progress, and obtained leave to sit again.

On the motion of the PREMIER, the House went into Committee for the purpose of reconsidering clauses 1 and 2 of the Bill.

The PREMIER moved the omission of the following words from the end of clause 1 :—

"And the term 'this Act' when used in the principal Act, or this Act, shall mean the principal Act as amended by this Act."

Question put and passed.

Clause, as amended, agreed to.

Clause 2 agreed to, with verbal amendment.

On the motion of the PREMIER, the Bill was reported to the House with further amendments, and the adoption of the report made an Order of the Day for to-morrow.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The SPEAKER reported that he had received the following message from the Legislative Council :—

MR. SPEAKER,

The Legislative Council having had under consideration the Legislative Assembly's message of the 5th instant, relative to "A grant to the trustees of the Brisbane Girls' Grammar School of portion 204, parish of South Brisbane, containing 20 acres 2 roods and 30 perches, and valued at £2,000, as a permanent endowment, in pursuance of section 5 of the Grammar Schools Act of 1860," beg now to intimate that they concur in the resolution contained in the said message.

A. H. PALMER.
President.

ADJOURNMENT.

The PREMIER, in moving the adjournment of the House, stated that the order of business to-morrow would be the adoption of the report of the Pacific Island Labourers Act of 1880 Amendment Bill; the Chinese Immigrants Regulation Act of 1877 Amendment Bill; and Supply.

The House adjourned at ten minutes past 11 o'clock.