

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**TUESDAY, 20 DECEMBER 1898**

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**LEGISLATIVE ASSEMBLY.**

TUESDAY, 20 DECEMBER, 1898.

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

PEARL-SHELL AND BECHE-DE-MER  
FISHERY ACTS AMENDMENT BILL.

SECOND READING.

The PREMIER: The Bill I present to the House to amend the Pearl-shell and Béche-de-Mer Fishery Acts is a partial outcome of the commission which sat in 1897, and was appointed on the motion of the hon. member for Cook,

Mr. Hamilton, who has taken a very great interest in this question, and which consisted of that hon. member, Mr. Hamilton, Mr. Dawson, Mr. O'Connell, Mr. Hoolan, and Mr. Smyth—all members of this Assembly—and the report, which goes into a variety of matters, is a very valuable contribution to our parliamentary literature. It was appointed to inquire into the general working of the laws regulating the pearl-shell and bêche-de-mer fisheries in the colony, and it has gone very exhaustively and thoroughly into the matter. In addition to the report, the commission has supplied a considerable number of recommendations—no less than thirty-one in number—which may hereafter form the basis of many matters for legislation. In the meantime, however, I wish to impress upon hon. members that the Bill now presented deals only with one phase of the question; and I therefore trust, considering the lateness of the session, that hon. gentlemen will confine themselves to that particular subject, and not be led into a discursive debate on the various other matters which are referred to by this commission in their thirty-one recommendations. The Bill I now present deals with this very important subject—namely, the intention to confine the pearl-shell and bêche-de-mer industry of the colony to British owners, and not allow it to be gradually absorbed by the alien population such as we know has settled, and is likely to continue, at the gates of Australia—namely, Thursday Island. I think we have a perfect right to protect our own industries, and see that our own race have the privilege and the right to conduct the pearl-shell and bêche-de-mer industries. And though we have no territorial jurisdiction outside the three-mile limit, still we can surely, within our own ports, regulate the ownership in ships so as to confine them to our own race, and not allow them to be gradually drifted into the possession of an alien population.

Mr. STEWART: What about the men who man the ships?

The PREMIER: This Bill deals solely with the one phase of the question as to the ownership of the vessels, which has been very emphatically represented by the commission to which I have referred. I think I cannot do better than quote an extract or two from the report of the commission. In dealing with this question we know that the menace to the possession of the abstraction of this industry from British owners, by which I mean men of our own flesh and blood—our own kith and kin—the menace is undoubtedly the gradual absorption by Japanese boatowners. Not only are they employed, but in time they become boatowners, and this was dwelt upon by the commission in this manner—

A Japanese storekeeper, of Thursday Island, gave evidence concerning the mutual understanding said to have been arrived at between the Queensland and Japanese Governments, through the British Minister at Tokio, stating that under this quasi-treaty both Governments have agreed to restrict the influx of the other's subjects to its territory. He expressed his belief that Japanese emigration had already been turned from Queensland towards Brazil and Mexico, and that the Japanese Government would not object to our compulsion of Japanese pearl-shellers who take service in Torres Straits to returning to Japan at the end of their term of engagement.

In connection with this paragraph I may say that the measures taken under the treaty with Japan and the protocol I read to the House on a previous occasion have had a very salutary effect. The arrival of Japanese surreptitiously has been entirely stopped. The passport system, which has been faithfully observed by the Japanese Government and most stringently regarded by the Queensland Government, has had the effect of materially restricting the advent of Japanese into this colony, and of preventing them accumulating here in anything like the large numbers

which they would have done without that safeguard. As the administration of this matter rests with the department over which I have the honour to preside, I can assure the House that the passport system is acting very satisfactorily; that during the last six months, at any rate, we have had no occasion to complain of any violation. It is only due to the department to say that the conditions are strictly adhered to, and although representations have been made for some mitigation of the conditions in certain cases no departure from the understanding between the two countries has been allowed by me. The report proceeds to say—

Obviously it would be unwise to disturb any existing harmony of agreement by singling out Japan for differentially harsh treatment. All aliens whatsoever should be prohibited from the exercise of such privileges as would enable them to dominate or even partially control our fisheries. That principle being held steadily in view, all kinds of foreign labour, if necessary to the adequate development of our fisheries, should have equal access to opportunities of employment.

From the evidence it appears that, if Japanese were excluded from our pearl fisheries, their vacated places would not be filled by white men. Manillas, Malays, and Polynesians would be their certain successors. The Japanese question is but a branch of a larger issue—the alien problem.

Legislation preserving our fisheries to British subjects is clearly desirable, but should be enacted without exhibiting prejudice against any particular race.

It is upon the lines of that recommendation that this Bill is introduced. Hon. members will observe that in the definition of a British subject we have taken the words of the Imperial Merchant Shipping Act, so that there will be no possibility of this Bill being either objected to by His Excellency or disallowed by Her Majesty. This is an honest attempt to control our own industry.

Mr. STEWART: A dishonest attempt.

The PREMIER: It is a straightforward attempt to put into practice part of the recommendations of the commission, and it is far better to attempt to do a little well than to attempt to do too much and then find that all our efforts have been futile. In addition to the report of the committee there was a very excellent letter from Mr. James Clark, whose name will be familiar to all, and I attach considerable importance to the views he expresses. Speaking of the ownership of boats, he says—

There are two classes of pearl shellers, viz.:—1. Those who own and work the boats themselves, employing the men on wages and lay, and who take the risk of making a profit or loss. This class own two-thirds of the boats. The other class are represented by Messrs. Burns, Philp, and Co., Brown, Campbell, and Co., and Alpin, Brown, and Crawshaw. These three firms own the other third of the boats, and hire them out to Japanese and other aliens without incurring any risk worth speaking of. The men in these hired boats generally sign for 1s. per month, thereby evading the stamp duty of 2s. 6d. per head for engaging fees, which all the other class pay; and the 1s. per month also relieves the owner of the boat from liability of loss, because for six men on a twelve months' engagement he would only be liable for £3 12s. for wages, while the owners who work the boats themselves would, instead of £3 12s., pay at least £150 in wages. In my opinion this hiring-out system must be stopped, or else the entire fishery will pass into the hands of the Japanese. At the present time our men are discontented, and they will continue to be so until the hiring of boats is made illegal. Naturally a man prefers to work for himself, and the Jap is no exception to the rule. Of course when he hires a boat the pearls found are his perquisites, and this is a strong inducement for him to hire.

This is a British colony, and I think the profits made should belong to white men instead of the Japanese. By all means pay them a fair wage for their labour, but let them remain labourers and not owners.

That is the principle upon which this Bill is introduced.

To sum up, I would suggest that the Government should legislate as follows:—

1. Make boat hiring illegal to aliens or coloured people.

That letter is an important addition to the subject, but I need not quote from it any further, because it would only lead into digressions upon matters that are not contemplated by the Bill. The Bill has been submitted to those who are conversant with the industry, and it has received warm commendation. One gentleman, who may be regarded as an authority upon the subject, writes saying—

I think that the Bill designed to limit the right of fishing for pearlshell to British owners is good in itself, and the details of the Bill seem to me to meet the desired end.

I do not intend to speak at any great length in the matter. It would certainly be desirable, if time permitted, to attempt other things, but I am sure that hon. members will see upon reflection that at this late period of the session we can do nothing else. We have been occupied with matters of a more urgent nature, and I do not think we can be accused of any want of interest in this industry, or not being fully seized of the magnitude of the question. But even at this late hour if this Bill be passed it will be a piece of useful restrictive legislation, and I think a very great deal of credit must be given to the hon. member for Cook—who has been most assiduous in his desire to get the measure passed, including the other recommendations of the commission, at an earlier period of the session. In this respect we are doing more than has been done by some of the other colonies which are interested in the question. I find that in South Australia, instead of legislating upon the subject, they are acting under regulation, and I have an advice from the Premier of that colony, received on the 19th of this month, to the effect that since 3rd October, 1895, no new licenses have been issued to any aliens for pearlshelling in the Northern Territory, although renewals have been granted to those who held licenses previously. We intend to make statutory provision that no licenses shall be granted unless *bona fide* ownership of the vessel can be clearly established, and a solemn declaration must be made by the owner that he is qualified as described by this Bill. I have also received from the Premier of West Australia the following telegram:—

By our local Act, the Pearl-shell Duty Reduction Act of 1889, it is provided that no license in respect of a ship to be used or employed in the pearlshell fishery under the provisions of the said Act—namely, the Pearl-shell Fishery Act of 1886, should be granted or renewed as a matter of right on the part of the applicant therefor, but it should be lawful for the Governor to give directions under his hand to any licensing officer appointed to issue such licenses under the provisions of the said Act as to the granting or refusing, renewing or non-renewing of any such license to any person or class of persons whatsoever. Under this Act instructions were issued in 1892, directing officers to refuse to issue licenses to Asiatic or African aliens, and from that time no such licenses have, I believe, been issued.

It will be seen from the documents I have read that this Bill goes further than the regulations issued in the Northern Territory of South Australia or Western Australia.

Mr. TURLEY: No; not according to law.

The PREMIER: I think so. We declare that ships should be owned by British subjects, and no licenses should be issued unless the ships are so owned, and the owners declare that they are qualified. Under their regulations the licenses may or may not be issued.

Mr. TURLEY: The licenses for what?

The PREMIER: The licenses for pearlshelling.

Mr. TURLEY: For what portion of pearlshelling?

The PREMIER: This applies to the pearlsheller, and there is no uncertainty about the provision that the ship should be British-owned before any licenses can be issued to any person employed on those ships.

Mr. TURLEY: Their regulations provide for the men employed.

Mr. HAMILTON: No.

The PREMIER: So that I consider the Bill we now introduce will go very directly to the root of the matter, and will restrict any abuse which may have crept in. We can hardly call it an abuse, seeing that these persons have worked under our law. But this restricts straightforwardly the conduct of the pearlshelling and bêche-de-mer industries in a direction which is generally desired. I express the hope that the Bill will pass without much debate, and I now move that it be read a second time.

Mr. KIDSTON: I cannot say that I share the hope of the Premier that the Bill will pass without much debate, because I think it is a subject worthy of the fullest debate. The hon. gentleman in introducing the Bill recommended it to the House for the reason that the hon. member for Cook had been very eager and urgent to have it passed.

Mr. HAMILTON: He did not give that reason.

The PREMIER: I gave him credit for it.

Mr. KIDSTON: Well, that does not recommend it much to me. The very fact that the hon. member for Cook is very eager on the subject is rather apt to make me look at the Bill with suspicion.

Mr. HAMILTON: He did not recommend it for that reason; therefore your premises are bad.

Mr. KIDSTON: Though a simple-minded young man like the member for Cook wanted the Bill introduced in the earlier part of the session, a wise old Premier like the hon. gentleman at the head of the Government considered it expedient to get the Standing Orders suspended before bringing it on.

Mr. STEWART: Nigger Government!

The SPEAKER: Order, order!

Mr. KIDSTON: The hon. gentleman has given us another sample of that strong desire of the Government to deal effectively with the alien question. Ever since I came into the House there has been continual protests from the Treasury benches that they were wildly desirous of restricting the influx of Asiatic aliens. A few years before they made no such professions; indeed, they openly declared that they desired to see Japanese brought into Queensland for the purpose of developing it. For the last three or four years, however, they have at least professed to save Queensland from an influx of Japanese. But what has been the result of all their efforts? I remember last year that Sir Horace Tozer went very fully into the subject, and one of the things he said then was—speaking about 1895 when the treaty with Japan was made—"At that time there were about 600 of those people in the colony." It is to be understood that all the time the present Government have been in the most earnest manner declaring that they were desirous of stopping the incoming of these people, and now about three and a-half years afterwards I find that this is the result of all their efforts—that there are over 3,000 Japanese in the colony.

The SECRETARY FOR PUBLIC INSTRUCTION: How many Chinese?

Mr. SIM: Three thousand more than you thought.

Mr. KIDSTON: Of Chinese there are 10,000. Altogether, in the Northern portion of the colony, this has come to be the result of the earnest endeavours of the Government—that every third man is a coloured alien.

Mr. HAMILTON: What nonsense! Unless you are one.

The SPEAKER: Order, order!

Mr. KIDSTON: Those are statements which rather stagger one, and which ought not to be

made unless a man is able to prove them. I will try to prove them for the Premier and for the hon. member for Cook, who call them into question.

The SPEAKER: Order! I remind the hon. member that this is a Bill for restricting the issue of fishing licenses to certain persons. It is not a Bill for restricting the introduction of coloured aliens, and the hon. member's argument is scarcely relevant to the question before the House.

Mr. KIDSTON: I think it will be seen that it is relevant to the Bill when it is understood that what I wish to do is to explain what the evil is with which the Bill proposes to deal. The Premier told us the evil with which the Bill was intended to cope, and it is relevant I think to show the extent of that evil from the statistics of the colony. From the latest returns I can get the population of Northern Queensland is 95,837. In regard to the whole of Queensland, the census of 1891 showed that the adult male population was one-third of the total population. I assume that the proportion would be much the same to-day. I think that in Northern Queensland the adult male population forms a very much higher proportion of the total population than in the Southern part of the colony, but to be safe in the matter I have put the adult male population in the Northern part of the colony at half the total population. I do not think it can very well be more than that, which is an unusually large proportion of adult males in any population. That would give as the adult male population of Northern Queensland 47,900, and we find from the return issued the other day by the Registrar-General that there are at present in Northern Queensland 16,496 male coloured aliens, which in an adult male population of 47,900 is just a trifle more than one coloured alien in every three of the population.

MEMBERS on the Government side: No, no.

The SPEAKER: Order! I certainly fail to see that the hon. member's argument is in any way relevant to the Bill before the House. I must ask him to confine himself to the subject-matter of the Bill.

Mr. KIDSTON: Well, I am about done with that. I think it quite legitimate to show the extent of the evil, for the reason that if, after the protestations of the Government in the matter, it can be shown that their efforts to restrict the influx of coloured aliens into Queensland have altogether failed in the past, it seems to me that a good reason will have been given for more closely scrutinising further proposals they make to the House for dealing with the same question. It seems to me that we are coming in Queensland to a position which was predicted some years ago, but which I hardly thought would ever take place in a British colony—that is, that we are coming to recognise that there are, and there ought to be, two classes in this country. The other day, in passing the Mining Bill, we agreed to a restriction in it preventing Asiatics from working on our gold-fields, and I begin to regret having given any assistance at all in passing such a restriction.

The SECRETARY FOR PUBLIC INSTRUCTION: It would have gone through all the same, whether you assisted it or not.

Mr. KIDSTON: Probably it would, but I would not have had anything to do with it in that case. This Bill proposes to go a step further in the same direction. Suppose the mineowners of Queensland had asked us to make that restriction in the mining law read so that while they would have been able to employ Asiatics in a mine Asiatics would not have been permitted to take out miners' rights or mining leases for themselves? That would have been

exactly parallel to this Bill. This is a step further than the other proposal, and a downward step. It is the recognition, as I have said, that there are and there ought to be two races in Queensland—one a privileged race having all the rights and protection of the laws, and the other an alien serf race, not permitted to do the best they can for themselves—and only permitted to live here if they will work and make profit for someone else. That is the spirit of this Bill. Even the kanaka legislation, while it might have had that spirit at the bottom of it, was not so open and unblushing an expression of that shameful sentiment as this Bill is.

The SECRETARY FOR PUBLIC INSTRUCTION: Awful claptrap! The same restrictions exist in all civilised countries.

Mr. KIDSTON: Suppose there were a number of gardeners in Queensland who wanted to make a corner in market gardening and asked this House to pass legislation preventing Chinamen from leasing ground or working it for themselves, and providing that they should only be permitted to work for them? I wonder what the good sense of this House would reply to that proposal. The proposal now before us is exactly identical with that proposal. The Government proposes to step in for the salvation of the very men who brought the curse of Japanese labour on Thursday Island. They brought the Japanese to Thursday Island for their own profit, but the Japanese found a way of working for themselves and making the profit for themselves, and now those men ask the Government to protect them against the evils they themselves brought into the colony. The whole aim and purpose of the Bill is to protect one small class—James Clark, Burns, Philp, and Co., and one or two others in the Northern ports like them—but there is not the remotest idea in the Bill, or in the speech of the hon. gentleman who introduced it, towards protecting the white workers of North Queensland. If the hon. gentleman will consent to amend clause 2 by adding after the word "owned" the words "and manned by British subjects," there may be some honest purpose in the Bill, but the only honest purpose I can see —

The SECRETARY FOR PUBLIC INSTRUCTION: You never see it in anything.

Mr. KIDSTON: The only honest purpose I can see in the Bill is this—to protect a small class in the Northern part of Queensland against the after evil consequences of their own cupidity, and to leave the rest of the colony just where it is. There is another aspect of the matter, and that is whether this Bill will not really be an infringement of the treaty rights secured to Japanese subjects in Queensland when the Government of Queensland signed the treaty with Japan.

The PREMIER: All that has been duly considered.

Mr. KIDSTON: I am going to consider it again. It may be possible that there is some evasion which the Government can take advantage of; but it seems to me that no one can read articles 3 and 15 of the treaty without recognising that the Government in introducing this Bill is at least guilty of a breach of the spirit of the treaty with Japan. No one can believe that the Japanese commissioner who signed this treaty with such matters in it as I am about to read, could believe that that would permit the Queensland Government to pass such a Bill as this.

The SECRETARY FOR PUBLIC INSTRUCTION: You had better advise the Mikado.

Mr. KIDSTON: I mean to do that.

The SECRETARY FOR PUBLIC INSTRUCTION: Supersede his own Government.

Mr. KIDSTON: This is what article 3 says—

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two high contracting parties.

The subjects of each of the high contracting parties may trade in any part of the dominions and possessions of the other, by wholesale or retail, in all kinds of produce, manufactures, and merchandise of lawful commerce, either in person or by agents, singly, or in partnership with foreigners or native subjects, and they may there own, or hire and occupy, the houses, manufactories, warehouses, shops, and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and Customs regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the dominions and possessions of the other which are or may be opened to foreign commerce, and shall enjoy respectively the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most-favoured nation, without having to pay taxes, imports, or duties of whatever nature, or under whatever denomination, levied in the name or for the profit of the Government . . . other or greater than those paid by native subjects or subjects or citizens of the most-favoured nation.

Then in article 15 it says—

The high contracting parties agreed that, in all that concerns commerce and navigation, any privilege, favour, or immunity which either contracting party has actually granted, or may hereafter grant to the Government, ships, subjects, or citizens of any other state, shall be extended immediately and unconditionally to the Government, ships, subjects or citizens of the other contracting party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

The SECRETARY FOR PUBLIC INSTRUCTION: There is nothing about pearlshell fishery.

Mr. KIDSTON: Is pearl fishery trade, I would like to ask the Minister for Education?

The SECRETARY FOR PUBLIC INSTRUCTION: No.

Mr. KIDSTON: Is it commerce?

The SECRETARY FOR PUBLIC INSTRUCTION: Not necessarily.

Mr. KIDSTON: Then we are to understand that it is neither trade nor commerce. And it is on a point such as this that the Government of Queensland is trying to evade a treaty they entered into about a year ago.

The PREMIER: You do not understand the treaty at all, nor the protocol.

Mr. KIDSTON: I think I do understand the treaty in this particular respect, and I think anyone who looks at the 2nd clause of this Bill, and who looks at the restrictions imposed on the license in the Mining Bill, will see, not only that I understand the treaty, but that the Government understand the treaty. There is a very great difference in the phraseology in the restrictions included in the Mining Bill and that of the restriction in this Bill. In this Bill the Government, for the sake of assisting those people who brought this curse upon themselves, have actually gone the length of excluding from a particular trade or business carried on in Queensland everyone but British subjects. I would like to ask the Premier if it is his intention to refuse a license to an American, or a Frenchman, or to a German? Is that the understanding? That is what it means. That is the position into which the Government have got themselves by signing this treaty with Japan.

The SECRETARY FOR PUBLIC INSTRUCTION: Almost every country in the world takes up that position.

Mr. KIDSTON: There is not such a thing done in any other country in the world.

The SECRETARY FOR PUBLIC INSTRUCTION: I'm sorry for your ignorance. Has there been no trouble between the French and English about fishing grounds?

Mr. KIDSTON: There is a vast difference between permitting foreigners who have not

resided within your territories to come in and work fisheries and preventing people who are resident within the territory. There is so much difference that it makes the allusion of the Minister for Education utterly beside the question.

The SECRETARY FOR PUBLIC INSTRUCTION: Your statement is not correct.

Mr. KIDSTON: This is the position into which the Government have got themselves by signing that treaty with Japan—that they are unable to do a thing to prevent Japanese from coming here that will not equally prevent Americans, or Frenchmen, or Germans. The Bill now before us will be equally operative against Frenchmen, Germans, and Americans. The Government are making a steam hammer to kill a fly.

The SECRETARY FOR PUBLIC INSTRUCTION: Do you call America a fly?

The PREMIER: The Imperial Merchant Shipping Act is equally restrictive.

Mr. KIDSTON: In the treaty with Japan Japanese citizens in Queensland are to come under the most favoured nation clause, and no American or Frenchman will be able to get a privilege in this colony that will not be open to a Japanese. That is why there is so much difference between the phraseology of the restriction sought to be imposed by this Bill and that sought to be imposed by the Mining Bill. In spite of the length to which the Government have gone in this Bill, it is my decided opinion that even if this House agrees to pass it it will be altogether inoperative, because it must be understood that the Premier rather misstated the matter when he was speaking—not willingly, but because he quoted only a part of a clause. He told us that the purport of the Bill was to exclude all but British subjects from getting pearl-fishing licenses, but that is not all the purport of the Bill. People who are not British subjects may get licenses under this Bill if they are denizens of Queensland, and what is to prevent a Japanese resident of Thursday Island from claiming the rights of a denizen? Can the Premier prevent that?

The PREMIER: Yes.

Mr. KIDSTON: Well, this is a most extraordinary interpretation of the most favoured nation clause that I ever heard. Does the hon. member mean to assert that if an American or a Frenchman or a German resident in Brisbane asked for letters of denization the Government of this colony could refuse them to him?

The PREMIER: We might have sufficient justification.

Mr. KIDSTON: I do not doubt that in the case of one particular individual, but it seems to me that if one Japanese storekeeper asked his consul to apply to the Government for these papers it would be a very awkward thing indeed for the Government to refuse them. The refusal of naturalisation papers is a horse of another colour. If the treaty with Japan can be got out of in this manner, then it is so much waste paper, and it will be quite inoperative with Englishmen in Japan. It seems to me that there is nothing to prevent a number of Japanese of good standing in Thursday Island from forming a joint stock company, getting recognised as denizens of Queensland, and taking out licenses for all the pearl-fishing boats in the waters of Thursday Island. I do not think this Bill will prevent them from doing so. Now, there is one special reason that I have for opposing this Bill, and that is that I do not think it will improve the position as regards the influx of Japanese, either at Thursday Island or other places along the coast. This attempt to restore to the white people of Thursday Island the sole possession of the boats will at once raise up a

powerful political class whose interest it will be to bring Japanese to the colony. If the Premier imagines that it will restrict the influx of Japanese he must be very simple indeed, as that was the very reason why they were brought here first, and does he expect to remedy the disease by bringing into fresh operation the causes which produced it at first? I object to this Bill becoming law—

The SECRETARY FOR PUBLIC INSTRUCTION: Because the Government have introduced it; that is sufficient.

Mr. STEWART: Where is freedom of contract now?

Mr. KIDSTON: I object to the Bill because I think it is vicious in principle and that it refuses distinctly to recognise that a man should be able to do the best he can for himself. Is not that the first political principle of the Secretary for Public Instruction?

The SECRETARY FOR PUBLIC INSTRUCTION: No, it depends upon what his opinion is.

Mr. KIDSTON: "An honest confession is good for the soul." I have often had an inkling that the Secretary for Public Instruction had some such notion as that, but I would not have put it that way myself. We are now to understand that it is only when an hon. member agrees with the Minister that he is to be graciously permitted to do the best he can.

The SECRETARY FOR PUBLIC INSTRUCTION: That is your version.

Mr. TURLEY: That is your own version.

The SECRETARY FOR PUBLIC INSTRUCTION: Oh no!

Mr. KIDSTON: It seems to me that it is not asking very much of the legislature that they should try and secure to every citizen or denizen of Queensland the best chance possible to do the best he can for himself. This legislation distinctly refuses to the Japanese who come to Queensland the right to do the best they can for themselves. They are told in so many words, "If you like to come here and work for other people we will be glad to see you, but you must not try and make a living for yourselves."

The SECRETARY FOR PUBLIC INSTRUCTION: That is a misrepresentation.

Mr. KIDSTON: Then I utterly fail to understand this Bill.

Mr. HAMILTON: That is evident.

Mr. KIDSTON: It may be said that what I have just said is misrepresentation to this extent: that there are many other industries besides pearlshelling to which the Japanese could apply themselves. The gentlemen who used to own boats engaged in that industry at Thursday Island do not care two straws where the Japanese go to if they can be got away from Thursday Island, because they have become too numerous there. I grant that the Bill does not seek to prevent the Japanese engaging as freely as they please in any other industry, but as far as the pearlshelling industry is concerned they are told that they cannot be permitted to do the best they can unless they are content to work for other people. I cannot understand how the belief of hon. gentlemen opposite in freedom of contract goes any further than the roots of their tongues if they can support such a Bill as this at the bidding of any Government. I am convinced that there is only one way of dealing with the Japanese question in Queensland, and that is to denounce the treaty with Japan, and so soon as the statutory year's notice has expired, take active and effective steps in co-operation with the other colonies to exclude them. I think the rapid growth of an alien population in North Queensland is quite grave enough a question to alarm anyone who desires the welfare of the colony. Every year in which effective dealing with the matter is delayed not

only increases the difficulty of dealing with it, but increases the danger that will accrue in dealing with it; and I should very much rather, instead of passing this Bill, see the Government take the first step towards properly dealing with the alien question, and get rid of the treaty with Japan, so that they would then be able to deal effectively, and at once, with this great and threatening evil.

The SECRETARY FOR PUBLIC INSTRUCTION: It would be too much to expect under any circumstances that any legislation which could be produced from this side would satisfy the hon. member who has just sat down. We have been told that we have been apathetic on this question; that we have no sincerity, and so on, but it is really marvellous to find the hon. member, when the Government introduce a Bill to carry out his own ideas of restricting the influx of aliens, opposing it in a most vigorous fashion. He blames them for doing nothing, and when they bring in this Bill—which will certainly have the effect of doing away with some of the inducements which bring Japanese here—he, I regret to say, in conjunction with the hon. member for South Brisbane, Mr. Turley, opposes the measure and condemns it.

Mr. TURLEY: I have not said so.

The SECRETARY FOR PUBLIC INSTRUCTION: I am exceedingly glad to find that the hon. member for South Brisbane is not in that position, and I must say that I credited him with sufficient cuteness to see that this Bill to a large extent follows the lines of legislation which he advocates. The position which the hon. member for Rockhampton has taken up is that in some way if we forbid the Japanese from coming here we should be doing an outrageous act. We say that certain people should come here only in a certain capacity, and I may tell the hon. member that it is simply the law of all civilised nations to preserve the fisheries within certain limits of their coasts to their own people.

Mr. STEWART: That is not what you are doing.

The SECRETARY FOR PUBLIC INSTRUCTION: Has the hon. member read the Bill? If he has, has he failed to grasp its meaning? What is the very first item in it which attracts the attention of readers—that no ship should be licensed unless wholly owned by British subjects?

Mr. KIDSTON: Read subsection (c).

The SECRETARY FOR PUBLIC INSTRUCTION: The hon. member is always at sea. Unless persons are made denizens of Queensland they cannot own pearlshelling boats. That is what subsection (c) says. Why, the hon. member has shown his entire ignorance of one of the greatest and most universal canons of international law.

Mr. KIDSTON: What is the meaning of subsection (c)?

The SECRETARY FOR PUBLIC INSTRUCTION: What is the meaning of the whole Bill? It is that the right to fish on these coasts should be reserved for British subjects, whether they are born so or become naturalised. If the hon. member fails to understand it he has my sincere sympathy, but that is distinctly the essence of the Bill. I say that provision exists, has existed, and is international law in every civilised country. That is so even though there may be some departure from it, as there is between England and America and England and France—not because what I have stated is not the international law, but because some special treaty or agreement has been entered into between the parties concerned. If the hon. member is acquainted with treaties—and no doubt as he knows so much of diplomacy that he could supersede the Japanese Ambassador and advise the Mikado—he will

remember that there are four at any rate between the United States and Great Britain on the subject of fisheries and several between France and Great Britain, both as affecting British seas and as affecting Newfoundland. They have all of them retained the right to fish their own fishing grounds for their own subjects.

Mr. KIDSTON: They don't prevent residents of a country from fishing there.

The SECRETARY FOR PUBLIC INSTRUCTION: I do not know what the hon. member means by fishing in the country. Outside the three-mile limit from the coast the hon. member, or any Japanese, can go and fish, and no one can stop him. If that is what he means, I am aware of it.

Mr. KIDSTON: You know you are evading the point.

The SECRETARY FOR PUBLIC INSTRUCTION: With regard to this particular treaty, what has been its effect, if it has had any effect at all? Its effect has been to diminish the number of Japanese coming to the country. I have here in the *Sydney Morning Herald*, of the 13th December, an account of an interview with the Hon. John Douglas, and what he has to say is opposed to what the hon. member would have us believe.

Mr. TURLEY: What did he say in his report two years ago?

The SECRETARY FOR PUBLIC INSTRUCTION: It is partly in consequence of what he has written that this particular measure has been brought in to do away with some of the grievances which have been complained of in the North. With regard to what the hon. member has been asserting—that this immigration is not affected in any way by this treaty which he has been denouncing, and suggesting that the first thing which should be done with it is to tear it up or revoke it at the earliest possible moment—I bring the Hon. John Douglas as a witness, and I would rather have his testimony than that of the whole legislature, seeing that he is thoroughly familiar with the subject, of which he has had daily experience and great knowledge. This is what he said to the *Herald* reporter—

The Japanese monopoly of Thursday Island—

And this I take it is what the hon. member is in favour of. Whether he has been got at by the Japanese ambassador, or is interested in this Japanese line of steamers—the Nippon Yusen Kaisha—and I take it the subject is one in which the Labour party is interested as they have been on board the steamers and have been fêted—or whether he objects to the authority I invoke I cannot say, but here, at any rate, is what the Hon. John Douglas has to say—

The growing Japanese monopoly of Thursday Island, which is looked upon as a menacing trouble, has been considerably checked by the operation of the passport system. No Japanese can land now without a passport from his Government, and these documents are only issued at the direct request of the Queensland Government.

Now, here is a means which has been adopted by this Government, and which the hon. member objects to and denounces—a means which the man best qualified to judge says is effective. The hon. member tells us there is nothing to prevent the Japanese forming companies and taking out licenses on Thursday Island, but it is only naturalised citizens who will be able to do so.

Mr. KIDSTON: Not under this Bill.

The SECRETARY FOR PUBLIC INSTRUCTION: Will this Bill in any way give them more privileges, or less? It takes away some of their privileges, and the hon. member immediately opposes it; and from what I have seen in the papers lately I think the hon. member must have been visiting the Japanese

steamers. This is a measure which cannot fail to be successful in preventing men coming upon our coast to take part in these pearl fisheries which we desire to keep for our own citizens, and in passing it we are merely following the practice of all civilised countries. I do not know why the hon. member should oppose it, except to throw dust in the eyes of the people by making them believe that instead of restricting Japanese we are giving them greater facilities. I defy anyone to read the Bill and say that it does not clearly restrict certain privileges which Japanese and other aliens have at present, and which, whether they are Japanese or anyone else, they should not have any more than we would have them if we attempted to fish as owners of boats on the coasts of Japan or France.

Mr. KIDSTON: The privilege of working for themselves.

The SECRETARY FOR PUBLIC INSTRUCTION: The hon. member will get no such privilege if he goes to Japan; and he will not get it if he goes to America or any other civilised place in the world. The hon. member looks wise and brings up his involved arguments, but he will not face facts. One of the facts is that admitted by the Hon. John Douglas—that the measures taken by the Government have already been effective to a large extent; and they now bring forward another measure which will also be effective. The hon. member has not succeeded in showing that it will not. The hon. member for South Brisbane appears to look with some favour upon the Bill, and I take the liberty of saying that it would have been very much better if the hon. member for Rockhampton—who knows very little about the subject—had allowed the hon. member for South Brisbane, and some other members on the other side who do know a good deal about it, to take precedence. If he had done that I would have been relieved of the necessity of getting up to show that the hon. member does not know anything about international law, and does not seem able to appreciate the effect of this Bill.

Mr. TURLEY: The hon. gentleman has made a most startling admission in his wind-up. He has said that there are members on this side who do know something.

The SECRETARY FOR PUBLIC INSTRUCTION: On the subject of this Bill. This is upon fisheries.

Mr. TURLEY: It is the first time I have heard the hon. gentleman admit that hon. members on this side know anything about any subject. He starts out by telling us something about international law relating to fisheries; but he has not told us that it means, with respect to fisheries around the coast of England, Labrador, or anywhere else, that unless under special treaties, vessels registered in other countries will not be allowed to fish within three miles of the coast.

The SECRETARY FOR PUBLIC INSTRUCTION: Unless they are subjects of that Power. That is the law.

Mr. TURLEY: Unless they are subjects of that Power; but the hon. gentleman does not tell us that there is no person from any part of the world that I know of, who, if he goes to live in England, will not be permitted to become naturalised and engage in any occupation he chooses.

The SECRETARY FOR PUBLIC INSTRUCTION: That is another thing.

Mr. TURLEY: That puts a different aspect upon it. It is true that people are not allowed to bring ships registered in other countries and fish within three miles of the coast, but they are allowed to go into the country and become naturalised, and then enter into any occupation

they think fit. Can the hon. gentleman give me one instance of people being refused permission to take out naturalisation papers in England and then engage in any industry?

The SECRETARY FOR PUBLIC INSTRUCTION: It does not follow that it is not so because on the spur of the moment I cannot give you an instance of it.

Mr. TURLEY: The difference is that here we not only say the subjects of another power shall not come within the three-mile limit to engage in the pearlshell fishery, but we say that after every inducement has been held out to the subjects of that power to come here they shall not be allowed when they do come here to be placed on the same footing as other people, and shall engage in the industry in no other way than by working for someone else. The hon. gentleman knows that if ever there was serfdom that is serfdom.

The SECRETARY FOR PUBLIC INSTRUCTION: I know nothing of the sort.

Mr. TURLEY: He knows that it is about the nearest approach to serfdom that exists in any part of the British dominions to-day. He said I was opposed to the Bill. I have no particular opposition to the Bill, but I am pointing out that it is altogether a class measure. It is for the protection of the men who own boats, and not for the protection of the men who work the boats.

The SECRETARY FOR PUBLIC INSTRUCTION: It is exactly the same in America, on the coast.

Mr. TURLEY: If I were to go to America and become a citizen, would I not be allowed to engage in any occupation there?

The SECRETARY FOR PUBLIC INSTRUCTION: So can anybody that is naturalised here.

Mr. TURLEY: They do not refuse a person naturalisation papers; but here we induce these people to come to the country with the object of using them as "hewers of wood and drawers of water" all the time, and say, "You shall not step out of that position whatever your capabilities are."

The SECRETARY FOR PUBLIC INSTRUCTION: There is nothing of the sort in the Bill.

Mr. TURLEY: The hon. gentleman knows that is so. The Bill says that no ship or boat shall be licensed unless owned wholly by persons of the following description.

The SECRETARY FOR PUBLIC INSTRUCTION: That is international law.

Mr. TURLEY: I am satisfied of that. But it is refusing these people the opportunity of becoming permanent citizens, and preventing them from bettering their condition in the industry. As pointed out by the senior member for Rockhampton, the object of the Bill seems to be this: There were certain firms at Thursday Island a few years ago who cast about to see where they could get the cheapest available labour. The supply from which they were drawing was being gradually exhausted, and what they wanted was cheap and reliable labour. They discovered that they could get this labour from Japan. They got those men here, and afterwards some of the firms interested found that these men were thrifty. We hear a great deal about thrift. We are told that it is the duty of every man to be as thrifty as possible, so as to better his condition. These people, who are about the most thrifty on the face of the earth, saved their wages, and by-and-by entered into agreements with the firms that brought them here to buy the boats they were working. They have carried out all their engagements, but now it is found that these men, by their thrift, by their ability to live a great deal cheaper than white men, by engaging in all the branches of the industry, by entering into competition with the people who

introduced them, by setting up stores of their own and dealing wholly amongst themselves—it is found that it does not pay the firms who brought them here, and now they appeal to the legislature against the thrift of those men, who do not believe in paying bigger prices to them than to their own countrymen. The Japanese, by entering into competition with the white men who brought them here to make money out of them, have been able to turn round and squeeze them out of the industry. That is what is taking place on Thursday Island, and it is because of this that we are asked to pass this measure providing that the boats shall not be owned by Japanese. As to the men working the boats, the hon. gentleman, on behalf of his class, wants absolute freedom of contract, so that the white man shall come to the level of the Japanese before he shall be able to make a living in the industry. Would the hon. gentleman support an amendment to say that no licenses whatever in connection with the industry shall be issued to any except British subjects? Will he protect the white worker who may be engaged in the industry? By the Pearlshell Act of 1886 every person in charge of a ship who is not required to hold a certificate of competency under the Navigation Act and every person engaged as a diver is required to hold a license under a penalty not exceeding £10. We believe it is just as necessary to protect the workmen in this colony as it is to protect the employer.

Mr. HAMILTON: Why not go further and propose that the boats should be manned solely by white labour?

Mr. TURLEY: We on this side are prepared—which the hon. gentleman is not—to exclude coloured labour altogether from Queensland.

Mr. HAMILTON: Do you propose to prevent all black labour from working the boats?

Mr. TURLEY: We are prepared to accept an amendment that no license shall be issued to any person, except he comes under the definition in this Act, either to own a boat or to take charge of a boat or to dive.

Mr. HAMILTON: That is shirking my question.

Mr. TURLEY: Further than that, we are prepared to do what the hon. member is not prepared to do. We are prepared to keep black labour out of the colony altogether. We are prepared to take back the treaty and prohibit Japanese from coming here, while the hon. member is only prepared to prohibit them from becoming employers. We are told that their influx is checked to a great extent by the passport system, but how do we know?

The SECRETARY FOR PUBLIC INSTRUCTION: I gave the latest information.

Mr. TURLEY: I have information here which may be supposed to be fairly reliable, as it comes from the Brisbane Chamber of Commerce. It is contained in the *Courier* of 6th December last, so that is not very ancient; in fact, the whole matter has not been dealt with yet.

Mr. LEAHY: The result has not been published.

Mr. TURLEY: The public do not know that it has been. They only know that a committee was appointed—

The Japanese were even now engaged in building their own boats for the trade, and the result would be the impoverishment of the beds.

The beds are to be impoverished only because the Japanese own the boats. The Government are prepared to stop them from owning beds, but they are not prepared to protect the worker as well as the employer.

The whole of the slips or docks where these boats were built on Thursday Island were in the possession of

Japanese. The Japanese population was taking possession of the island. In 1890 there were but 22 Japanese on the island; in 1892, 32; and in 1894, these had increased to 222. In 1896 there were 233; in 1897, 331; and at the present time, 619. These were resident on the island, and it was estimated that there were an equal number afloat. Other aliens had increased from 234 in 1890 to 575 at the present date, while the entire white population only numbered 603. He considered that this was a deplorable state of things, and prospective of the entire extirpation of the white race from the island, and the proper course would be to refuse licenses to foreigners unless they were naturalised subjects.

We are not prepared to go so far. Then I find that according to the *Wide Bay and Burnett News* of 17th December the chairman of the Chamber of Commerce at Maryborough referred to the influx of Japanese and other aliens at Thursday Island and elsewhere in the North, and that the Chamber of Commerce should take action in the matter to urge the Government, through their members, to take steps to check the influx. Mr. Corser pointed out that the Premier had introduced a Bill dealing with the matter, and after some discussion the subject dropped. That shows how wrong ideas get about. This Bill does nothing to prevent the influx of Japanese, but yet the chairman of a chamber of commerce runs away with the idea that it does. It merely deals with the ownership of boats. It does not even restrict them from engaging in other occupations. The Premier in introducing the Bill read a number of regulations, but from all I can gather the information he received from South Australia was to the effect that by their regulations they prohibit aliens from engaging in any occupations for which licenses are required.

Mr. HAMILTON: No.

Mr. TURLEY: The hon. member cannot show me that it was any different from what I say. The hon. member stated that their regulations prevent licenses from being issued, but he did not state whether they were required to have licenses to own boats and act as divers. So far as we know licenses are not issued to aliens at all, and that is what we are asking shall be done here.

Mr. HAMILTON: That is not true.

Mr. TURLEY: The hon. member has not spoken yet, and he will have an opportunity of pointing out whether it is true or not when he does speak. He does not know whether it is true or not. When the Premier was reading the information he had received from South Australia he did not state whether these licenses were confined to persons who commanded boats, or whether they had to have licenses to engage in the industry at all.

Mr. HAMILTON: I personally happen to know that your statements are not correct.

Mr. TURLEY: Let us see how far we have the opinions of hon. gentlemen registered on this question. We want to know how it is that their opinions change so wonderfully and so quickly. On 11th December, 1896, a Bill was being discussed which dealt with the pearlshell and bêche-de-mer questions, and the hon. member for Croydon moved that a new clause be added containing exactly the same principle as is contained in the Bill now before us. It read as follows:—

From and after the thirty-first day of December, one thousand eight hundred and ninety-six, no licenses for boats under the Pearl-shell and Bêche-de-mer Fishery Act shall be issued to any Asiatic or African alien.

The SECRETARY FOR PUBLIC INSTRUCTION: How is it you oppose this now?

Mr. TURLEY: Our contention is that the men engaged in the industry should be protected in the granting of licenses, and that no licenses should be issued except to persons who come under the definition of this Bill.

The SECRETARY FOR PUBLIC INSTRUCTION: Then this Bill is good as far as it goes?

Mr. TURLEY: I am satisfied to admit that.

The SECRETARY FOR PUBLIC INSTRUCTION: The hon. member for Rockhampton said it was all wrong.

Mr. TURLEY: I am not responsible for everything the hon. member for Rockhampton says. On the occasion I have referred to it was pointed out by the hon. member for Croydon and others that something should be done in this direction, but what did we hear then from the Secretary for Public Instruction? He pointed out that the clause would be absolutely inoperative.

The SECRETARY FOR PUBLIC INSTRUCTION: Outside the three-mile limit.

Mr. TURLEY: This is what he said—

The SECRETARY FOR PUBLIC INSTRUCTION pointed out that the clause would be inoperative if it were passed, because boats, instead of being registered in the names of aliens, would be registered in those of white people.

Is this Bill going to be more operative than the clause proposed at that time? The hon. gentleman must admit that the Bill is merely fire-works brought in for electioneering purposes. He went on to say—

Queensland had no jurisdiction over the greater part of the fishing grounds, and therefore there was no particular necessity for these people taking out licenses at all, except it was convenient for them to make Queensland their headquarters. If the Japanese sent a ship here and made a depot of her, they need not take out licenses. They could take all the shell they chose without restriction.

The SECRETARY FOR PUBLIC INSTRUCTION: That is perfectly true.

Mr. TURLEY: The hon. gentleman knows that the greater part of the fisheries is within the three-mile limit, and the limit is, in some portions at all events, defined as the barrier. He said further—

As Queensland could exercise no dominion over the greater part of the fishing grounds, they had better let things remain as they were, so that they might secure a little benefit from the trade.

The SECRETARY FOR PUBLIC INSTRUCTION: You are opposing the clause which you supported then.

Mr. TURLEY: I am not. The hon. gentleman does not seem to see the difference between passing the clause and saying that it should be extended to all persons engaged in the industry. At the period to which I refer we also find that the hon. member Cook is reported in *Hansard* to have said—

Mr. HAMILTON was also of opinion that the clause, if passed, would be inoperative. He believed there was no one more anxious than the Secretary for Mines to encourage white shellers as against black or coloured; and there were provisions in the complete measure, not yet introduced, which would be far more effective in that direction than the proposition now before the Committee. He knew that the hon. member was in earnest, but the clause would not have the effect he desired, and for that reason he could not support it.

On division there were seventeen who voted for the clause and twenty-five against it, and the only member on the other side who voted for it was the present head of the Government. The hon. gentleman told the member for Rockhampton that because the Government introduced the Bill he was opposing it, but I think he opposed it simply because he does not believe in it; and I am pointing out that it was because the amendment which I have quoted was introduced by a member on this side that it was opposed in 1896 by the Government. Whilst at that time we were prepared to go as far as they are prepared to go now, yet we recognised that there was something else to be protected besides the interests of the property-owner. No

doubt the men who have controlled the industry are worthy men, and have carried on the industry to the best of their ability, but while we protect their property we should protect to the same extent the people whom they employ. I shall not oppose the Bill, but hope when we get into committee there will be an opportunity of testing the sincerity of hon. members opposite—to see if they are willing to protect the interests of the white workers of Queensland as well as the interests of property-owners.

Mr. STEWART: We have heard a great deal this afternoon about international law, and I must confess it was very amusing to listen to the Secretary for Public Instruction in his rôle of explaining international law. The hon. gentleman's knowledge of that subject, like his knowledge of a great many other matters, is extremely limited.

The SECRETARY FOR PUBLIC INSTRUCTION: Well, I got it from the British Encyclopædia. That is my authority, but of course you know it is all wrong.

Mr. STEWART: I know the hon. gentleman has swallowed the encyclopædia, but apparently he has not digested it, and I propose to give the hon. gentleman one or two facts which will knock his ideas upon international law metaphorically into the cooked hat. I know that hundreds of citizens of the United Kingdom go to the United States of America every year and engage in fishing there.

The SECRETARY FOR PUBLIC INSTRUCTION: But not in their own boats.

Mr. STEWART: Yes, actually in their own boats. The hon. gentleman surely knows that it takes five years before a European can become a citizen of the United States.

Mr. LEAHY: What! Five years?

Mr. STEWART: Yes, five years before he can become a full-fledged citizen of the United States. Do hon. gentlemen imagine for a moment that men going from Europe to America wait five years before they can engage in any occupation, own property, or do anything of the kind? I will give the Secretary for Public Instruction another fact that will surprise him more than the fact I have mentioned.

The SECRETARY FOR PUBLIC INSTRUCTION: That is not a fact.

Mr. STEWART: I know it is a fact. I will give him another which will appeal to him more than the one I have stated. I know that men go from Norway and Sweden to the north of Scotland, and engage in the fisheries there in their own boats, and they are not naturalised, and nobody interferes with them.

The SECRETARY FOR PUBLIC INSTRUCTION: They may not be prosecuted, though they are liable to prosecution.

Mr. STEWART: I do not intend to make any further excursion into international law, but even if I cared to do so I say that, in connection with an alien and entirely undesirable race, so far as we are concerned international law ought to be set on one side. What is the object of this Bill? If I took the Bill as it is written I would conclude that I should support it, but knowing the spirit that animates it, the interest that inspires it, the reason why it has been brought forward, I say that it is the most scandalous measure ever submitted to this Chamber since I have had the honour of being a member of it. What is the Bill and the circumstances which have led up to its introduction? We know that for many years the pearlshelling industry has been carried on at Thursday Island, and that for some time white men principally were engaged in the industry, not only as owners but as hired men. We know also that by-and-by the owners discovered that it was possible for them to get labour which was cheaper than the white

labour, and out of which they would make more profit. Therefore they cast their eyes over to Japan, and the subjects of Japan, much against the will of hon. members on this side, and much against the will of the people of this colony, were brought to Thursday Island in hundreds. Oh, what splendid fellows those Japanese were! What excellent divers they made! But now they have become excellent owners, and the attitude towards them has completely changed. The Japanese were sober and reliable, and the white men were not. The Japanese had all the virtues under the sun, and the white men all the vices. But now that the Japanese have developed that most excellent virtue of thrift, about which we hear so much from hon. gentlemen opposite, a Bill is brought into this Chamber seeking to penalise them—seeking practically to confiscate their property. Can any man who even pretends to political morality support such a scheme as this? The Premier in introducing this Bill said it only dealt with one phase of the subject. The hon. gentleman says it will restrict the invasion of Japanese—that is one purpose of it, and another is to protect the fisheries upon our seaboard for British subjects. We have the authority of the poet for it that "A lie which is half a truth is ever the blackest of lies"; and this proposal, which hon. members opposite would have us believe is a half attempt to deal with the Japanese question, is infinitely worse than no attempt at all. If these Japanese had not been practical, thrifty men, who desired to benefit themselves and advance their social circumstances, we never would have heard of this Bill at all. If they had been content to work and slave and die in those Northern waters for Burns, Philp, and Co. and James Clarke and Co. there would never have been the slightest mention of such a Bill. But these men were of a different stamp to what was expected, and they found they could do better for themselves than by sweating and toiling and mooling for Burns, Philp, and Co., or any other Northern syndicate. Hon. gentlemen opposite believe in freedom of contract and have prostrated themselves before it as a fetish, but they don't want freedom of contract here. Instead, we have this Northern firm, a representative of which sits on the Treasury bench, coming down to Brisbane and whining and moaning that the Japanese had beaten them out of the field. Not so long ago when hon. members on this side claimed that it was improper to allow Chinese upon our goldfields, we were asked what kind of a white man it was who could not take care of himself in competition with a Chinaman; but now we find that the capitalistic white man has got to go down before the yellow man, and instead of fighting the battle out bravely, as he advises the working miner to do, he comes whining and puling and crying into this Chamber and asks the people of the colony to assist him out of his difficulty. I am not going to be one to assist those gentlemen out of their difficulty. If it had not been for those men the Japanese would never have been in the colony. They have raised this difficulty, and I say "Let them deal with it." A more contemptible and more cowardly action, a more un-Britishlike proceeding I have no record of than this measure. In addition of what was said by the hon. member for Rockhampton, I would like to ask how is it that the Premier had the Standing Orders suspended before he brought in a measure of this character? It appears to me, to quote the classic language of the Secretary for Public Instruction, to have an extremely fishy look. Did the hon. gentleman imagine that a measure such as this, which is a direct attempt to legalise slavery, would not have the very strongest opposition from

this side of the House, and did he therefore not only delay bringing it in till the last hours of the session, but also take care to have the Standing Orders suspended so that he might get the whole thing rushed through in one day? If that is constitutional government, I have no desire to be associated in any way with people who govern in that fashion. I do not believe if the hon. gentleman was here in opposition to a Government that attempted such a disgraceful course of conduct that he would consent to it. He would make the country ring with the shame of a Government that attempted such a thing. We are told that this is a measure to protect our own fisheries for our own subjects, and if it was a measure of that character no member of this Chamber would support it more strongly than myself. But it is not a measure to do that. It merely protects the persons who own the boats; it merely declares that licenses should be given only to boats owned by British subjects, and it does not protect the men. We want to protect the men engaged in the fishery, not merely the men who find the capital for the boats. If the hon. gentleman is honest enough and patriotic and game enough to extend protection in that direction to the workers of the colony, every member on this side will give him all the assistance in his power, but if he comes forward merely as the advocate of class legislation of the most pernicious character he can get no support from me, but will get the most pronounced opposition I can offer. Seeing that we are dealing with a matter of this importance, it is as well to see what the people of Thursday Island think on the subject, and I would refer hon. gentlemen to "Votes and Proceedings for 1897," vol. 2, p. 1318. The Hon. John Douglas, Government Resident, was asked by Mr. Hamilton, question 17:—

You say the European divers have all gone. Why?

This is the answer—

You may possibly get evidence upon that point from the gentlemen whom you will call. Unfortunately, the European divers who have succeeded have sometimes also exceeded. I am quite confident that a man who chose to live soberly as a European diver could make money, and there are lots of sailors on the coast who could become skilful divers if they lived abstemiously. I maintain that this evidence is of very great importance. It shows that the Hon. John Douglas is of opinion that white men can live and dive there, and become skilful.

Mr. TURLEY: They always used to do the work.

Mr. STEWART: We do not know whether these men live abstemiously or not. All that concerns us here is that white men can do the diving there if they are afforded the opportunity. But as long as cheap aliens can be got, white men will not be afforded the opportunity. What we claim is that if you protect the white boat-owners from competition with the Japanese you should extend the shield also to the white worker. I find that Mr. Hoolan asked the same witness—

You advise us to turn our attention to the Japanese aspect of the question?

And the reply was—

It has to be taken into consideration.

Then he was asked—

In your opinion the pearllshelling business is assuming an entirely new complexion?

And he replied—

It is passing rapidly into the hands of the Japanese. They are becoming the owners of boats, though not to the extent that was at one time supposed, and they are the only ship carpenters in the place.

It appears that not only are the Japanese monopolising the boats at Thursday Island, but they are also entering into competition with the boat-builders. How is it that we have not a proposal here to protect the boatbuilders against

the Japanese? I am sure that with the skill we know the Japanese possess, no British boat-builder can compete with them at Thursday Island; and how is it we do not find this patriotic Government, which is so desirous of keeping the resources of the colony for its own people, protecting its own boatbuilders? Here is Mr. Smyth, who appears to have a pretty shrewd idea as to what would happen if such a law as this were passed, asking at question 26—

If Japanese were not allowed to own boats. I suppose they would evade that in some other way?

To that the witness replied—

I suppose they would.

Then he was asked—

They could always get someone to own the boats for them?

And the reply was—

They might. Unless you make up your minds to administer a very serious blow to the whole industry, I do not know how you are going to stop it. But a radical cure of some kind is necessary if you wish to preserve the industry for our own people.

Then, further on, Mr. Dawson puts a question—

I want to know whether you think, if every Japanese on board a boat was compelled to take out a diving license, it would be any relief to those who engage white divers?

And here is the reply—

I doubt whether at present it would bring white divers here. If you wiped out the Japanese altogether, and had a clear field, it is possible white divers might again frequent the place. But that would mean wiping out the industry for some time.

We know that perfectly well. We know it is true. If the Japanese were not allowed to go there at all the industry would suffer for a time only, but I am certain that it would eventually go back to its old position, and when the white divers found employment was to be obtained they would make their way there, and the industry would be once more upon its old footing. Mr. O'Connell asked Mr. Hudson—

If action were taken to prevent the Japanese from owning or hiring boats, what would be the result? They would dodge the law.

And he asked another witness—

Is there any evidence which you wish particularly to give? Yes, on the subject of Japanese. That is the principal trouble we have to meet in the future. At the present time they are controlling a very large portion of the industry, and unless we take some steps now to check them it means that we will all be wiped out in the near future. We have got a better show with floating stations than the people on the shore, but we cannot expect to compete with the Japanese.

Then another question—

Have you anything to recommend which would be a serious check upon the Japanese? I would recommend that the Government refuse to renew their licenses. Whether they will have to compensate them is a question for the Government to consider, but by dealing with the question in that way it would not open up such a big question all at once.

Here is a very important question by Mr. Hamilton—

Is there any section on the island who are in favour of retaining the Japanese, and if so, what are their reasons? There are two firms I know of who rent their boats to the Japanese at so much a month, but of those only one—Aplin, Brown, and Crawshaw—has a great interest in it. If those boats were in the hands of white people, the money would be spent and circulated in the island. The other firm is Burns, Philp, and Co. They have nothing to gain by doing away with the Japanese.

Have Aplin, Brown, and Crawshaw anything to lose by it? Yes. They have rented about eighteen boats to the Japanese, and if the licenses were done away with they would either have to work the boats themselves or rent them to white men.

Have Burns, Philp, and Co. anything to gain or lose by getting rid of the Japanese? Yes.

I really do not know what that means; the answer would suit either way. Another question—

Mr. HAMILTON: Take it in connection with the previous question.

Mr. STEWART: The context does not tell us, but that evidence lets the light in; it shows us where the trouble is in a very great measure. Here is another question by Mr. Hamilton—

Is it because the other coloured races are satisfied to accept the position of employees that you think it would be better, in the interests of the whites, to exclude the Japanese? Yes.

Do Japanese own any property on the island? I think not.

Another question—

Are they hiring many boats? Yes. They have a majority of our boats—about twenty.

Are they hiring many boats from other business men? Yes, a fair number.

Do you hire many to other nationalities? No, that would not turn out so well; the others are not such good divers as the Japanese.

When the Japanese only acted as divers they were all right, but when they became boat-owners they were all wrong. Then there was another witness examined by Mr. Hamilton—

Do the storekeepers prefer to rent rather than sell boats to Japanese? Yes, if a Japanese is clear of the storekeeper he will go to his own countryman for his stores, but if he is working out a boat the storekeeper takes good care that it is a long time before it is worked out. If a Japanese rents a boat from a storekeeper, part of the contract is that he shall sell all his shell to the storekeeper and buy all his goods from him.

Not only have we the alien curse in full blast, but also the truck system in all its abominations.

A question by Mr. Dawson—

Do you know of any number of Japanese owning boats here? Nominally, but I cannot say whether they are actually theirs or not. I do not think they really own any number.

Do you think that if a Japanese wanted a boat he would prefer not to be the owner but to rent it? I should imagine he would prefer to own it.

We were led last night to believe that the Japanese preferred to rent boats? That is only my opinion. I should think they would prefer to own them instead of being in the hands of the storekeepers.

And by Mr. Hamilton—

If pearlshelling is such a success, and Japanese are such excellent workers, how do you account for the evidence given us that Japanese who purchase boats have generally to return them to the storekeeper through being unable to conclude the purchase? I imagine the conditions are so stringent that they cannot meet them.

Another by Mr. Dawson—

We are told that the Japanese are the best divers in the Straits. What is your opinion? I do not think so. When there were a number of white divers here they seemed to get as much shell and make as big cheques as the divers do nowadays. But they were more improvident; they knocked down their cheques, and that is really the reason why they have not boats to-day.

You personally would not be willing to admit that you would have to "knuckle under" to a Japanese as a diver? I should be very sorry to do so.

I think that evidence shows clearly where the shoe pinches at Thursday Island. Another witness states—

Do any of them own freeholds here? I cannot say. The influence of the Japanese extends back to about four years ago, when they were first introduced. Previous to that time, it is undeniable that business on Thursday Island was in a very prosperous condition. Since their advent the prosperity of Thursday Island and neighbourhood has greatly decreased, until at the present time it is at as low an ebb as it has ever been. Four years ago there was plenty of money to be made and plenty of money in circulation in Torres Straits. At the present time the business people are complaining of the scarcity of money in circulation. The shelling industry is in just as prosperous a condition now as it has ever been; that is borne out by last year's returns. A greater quantity was exported, and the price is nearly as high as it has ever been. The fact remains that Thursday Island is suffering from depression, and we cannot account for that fact unless we turn to the Japanese for a solution of the difficulty. Previous to the advent of the Japanese the money paid as wages was paid to people who were

essentially British, although they were coloured. The money was spent here, and the consequence was that there was no such thing as depression. Now that the Japanese have got a strong hold of the island, storekeepers complain of the dulness of business.

I think the evidence I have read demonstrates conclusively that the pearlshell industry, like the sugar industry, can be carried on by white labour. If that is the case, why do we have these aliens at Thursday Island? Simply that Burns, Philp, and Co. may make big profits out of the blood and sweat of these poor aliens.

Mr. HAMILTON: Who made a profit out of kanakas at Rockhampton?

Mr. STEWART: The hon. gentleman sits at the table and interjects a lot of lies.

The SPEAKER: Order, order! The hon. member is not in order in making such an accusation, and must withdraw it immediately.

Mr. STEWART: I withdraw it, but he does it all the same.

The SPEAKER: The hon. member must withdraw the accusation unreservedly.

Mr. STEWART: Well, I do so, but at the same time, if I am not mistaken, one hon. member was checked for sitting at the table and interjecting, but I do not find that the member for Cook is checked. I say that the hon. member's innuendoes are utterly beside the mark.

Mr. HAMILTON: You take them to yourself.

Mr. STEWART: He has flung these innuendoes at me many times since I have been in this House.

Mr. HAMILTON: How many do you fling?

Mr. STEWART: I can afford to ignore the hon. member's scurrilous tongue.

The SPEAKER: Order! The hon. member is indulging in very strong language. I must ask him to withdraw the word "scurrilous." It is entirely unparliamentary, and must be immediately retracted.

Mr. STEWART: Then I withdraw it. People who know me sent me here, and if they know anything of the kind about me such as the hon. member hints I would not be here. I would just say to the hon. member that the more careful he is with regard to his innuendoes about people the better it will be for himself.

Mr. HAMILTON: You are the greatest slanderer in the House.

The SPEAKER: Order! I ask the hon. member for Cook not to interrupt. The hon. member has repeatedly been called to order for making interjections, and must desist.

Mr. STEWART: I may just say that there is no member of this House who indulges more in personalities than the hon. member for Cook.

The SPEAKER: Order! I really must ask the hon. member to come back to discussion on the Bill.

Mr. HAMILTON: The hon. member is always giving us lectures.

Mr. STEWART: Yes, and hon. members require them, but I never interfere with members' personal affairs. The hon. member revels in mud and filth and dirt.

The SPEAKER: Order! I ask the hon. member to get back to the Bill. These recriminations must cease.

Mr. HAMILTON: The hon. member must withdraw those words. He made a reference to me revelling in mud and filth and dirt.

The SPEAKER: I did not hear the hon. member. If he said that he must withdraw the words.

Mr. STEWART: Oh then, I withdraw them.

The HOME SECRETARY: Oh, yes. There is nothing easier, of course.

Mr. STEWART: But the hon. member reveals all the same.

The SPEAKER: Order! The hon. member must withdraw the words unreservedly. I have

repeatedly warned him, and if he continues to offend I shall have to call upon him to resume his seat. I trust hon. members will allow the debate to proceed without these continual interruptions.

Mr. STEWART: Well, to get back to the subject, I think I have conclusively shown that the pearlshell industry can be carried on with white labour.

The SPEAKER: Order! I would remind the hon. member that that is not the question. There is nothing about the employment of black labour in the pearlshelling industry.

Mr. STEWART: I wish to extend the scope of the Bill, and I am quite within my rights in showing how that should be done. I really think that in the interests of fair discussion such a hard line of demarcation should not be drawn. I desire to extend the scope of the Bill, so that licenses should be issued to boats not only owned by British subjects, but which are also manned by British subjects.

The SPEAKER: Order! The hon. member is not in order in doing that now. He will be in order in doing so in committee. It was stated by one hon. member that he hoped such an amendment would be moved, but he did not argue in favour of it. The hon. member must see that this is not the time to do so.

Mr. STEWART: This Bill deals with aliens, and surely I am in order in showing that they are not necessary on Thursday Island.

The SPEAKER: The hon. member is in order in showing that aliens should not be allowed to be licensed as boat-owners, but beyond that he cannot go.

Mr. STEWART: I must say that your ruling confines the discussion to exceedingly narrow limits. I think in discussing such a measure we ought to take into consideration its spirit as well as the results which are likely to follow from its passage. In view of the great social and industrial evils likely to follow from the presence of a large alien servile population so close to our shores, I ask whether it would not be more to the advantage of Queensland that the bêche-de-mer industry should be abandoned altogether? Looking at it from a financial point of view, I find that the revenue we derive from it is extremely small. In 1896 there was exported from Thursday Island, roughly speaking, £100,000 worth of pearlshell and tortoiseshell, and all the revenue we got from that was, for licenses £1,301 5s., and shipping fees £780 15s. 6d., a total direct revenue of £2,082 0s. 6d. Of course we have the indirect revenue from the contributions of whites and aliens on Thursday Island and the surrounding islands to the Customs. Estimating those contributions at £3 per white man and £1 for each alien—a fair estimate, I think—the contributions would only amount to about £4,000 per annum. So that, so far as I can gather, the total revenue direct and indirect from the industry is not more than £6,000 a year. Against that we must set off the cost of management, and the general administration of the island, apart altogether from the garrison, costs £3,773; water police, £666; and a prison costing £500. The administration then costs about £5,000, and the amount of revenue we derive from the industry is only a paltry £1,000 a year.

The PREMIER: The Defence Force would have to be kept there under any conditions.

Mr. STEWART: I quite understand that, and if I might be permitted to touch ever so slightly upon that aspect of the question, I would say that one very good reason why aliens should be entirely swept out of Thursday Island is that Thursday Island is looked upon as one of our principal outposts.

The SPEAKER: Order! The hon. member is going entirely away from the subject of the Bill. It is not a question of sweeping aliens out of Thursday Island, but of refusing them licenses to fish.

Mr. STEWART: With all due respect to you, Sir, I take it the question is this: You said that we are not discussing the question as to whether it is desirable that aliens should be there or not, but we are discussing whether they should be allowed to have licenses or not, and so far as that is concerned, we are discussing not only the presence of aliens on Thursday Island, but their social, industrial, and political position, and so far as I can see I am quite within my right in discussing aliens.

The SPEAKER: The hon. member is quite within his right in dealing with aliens, so long as he confines his remarks to the issue of licenses to them, but he was discussing the question as to whether aliens had any right to be there for any purpose whatever.

Mr. STEWART: I think I have shown that, taking into account the revenue we derive from it, it really does not matter two straws whether the pearlshelling industry is entirely abandoned to-morrow or not. We would not be a single penny the worse for it; but morally, socially, and industrially, we would be very much the better for it. Suppose this Bill is passed as it stands, what will be the result? It will simply be that instead of Japanese holding licenses direct from the Government and owning boats themselves, the boats will be owned in future as they were originally, by local companies who will hire them to the Japanese. So that the Bill is merely a proposal to enable these firms at Thursday Island to sweat the Japanese. I will not be a party to assist in sweating any person engaged in any industry, whether that person is an alien or not. I object to all aliens being here, but when they are here they ought to be treated as human beings, and not as slaves. The Premier told us that the object of the Bill is to preserve the fisheries for our own people. That is a very laudable ambition, and if the hon. gentleman would only practice what he preaches no one would be more heartily with him than myself. But he does not do that, and the Bill does not attempt to preserve the fisheries for our own people, but only for a section of our own people. That is why I object to it, and why I will not be a party to any distinctly class legislation of this kind, which raises barriers between class and class and sets the capitalists up on a pinnacle where he shall be entirely free from competition at the same time that it sets the white worker in opposition to the cheap and reliable coloured alien. We have been told that this is at least a step in the right direction, and if I thought so—if I thought it would ultimately lead to the exclusion of aliens—I would vote for it, much as I disapprove of it. Instead of this being a step in the right direction, I maintain that it is travelling altogether in the wrong direction. The only way to settle the alien question is to get all classes of the community unanimous on the point, but if you give one class a money interest in alien labour it only means that that kind of labour is going to be perpetuated. And this provision will give that interest to a particular class, so that the result will be to perpetuate this evil. For these reasons I intend to vote against the Bill, and if the second reading is carried—if no other hon. member does it—I will take advantage of the committee stage to move an amendment which I believe will draw the teeth of the Bill.

Mr. BROWNE: I may say that this is a matter in which I have taken a great interest for years, and though the Bill does not go as far as I would like, at the same time as it embodies a clause which I had the honour to present to the

Committee myself some two years ago, I am pleased to see that hon. members on the other side have come to recognise the difficulty I then pointed out, and have come round to the way of thinking of members on this side.

The SECRETARY FOR PUBLIC INSTRUCTION: There is a great difference between the clauses.

Mr. BROWNE: The difference is that the clause in this Bill does not seem to go quite as far as mine did, but it is refusing to grant licenses to aliens, and that is the principle of the clause I moved in December, 1896. I hold just as strong opinions on the subject of alien labour as the members who have spoken on this side of the House. I do not believe in going to work piecemeal and singling out any section of the community for different treatment to others, and if there was a possibility of the exclusion of coloured aliens or the prohibition of coloured aliens from coming to Australia, I would support that heart and soul. But we cannot do that, though this is going a little way towards it. It is contended that it is a matter of injustice to these aliens if they come here not to give them the same rights as other people. We must all admit that as a matter of abstract justice, but if we go further than that and take up the principle which I and other hon. members have advocated—the total exclusion of coloured aliens—can they pretend that that is abstract justice? I look upon this question not as a question of abstract justice at all, but as a question of the self-preservation of the white races against the deteriorating influence of the coloured races; and any step that can be taken, however small, to achieve that object I am always willing to support. I quite agree that this Bill has been introduced for the benefit of a certain section of the community, and that it has been introduced from selfish motives; at the same time, if the thing itself contains even a small amount of good it is not for me to criticise the motives that led to its introduction. I know that the men who have been agitating for the relief to be given by this Bill were, three or four years back, most ardent in introducing Japanese labour, and were as strongly opposed to me as possible when I introduced my clause in 1896. At that time the evil did not touch them. The Japanese were next door to serfs, and they never dreamed that these coloured men would compete with them. Now, however, they find that the Japanese are men possessed of a superior intelligence to other coloured races, and are poaching on their preserves, and they want to block this. They may be moved by a selfish motive; but as long as a move is made in this direction I am going to give it my support, because I want to see these men kept out of the colony altogether. I am not going to make a long speech, because I think the Bill has been pretty well discussed already; but I will say that the principle of the Bill is the same as I advocated in 1896, though it does not go as far as I should like, and when it gets into committee I intend to move an amendment by which its operation will be extended to divers and men in charge of vessels engaged in the pearlshell industry.

Question—That the Bill be now read a second time—put; and the House divided :—

AYES, 43.

Messrs. Dickson, Philp, Chataway, Murray, Glassey, Foxton, Leahy, Annear, Petrie, Hamilton, Newell, Turley, Stodart, Maughan, Dalrymple, Jackson, Bridges, Cribb, Dunsford, Dibley, Battersby, Smyth, McDonnell, King, Groom, Drake, Curtis, Fogarty, Hood, Story, Browne, Daniels, Morgan, Collins, Stephenson, Finney, Grimes, McMaster, Lissner, Kerr, Smith, Callan, and Cross.

NOES, 2.

Messrs. Stewart and Kidston.

PAIRS:

Ayes—Messrs. Corfield and Castling.

Noes—Messrs. Keogh and Boles.

Resolved in the affirmative.

#### COMMITTEE.

Clause 1 put and passed.

On clause 2—"Qualifications of owners, licensees, and lessees, etc."—

Mr. KIDSTON said he would move that the words "and manned" be inserted after the word "owner," on the 1st line of the clause. His sentiments did not apparently meet with the approval of hon. members, but still he was going to give expression to them. The Premier said that the object of the Bill was to keep the fisheries for people of their own race, and if it would have been likely to have that effect, he would have been very earnest in supporting it. But his opinion was that it would not keep the fisheries for people of their own race, and therefore he objected to it. If this amendment were inserted it would undoubtedly have that effect, and therefore, if the Premier were in earnest, he would accept it. One of his objections to the Bill was this—

The CHAIRMAN: Clause 2 is now before the Committee, and the hon. member said he intended to move an amendment. Surely he will allow the amendment to be put. He cannot go over the whole Bill as he could do on the second reading.

Mr. KIDSTON: Would it not be well to allow him to move the amendment and give his reasons. He was dealing most pertinently with the clause. It had been urged that the Bill would keep Japanese out of Queensland, but he had shown that it was simply giving a money interest to Northern merchants to bring Japanese in. If the amendment was carried they would not have that money interest, because the merchants would not be able to employ the Japanese. If the Bill was valuable without the amendment, it would be doubly valuable with it. It would encourage the growth of a maritime race, who would be very valuable for purposes of naval defence. Where would the jolly tars of Old England have been if England's fisheries had been allowed to get into the hands of Japanese? If they neglected to cultivate such a maritime race they would have no one to fall back upon in times of trouble. He moved the amendment he had mentioned.

The PREMIER: The object of the Bill was to maintain the ownership of pearlshelling boats in the hands of British subjects, but it was not intended to exclude people of other nationalities from obtaining employment in those boats. The Royal Commission who dealt with the matter laid great stress on the fact that aliens should not be allowed to own or hire boats, but they pointed out that if Japanese were entirely excluded their places as employees would be filled by other coloured races. He did not think the hon. member strengthened his argument by referring to the fact of a maritime population growing up who would be useful for purposes of defence, because he was not aware that diving was an indispensable accomplishment of the British seaman. If the hon. gentlemen's amendment were carried it would have the effect of wrecking the Bill, and it could not be accepted by the Government.

Mr. HAMILTON regretted that he had been unable to speak on the second reading, because the long speeches of members opposite had gagged members on that side who had desired to make some pertinent remarks upon the Bill, as they realised that much further discussion on the second reading of the Bill at that late period of the session would prevent it being passed. Hon. members would see, by reference to the report of the commission, that the whole of the members—including Messrs. Hoolan and Dawson, colleagues of members opposite—agreed in the recommendation to which this clause gave effect—that no alien should be allowed

to own or hire fishing boats. It would be seen by the report that their colleagues did not recommend any further restriction regarding alien labour, because they could see that by doing so they would injure the white population of the place. The life of the men on those boats was such that those who advocated that white men should go into it and take the place of the black crews would not go into it themselves, and the takings of the industry were not sufficient to afford for white men the wages they would be entitled to for undertaking such hardships. With regard to the statement of the hon. member for Rockhampton that the coloured population was increasing rapidly year by year, he pointed out that in 1886 it was 30,982, and last year it was only 20,148, though the white population had in the same time increased greatly.

Mr. STEWART was very sorry the Premier could not see his way to accept the amendment, which would effectively carry out the object the hon. gentleman professed to have in view. It now appeared that what the hon. gentleman really desired was not to preserve the fisheries for their own people, but to preserve only the ownership of the boats for their own people. Why the property of the owners in their boats should be protected, while the property of the white men engaged in the industry in their labour should not, he could not understand. Did hon. gentlemen opposite, and hon. gentlemen on his own side, believe in protecting one kind of property against all competition and casting the other into the very whirlpool of competition? He would be no party to that kind of thing, and every man who believed in the equality of citizenship and with whom the assertion that all men were equal before the law was more than a mouth utterance, would vote for the amendment. He was not surprised that the Government did not accept it, as that was only in harmony with their policy as a class Government.

Mr. KIDSTON quite recognised that the members of the Pearlshell Commission believed they were doing a service in recommending that the matter should be dealt with in what appeared to them the best possible way at the time they made their recommendation. All that he desired to do was to carry their recommendation a little further—to make it completely effective. He thought that what he proposed could be done, and he did not think the alien question would ever be settled in Queensland until it was dealt with in the spirit of thorough-goingness which characterised his amendment, and in moving it he was desirous of finding out who was prepared to deal with the question thoroughly.

Mr. HAMILTON: When the Japanese were masters they were very acquisitive—they took everything they could get when they got on the beds, and the industry was greatly injured in that way. They liked to be masters, and if they were not allowed to rent boats that would take away the great inducement there was for them to come here, because they could not make so much money when they were hired men as when they had boats of their own. He was sure that the members of the commission would have recommended the exclusion of coloured men from the industry altogether if they had not thought that such a course would do harm to the white men on Thursday Island. From evidence received by the commission they hoped the labour question might be solved in time by the leasing of cultivation areas for the propagation of pearl oysters only to white men, and to be worked only by white men. The cultivation of the common oyster had proved such a success in Moreton Bay, and he thought, and it was also the opinion of experts, that similar success should attend the cultivation of the pearl oyster.

The CHAIRMAN: I must ask the hon. member to confine his remarks to the amendment before the Committee.

Mr. HAMILTON: With the permission of the Committee he might say that the commission wished to solve the question of preserving the beds by allowing white men to take up areas and cultivate the oyster.

Mr. GLASSEY: The hon. gentleman's argument was that the boats should be owned by white men but it was essential that they should be manned by coloured men. He would prefer to see the boats both owned and manned by white men.

Mr. KIDSTON: The hon. member for Cook said that one objection he had to the Japanese was that they were not honest.

Mr. HAMILTON: No. I said they were more acquisitive.

Mr. KIDSTON: There was a case which had become historic, where a large quantity of shell, under size, had been seized. Was that got by Japanese? No doubt the Japanese were very acquisitive, but they had to be very acquisitive indeed before they could beat some white men in that line.

Question—That words proposed to be inserted be so inserted—put; and the Committee divided:—

AYES, 15.

Messrs. Glassey, Maughan, Kerr, Kidston, Sim, King, Browne, Hardacre, McDonnell, Cross, Jackson, Dibley, Dunsford, Stewart, and Daniels.

NOES, 36.

Messrs. Dickson, Foxton, Philp, Chataway, Murray, Dalrymple, Newell, Smith, Finney, Leahy, McGahan, Grimes, Hood, McMaster, Collins, Curtis, Bell, Bridges, Fogarty, Drake, Groom, Morgan, W. Thorn, Cribb, Lissner, Smyth, Battersby, Stephenson, Stodart, O'Connell, Callan, Stumm, Story, Hamilton, Petrie, and Fraser.

PAIHS.

Ayes—Messrs. Keogh and Boles.

Noes—Messrs. Corfield and Castling.

Resolved in the negative.

The PREMIER: He wished to move that the words "or until he," in line 6 of subsection 1, be omitted, with a view of inserting "nor until the owner."

Mr. KIDSTON: Before the hon. gentleman moved that amendment he would like to ask him if they were to understand that it was the intention of the Government to refuse to recognise a claim put in by a Japanese merchant for denization papers? Could the Government, under subsections (b) and (c), refuse to recognise his residence here?

The PREMIER: The hon. member was fond of putting questions in an enigmatical form, and of asking questions which had not the slightest bearing upon the matter under consideration. If the hon. member were an alien, and made application, he would receive an answer in due course. Every case would be dealt with as it arose, upon its own merits. He could not answer every imaginary case that the hon. member brought before them.

Mr. KIDSTON: He thought the question did bear upon the clause, because if the Government granted denization papers to Japanese they could evade the whole purpose for which the Bill was brought in. It was beside the question for the hon. gentleman to say that it was not necessary to answer the question now. If the Government had not made up their minds the Bill was so much waste paper.

The HOME SECRETARY: Read the Aliens Act.

Mr. HAMILTON: The hon. member appeared to be under the impression that any alien had only to come into the colony to be entitled to apply for denization papers. For his information he would read the meaning of the term according to the Law Dictionary.

Mr. KIDSTON: I found it just where you did.

Mr. HAMILTON: The Law Dictionary said—Denization is acquired by an alien born who has obtained *ex donatione regis* the status of an English subject.

Mr. STEWART said he had a previous amendment to move. In subsection (b) he moved the omission of all the words after "persons" with a view of inserting "from Europe or of European descent." He could not see why Germans, Italians, Frenchmen, or Russians should not be permitted to own boats engaged in these fisheries. He had known many persons of those nationalities who were engaged in business without being naturalised.

Amendment put and negatived.

On the motion of the PREMIER, the clause was verbally amended on line 9, page 2.

Mr. BROWNE moved the addition of the following words to follow subsection 2—

No divers' license or license to take charge of any vessel engaged in pearlshell or bêche-de-mer fishing shall be issued to any person not duly qualified under the provisions of this Act.

He did not think the same objection could be urged against that amendment as was urged against the amendment of the hon. member for Rockhampton. There was ample evidence to show that white divers could be obtained, and it was very little use saying that aliens should not own boats when every person employed in the boats was an alien. He was in hopes that the Premier would support the amendment, seeing that in 1896 he and the hon. member for Nundah were the only two members on the Government side who supported him in the amendment he moved at that time.

The PREMIER did not think it would be in accordance with the scheme of the Bill to introduce the amendment. The hon. member would be wise not to imperil the passage of the measure by adding anything which would tend to prejudice the employment of those engaged in the industry.

Mr. TURLEY could not understand why the Premier wished to stick so rigidly to the Bill in the direction of protecting owners of boats only. The persons engaged in working the boats were larger in number than the owners, and the advent of the Japanese into Thursday Island had driven all the small men out of the industry. Now that the larger owners were being squeezed out by the very men they had imported it was sought to protect them only while there was no attempt to protect the persons who might be employed to take charge of the vessels. Life or limb or anything else apparently were not worthy of protection. All hon. gentlemen opposed to do was to protect the interests of men who had a certain amount of money invested in an enterprise. All they asked the Government to do was in some instances, at any rate, to offer the same protection to the men engaged by the boatowners as they were prepared to offer to the boatowners themselves.

Mr. HAMILTON: The hon. member, with his usual disregard for facts, said that the small owners had been driven by the larger owners out of the industry. He could tell the hon. member that a number had started lately, chiefly in connection with naked diving, but if the proposal of hon. members opposite, that they should not have the assistance of black labour, was carried, they would all be driven out.

Mr. KIDSTON: The Premier had told them he hoped the amendment would not be carried, as it might mean the wrecking of the Bill. It was evident that the Bill was only intended to remove that part of the evil which affected particularly a powerful but very small section of the people engaged in the industry. If the evil affecting those people was removed, they would have mighty small sympathy for any effort to remove the evil from the other section of the

community, and he was not sure that under the circumstances it would not be better to wreck the Bill, and thus force the powerful section to continue their opposition to Japanese labour.

Mr. GLASSEY was disappointed at the attitude of the Premier. Why should the amendment imperil the Bill? The Bill was intended to benefit the proprietors of the boats, and they were anxious to benefit those who manned them as well. If that was going to jeopardise the passage of the Bill, it was just as well that the Premier should say whether he had consulted hon. gentlemen in another place and how far they were prepared to go. Instead of jeopardising the passage of the Bill, the amendment should have the effect of stimulating hon. gentlemen in another place to pass it more readily, as being more effective than the Bill without it would be. The Premier had himself supported such a proposal some time ago, and he hoped the hon. gentleman would now exert himself and use his influence to insist upon the amendment being accepted and carried in the other Chamber.

Mr. TURLEY: The hon. member for Cook had accused him of making a misstatement when he had referred to the small boats being squeezed out. In the report of the Commission he found that the Hon. John Douglas, under examination by Mr. Dawson, gave the following evidence:—

I want to know whether you think that if every Japanese on board a boat was compelled to take out a diving license it would be any relief to those who engage white divers? I doubt whether at present it would bring white divers here. If you wiped out the Japanese altogether, and had a clear field, it is possible white divers might again frequent the place. But that would mean wiping out the industry for some time.

Are there any white men who own single boats or a couple of boats? Very few.

The only white men engaged in the industry are those who own fleets? To a large extent.

All the small men have been squeezed out? Nearly all.

That showed conclusively that the action of the big firms in bringing coloured labour to Thursday Island had had the effect of squeezing out nearly all the small men, who previously had been able to make a living in the industry.

Mr. HAMILTON: He was at Thursday Island just before the House met this year, which was long after the evidence the hon. member read had been given, and he found that a number of white men had gone out in their own boats assisted by coloured men.

Mr. TURLEY: The question was brought up by Mr. Campbell in the Brisbane Chamber of Commerce later than when the hon. gentleman was at Thursday Island, as could be seen in the *Courier* of 6th December of this year. It was then pointed out that the Japanese were all the time gaining ground at Thursday Island.

Mr. HAMILTON: It was true they were gaining ground there, and he would like to prevent it. The action the Premier was taking, in preventing any Japanese from coming to the colony except he knew the employment in which he was to be engaged, had prevented a great many from going to the fisheries during the last few months. This Bill would further assist in that direction.

Mr. STEWART was sorry he could not support the amendment of the hon. member for Croydon. If this were carried it would only intensify the evil, because it would increase the number of persons interested in the continuation of this alien labour.

Question—That the new subsection be inserted—put; and the Committee divided:—

AYES, 20.

Messrs. Glassey, McDonnell, Kerr, Cross, W. Ithorn, Jackson, Browne, Jenkinson, Fogarty, Curtis, Groom, Daniels, Drake, Turley, King, Bridges, Dunsford, Dibley, Sim, and Maughan.

NOES, 30.

Messrs. Dickson, Philp, Foxton, Chataway, Murray, Dalrymple, Bell, Petrie, McMaster, Smyth, McGahan, Leahy, Stephenson, Grimes, Fraser, Morgan, Finney, Smith, Collins, Hood, Callan, Cribb, Kidston, Stodart, Hamilton, Story, Battersby, Newell, O'Connell, and Stewart.

PAIRS.

Ayes—Messrs. Keogh and Boles.

Noes—Messrs. Corfield and Castling.

Resolved in the negative.

Clause, as amended, put and passed.

On clause 3—"False declarations"—

Mr. STEWART: The word "alienage" was used in the 7th line. Was that a proper word?

The PREMIER: The clause had been drawn up by a member of the legal fraternity, and he took it that the legal phraseology was correct. He was not prepared to be catechised as to the correctness of the term, but he understood that it was a legal word denoting the position of a foreigner.

Clause put and passed.

On clause 4—"Existing rights"—

The PREMIER: In order to make this clause clearer he would move that the words "who may be otherwise qualified to receive the same" be omitted, with a view of inserting "in the same manner in all respects as if this Act had not been passed."

Mr. BROWNE asked if the clause meant that all the aliens at present licensed would retain that right to own boats?

The PREMIER: Those who had acquired rights would continue to hold them.

Mr. GLASSEY: How long do these licenses last?

The PREMIER: Twelve months.

Mr. GLASSEY: And as they expire they will not be renewed?

The PREMIER: The present licensee might be permitted to renew his license. He might have invested a large sum of money in his boat and plant, and it would be a great hardship to deprive him of his license. No new licenses would be granted.

Mr. GLASSEY: He did not see the use of the Bill at all if these licenses could be renewed. The industry was in the hands of Japanese, and they could not work boats without licenses, so that it would be much better to simply say that their licenses should not be renewed.

The PREMIER: That would be confiscation.

Mr. GLASSEY: He did not regard it as such. A man who held a license from year to year knew that there were many things that might prevent its being renewed, and therefore he could not be said to have acquired a vested interest.

The HOME SECRETARY: What about miners' rights?

Mr. GLASSEY: They were now dealing with a race of people that they wished to get rid off, and the miner's right was not at all analogous to these licenses.

Mr. HAMILTON: It was hardly the case that most of the boats at Thursday Island were owned by Japanese. About 250 boats were engaged in the industry; twenty or thirty of those were owned by Japanese, and altogether seventy or eighty were hired or owned by Japanese. Many of those hired by the Japanese were licensed by the owners of the boats. The number of boats licensed by the Japanese and other coloured men was, perhaps, between forty and fifty, and each, perhaps, might be worth £500 or £600, and it would be unfair to ruin those men by refusing to give them licenses.

Amendment agreed to.

Clauses 5 and 6 put and passed.

The House resumed; the CHAIRMAN reported the Bill with amendments. The Bill was read a third time, and ordered to be forwarded to the Council for their concurrence.

# BISHOPSBOURNE ESTATE BILL—ELECTIONS ACTS AMENDMENT BILL—VICTORIA BRIDGE ACT AMENDMENT BILL—COPYRIGHTS REGISTRATION BILL.

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER announced the return of these Bills from the Legislative Council without amendment.

## BRITISH PHARMACOPŒIA BILL.

The SPEAKER announced the return of this Bill from the Legislative Council with amendments.

On the motion of the HOME SECRETARY, the message was ordered to be taken into consideration to-morrow.

## PRINTING COMMITTEE REPORT.

Mr. STEPHENSON, on behalf of the Speaker, as chairman, brought up the second report of the Printing Committee, and moved that it be printed.

Question put and passed.

## TOOWOOMBA TOWN HALL BILL.

### SECOND READING.

Mr. GROOM: I must express my acknowledgments to the hon. gentleman at the head of the Government for having enabled me to reach the Bill at this stage of the proceedings. This Bill has been introduced at the request of the mayor and corporation of Toowoomba under circumstances which are briefly these: When a site was granted by the Government in 1860 for the erection of a town hall, it was situated at what is now the southern end of Toowoomba, and at that time it was on one of the leading thoroughfares of the town. The subsequent construction of the railway to Toowoomba and the concentration of buildings and population around the railway station has necessarily rendered the original site of the town hall unsuited to the growth of the town. The proposal of the corporation is to sell the present land and buildings and devote the proceeds to the building of another town hall in a more convenient and central locality. Land upon which to erect the proposed new buildings has already been secured. Sir Arthur Hodgson made a gift to the town of a piece of land on which to erect a school of arts; and a building was erected upon it at a cost of £3,000 or £4,000. A fire occurred in that building some six months ago by which it was completely gutted and spoiled. It is now proposed to erect on that site a block of municipal buildings, comprising town hall, offices, school of arts, and technical college. The object of this Bill is to enable the corporation to carry out that intention. I may inform the House that a resolution was passed by the municipal council ordering a poll of the rate-payers to be taken on the subject. It was taken on the 6th July last, and in the East Ward 138 decided in its favour and forty against it. In the West Ward there were 103 for and twenty-three against it; and in the South Ward—where the present town hall is erected, and where naturally there has been some show of opposition to the proposal—there were sixty for and seventy against it. The total result of the poll was 310 for and 137 against it. Some objection might be taken to the disparity of voting as compared with the number of voters on the voters' lists, but we know that it is not often the case that all the voters go to the poll. I point

out that a select committee reported on the Bill, and it will be seen that the mayor gave the following evidence :—

Can you say, from your personal knowledge of the ratepayers in the different parts of the municipality, and from your intercourse with them, whether they are in favour of Parliament passing this Bill? Yes, most distinctly, they are strongly in favour of it.

You are satisfied that though a very small number of the ratepayers voted the majority are in favour of it being sold? I am satisfied that the majority are in favour. Three to one would be a very moderate estimate, I am sure.

Mr. FOGARTY: He knew nothing about it. He was entirely wrong.

Mr. GROOM: That is the opinion of the mayor of Toowoomba, and hon. gentlemen, having had an opportunity of reading his evidence, will see that he has made out a tolerably good case for the Bill. As originally drafted the Bill contained a clause for mortgaging the buildings. But the select committee thought it desirable to strike out of the Bill all reference to a mortgage, because it seemed somewhat absurd that the corporation should ask a power to mortgage one town hall and devote the proceeds to the erection of another, so that they would have had two such buildings on their hands. The mayor, when questioned on the subject, admitted that that was a mistake and agreed to the omission of all reference to a mortgage. Another matter which guided the committee in dealing with the Bill was that the poll of the ratepayers had been taken on the question of the sale of the present buildings, and the Bill was to be submitted in accordance with the expressed wishes of the ratepayers. Before I sit down I may say that my hon. colleague represents the opinions of the minority in relation to this Bill, and having heard what he has to say I shall leave the Bill entirely in the hands of the House to decide whether it shall be read a second time or not. The Bill is brought forward at the request of the corporation by a vote in the council. I may add that the arrangements for the erection of the new buildings have been completed by the council, and I am justified in stating from personal knowledge that the new buildings if erected will be a credit to the town of Toowoomba, and a great convenience to the whole of the ratepayers in all of the wards. I move that the Bill be now read a second time.

The PREMIER: I should have been pleased to have heard that the two members for Toowoomba were agreed as to the proposal to sell the present site and build a new town hall, because it is difficult for persons at a distance from the scene of operations to judge as to which is the wiser course to pursue. That the municipal building should be centrally situated is a matter of great convenience to the inhabitants, and therefore I may say that I do not object to the Bill as presented—on the assurance that the corporation, if not unanimous, have a preponderance in favour of the present application. I certainly think it was wise on the part of the select committee to whom the Bill was referred to recommend the omission of the clauses relating to the proposed mortgage of the property. I observe that £2,000 has been offered for the old site, but the hon. gentleman has not informed us the amount proposed to be expended on the new site.

Mr. GROOM: £6,000.

The PREMIER: I presume it is a site that is more central and in every respect better adapted for a town hall?

Mr. GROOM: Yes.

The PREMIER: This being so, on behalf of the Government I have no objection to the Bill in the shape in which it is presented. At the same time I do not lend any countenance to the hope expressed by one gentleman who gave

evidence before the select committee that £2,000 would be got from the Government in aid of the building.

Mr. GROOM: That is understood.

The PREMIER: From my observation of the manner in which the municipality of Toowoomba conduct the civic affairs of that important town, I think they are the best judges in this matter, and on behalf of the Government I intend to support the proposal of the hon. gentleman that the Bill should pass through all its stages.

Mr. FOGARTY: After the speech just delivered by the Chief Secretary, there is no use in opposing the matter clause by clause, as the hon. gentleman has stated that it is his intention to support the Bill in its entirety. My colleague states that I represent a minority, but how he has arrived at that conclusion I am at a loss to know. It is true that I represent a minority as far as the division of the municipality is concerned. I am one of a party of one-third; there are two-thirds against us, but I say without fear of contradiction that the municipality of Toowoomba as constituted at present does not correctly reflect public opinion. I wish to point out that the evidence given before the select committee was all one-sided. Only two gentlemen gave evidence—the present mayor and the town clerk. In reply to a question put by Mr. Smith, the mayor said—

I suppose it is costing us £50 a year to keep the town hall in repair.

And in response to a further question, the mayor stated that he had no hesitation in saying this amount was quite correct. I had occasion to doubt the statement, and at the last meeting of the municipal council I asked information in connection with this matter. I have here a document, signed by the town clerk, dated the 6th December, 1898, addressed to myself, Parliamentary Buildings, Brisbane. It reads as follows :—

Sir,

I have the honour to inform you that the outlay on the town hall for repairs since its erection may be stated at £20 a year.

There is a great difference between £20 and £50 a year. The mayor went on to say that the present hall was not centrally situated. I admit that. But he also stated that it was not used for public meetings, and that is entirely wrong. It was the only hall we had, previous to the erection of the masonic hall, for public gatherings, and by a slight outlay the present town hall would be made to return a very handsome source of revenue to the municipal exchequer. I know something about this matter, having been an alderman myself a number of years; in fact I believe I am the senior alderman in the present council. When the mayor states that the annual cost of keeping the hall in repair has been £50, and I have an official document showing that the cost has been considerably under 50 per cent. of that amount, I think that will show the House that they were prepared to carry out the sale of the hall at any cost. The hall has cost about £4,000, and there are one and three-quarter acres of land in connection with it which, according to the last sales in the same locality, should be worth about £800 per acre. Besides this, there is a caretaker's cottage which cost some £250 or £300 to erect. It is recognised through Queensland and a great part of New South Wales that the future of Toowoomba is assured; that it is bound to carry a large population, and if for no other purpose than retaining this corporation reserve we should approach this matter very carefully, because I am certain that we shall want all the breathing space possible. You will notice that the mayor of Toowoomba states that he was positive

that a great majority of the ratepayers are in favour of the proposed sale, but there is conclusive evidence that the ratepayers are perfectly indifferent. Only 310 votes were recorded in favour of the sale, and there were 137 against it. The only ward where there was a majority against it was in the south ward, but in that ward 95 per cent. of the ratepayers are small holders, and hence the poll was on the principle of one man one vote. In the east and west wards, however, there is very valuable property, and little cliques in favour of the sale whipped up their friends, who recorded three votes each. In a matter of this sort the principle of the poll should be one ratepayer one vote, but a number of those who polled in the east and west wards polled three votes each, so that not one-fifth of the ratepayers recorded their votes. When a poll on this matter was taken on the 27th July, 1895, feeling ran very high, and the most noise came from those who were very anxious to remove the council chambers elsewhere. If wrong instructions had not been given by one of the presiding officers, who did not understand the Act, the poll would have been adverse to the sale; but the number of votes in favour of the sale was 127 altogether—sixty in the east ward, fifty-six in the west ward, and eleven in the south ward. The total against the sale was 106—twenty-three in the east ward, ten in the west ward, and seventy-three in the south ward—so that the figures were very close indeed; and those who have any knowledge of municipal life will know that when feeling is warm people will vote one way or the other. When the matter was first mooted it was proposed to purchase a piece of land in Margaret street, and I presume the firm of auctioneers who sold the land to the council would receive the usual commission; and, that being so, they were not disinterested persons. I am not prepared to state the name of the firm through whom the land would have been sold—in fact, I do not know it; but I know that the present mayor of Toowoomba held a caucus meeting in his office, and approached certain members of the council, with the view of ascertaining their wishes, and he then discovered that they would not countenance such a thing for a moment, the consequence being that they went back to the school of arts site. I do not wish to speak more plainly than necessary, but if any person turns up the files of the local papers he will find that there is a washing of municipal dirty linen going on. There were some statements made by a member of the council who directly charged the mayor with maladministration of affairs, and up to the present those letters have not been challenged. In his evidence the mayor of Toowoomba also states that the ruins left by the late fire at the school of arts are worth at least £1,000, but I have no hesitation in saying that they would not bring £300 if offered for public competition. When the fire occurred the mayor evidently lost his head, and was so puffed up by self-esteem that he settled the fire insurance premium without consulting the council, a proceeding which was condemned very strongly in the council by two members particularly. I took the earliest opportunity of challenging the action of the mayor, but when the council was divided it was found that the action of the mayor was upheld by a majority of one, the two aldermen who so loudly howled at the street corners voting with the majority. I opposed the proposed sale in the council chamber, and intimated that I should oppose the Bill here, and I am now addressing the House in fulfilment of that promise. I think I have shown as clearly as possible that the people of Toowoomba are not anxious that this Bill should become law. I

ask hon. members to consider the number of ratepayers upon the roll, something like 1,200, and many of those who voted in the east and west wards had three votes each. I admit that the hall is not in a central position—that the town has extended northwards; but I do not think any serious inconvenience arises, in view of the fact that the town hall is connected by telephone with the principal business establishments, and that the council employs a revenue collector who goes round three or four times a year to collect rates. In view also of the large amount of money which has been invested round about the town hall by private individuals, I think it would be an injustice to many ratepayers if this Bill were agreed to. I shall say nothing more on the subject at this stage, in view of the fact that other members have business which they wish to dispose of to-night, but I trust that when we get into committee hon. members will support me in an amendment which I intend to move.

Mr. MORGAN: We have heard both the members representing Toowoomba, and there appears to be a difference of opinion on this question. It is equally clear that there is a difference of opinion in the council, and I gather from the speech of the junior member for Toowoomba that he is in opposition in the council, as he is in this Chamber. I prefer to leave this matter entirely in the hands of the people whom it concerns, but I think a larger interest is given to the matter by the evidence of the mayor of Toowoomba. He said that the council proposed to expend £6,000 in the new building, and I am not quite clear whether that includes the sum which the Toowoomba council hopes to get from the Treasury by way of endowment towards the erection of the technical college and school of arts. I can see that it will be quite possible for a skilful municipal engineer to raid the Treasury very successfully. What would happen if the hon. member for Fortitude Valley, Mr. McMaster, was in charge of a little scheme like this? He would be able to build a small office to do duty as a town hall, and add enormous annexes to be called "a technical college and school of arts," and get endowment at the rate of £1 for £1, and thus put half the cost of the buildings on the Treasury. I think we ought to have some assurance from the Treasurer that this matter will receive careful attention at his hands before any grant in aid is made in respect of this town hall.

The PREMIER: You may rest assured of that. Mr. MORGAN: We ought to know whether the principle is going to be admitted and whether proper supervision of plans will be exercised. What I am concerned to know is whether the scheme which the mayor of Toowoomba aims at is to be recognised and admitted by the Government. It never has been hitherto, and we are entitled to know whether it is to be recognised in future.

Mr. GLASSEY: I have listened with extreme care to the discussion which has been going on, and while I confess that at first I was prepared to support the second reading of the Bill, yet after hearing the junior member for Toowoomba, and knowing that the people of that town are considerably divided on this question, I am now inclined to vote against the Bill. It is true that a poll has been taken with regard to the sale of this property, but the small number of persons who have voted, and the fact that many of those who did vote had two and three votes, makes me rather more anxious to have this matter approached cautiously. If the people of Toowoomba were unanimous, or nearly so, it would be a different matter; but seeing that there is a considerable difference of opinion, I think it would be wiser to reject the measure until such

time as the Toowoomba people come to some understanding amongst themselves. I shall vote against the Bill.

Mr. McMASTER: I think the House may safely pass the Bill and leave the question which has been raised by the hon. member for Warwick to be dealt with by the Treasurer. The people of Toowoomba will have to take another vote before they can get the money.

Mr. FOGARTY: A poll may not be demanded.

Mr. McMASTER: If no poll on the subject is demanded it will be because the ratepayers are unanimous that the £4,000 should be borrowed. And if that is so, we should not block them by opposing this Bill. I point out that if they sell for £2,000 they can only apply the money under this Bill to building another town hall.

Mr. FOGARTY: They may sell and not build.

Mr. McMASTER: I think they could put up a building with the £2,000 that would hold the twelve aldermen. I can quite understand the opposition to this proposal of the minority of ratepayers whose premises are convenient to the site of the present town hall. But I gather from the remarks of both hon. members of Toowoomba that they are agreed that the present site is not a central or a convenient one; and that being so, this House should not prevent the general body of the ratepayers from obtaining a town hall in a convenient situation. We can with perfect safety leave the matter in the hands of the people of Toowoomba. With regard to the remarks of the hon. member for Warwick as to what I should do in a similar position, the hon. member is accustomed to make such remarks to hide his own defects. While accusing the hon. member for the Valley of doing so-and-so, the innocent young man was doing the same thing himself, and we were both doing only what we had a right to do according to the law. I think we should pass this Bill, and throw the responsibility upon the people of Toowoomba.

Mr. ANNEAR: I hope that on this Bill we are not going to have a duel between the hon. members for Warwick and Fortitude Valley. It is a very serious matter that there should be a difference of opinion on this question between the two representatives of Toowoomba—"the city of the plains." I think after listening to the lucid and almost eloquent junior member for Toowoomba we should pause before we pass the second reading of this Bill. I visited Toowoomba for the first time in 1864, when it was represented by Mr. Groom, and I am quite sure it has made rapid strides since then. I would also, before I come to a decision, like to hear what the hon. member for Aubigny, who has also been a member of the Toowoomba council, and has held the high position of mayor of that town, has to say on this question. We have heard the opinion of the junior member for Toowoomba, and I would like to hear the opinion of the hon. member for Aubigny, because there is an impression that the senior member for Toowoomba overshadows those two hon. members—that when he raises his hand they must obey. The junior member for Toowoomba has been an ornament to the council for many years; and such being the case I shall be compelled, if he calls for a division, to vote with him.

Mr. W. THORN: As the hon. gentleman seems to want to know my opinion on the Bill, I may say that I intend to support the second reading for the simple reason that Toowoomba is a town that is progressing every day, and I hope as long as I have a seat in this House to always have something to say in favour of Toowoomba. The present municipal building is not in the centre of the town, but we have other ground that has been vested in the council, and if we can get rid of the present town hall for

£2,000 or more it will go a long way towards building a new town hall and technical college in the centre of the town. We have already taken a vote on this matter, but I am sorry we could not come to terms as to the price. It will rest with the Government to say whether they will advance us the balance of the money to build the new town hall, and if we can show that we have good credit we shall be able to get the £4,000 required. I am not going to delay the House on the question. I thank the leader of the Government for giving the senior member for Toowoomba time to bring in the Bill so late in the session, and I hope it will be carried.

Mr. BATTERSBY: If you look at the evidence given before the select committee you will see that one witness was asked—

How much money will you require to borrow?

And he replied to that—

It depends on how much the Government grant towards the school of arts and technical college part of it.

As far as I understand from the discussion, this building is in the hands of the municipality of Toowoomba, and they want to part with it, and then come to the Government for the difference between the amount they realise and the amount required for the new building they propose to erect. I think the best thing the hon. gentleman can do is to withdraw this Bill, and in the meantime let the municipal council of Toowoomba get their plans and specifications prepared, then submit them to this House, and show what amount of money will be required in addition to the proceeds of the land they propose to sell. If they will do that they will do very fair; but if it is going to be, "We will get £2,000, and try to rob the taxpayers of the colony as a whole," I think the sooner that is stopped the better. Let them keep the building they have got until they say what they are prepared to do fairly and squarely. But the answer to these two questions to my mind is going to make me vote against this Bill. *Telegraph*, mark that.

Mr. GROOM, in reply: I want the House clearly to understand that I am not a member of the municipal council at present, and have no personal interest as far as the Bill is concerned. I have acted in accordance with the wish of the mayor and the majority of the council. The matter was fairly discussed at the municipal council on four different occasions. On one occasion the majority was seven to two, and on the other occasions the majority was six to three. I hold the opinion that when once the municipal council have had their contest on the question; when they have appealed to the ratepayers, and the provisions of the Local Government Act have been complied with; when not a single dissentient ratepayer has called upon me and said, "I am opposed to this Bill; don't you introduce it"; when not a single petition has been sent to this House; when the intention to refer this Bill to a select committee was made known, and not a single person came to the committee to give evidence against it—

Mr. FOGARTY: I offered to.

Mr. GROOM: The hon. member did not offer to do so, if he will permit me to say so. He asked me if he could attend as a member of this House, and put questions to the mayor of Toowoomba. My opinion was that the select committee was not appointed to inquire into the private grievances of the mayor of Toowoomba and Alderman Fogarty, but to inquire into the necessity or otherwise for this Bill; and therefore I declined to allow the select committee to be made the ground for personal disputes. If any objectors to the Bill desired to come they

had ample opportunity, and everything in connection with the Local Government Act has been carried out. So far as I am able to judge, the majority of the ratepayers in favour of the Bill is about three to one; but whether the municipal council intend to apply to the Government for any grant for building purposes I do not know. The council had a meeting a few days ago, at which I believe Alderman Fogarty was present, and it was decided to call for competitive designs for the new building—a premium being offered for the best design—so that everything in connection with the matter has been fairly discussed. After having had a fair battle in the municipal council, I contend that it is exceedingly bad taste to bring up those disputes here.

Question—That the Bill be now read a second time—put; and the House divided:—

AYES, 30.

Messrs. Dickson, Chataway, Philip, Foxton, Dalrymple, Murray, Smith, Bell, McMaster, Morgan, McGahan, Lissner, Leahy, Hood, O'Connell, Finney, W. Thorn, Hamilton, Petrie, Groom, Dibley, Cribb, Curtis, Smyth, Drake, Newell, Collins, Stodart, Callan, and Fraser.

NOES, 23.

Messrs. Stephenson, Jackson, Maughan, Cross, Story, Glassey, Dunsford, Sim, McDonnell, Hardacre, Turley, King, Battersby, Jenkinson, Bridges, Browne, Stephens, Fogarty, Daniels, Kerr, Stumm, Stewart, and Annear.

Resolved in the affirmative.

Clause 1 put and passed.

On clause 2—"Power to mortgage or charge"—

Mr. GROOM: He proposed to negative this clause.

Mr. FOGARTY thought a specific sum should be mentioned in the Bill. There was no use in striking out the power to mortgage if the council could sell to the highest bidder. If the Bill became law the property could be disposed of for £100 if the majority of the council approved. It was a most infamous proposal.

Clause put and negatived.

On clause 3—"Mortgage may contain power of sale"—

Mr. GROOM: He proposed to negative this clause.

Mr. FOGARTY thought they were going too fast. The Bill was a complete trap. For the purpose of making way for other private business he had not said all that he knew in reference to the matter. If he had placed the full facts before hon. members he was convinced that the Bill would not have passed its second reading.

Clause put and negatived.

Clause 4 put and negatived.

On clause 5—"Application of moneys raised by sale"—

Mr. GROOM moved the omission on lines 10 and 11 of words "mortgage or mortgages, debenture or debentures, or otherwise under this Act."

Mr. BATTERSBY did not like the proviso, which said that after effecting the object of the Bill surplus moneys should be paid into the municipal funds.

The CHAIRMAN: The hon. member will see that there is an amendment before the Committee preceding that proviso.

Amendment agreed to.

Mr. GROOM moved a similar amendment in line 15.

Mr. BATTERSBY objected to £1,500 or £1,600 being borrowed under the Bill and squandered, as had been done in some other municipalities he could mention. He would like to have the assurance of the hon. member in charge of the Bill that that would not be done.

Clause put and passed.

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

The minimum sale price of the Toowoomba Town Hall and lands shall not be less than £3,000.

At an earlier stage he had said that the value of the property was £5,500, and he was now proposing a very moderate price, which he hoped his colleague in charge of the Bill would accept. The amendment he proposed would conserve the interests of the ratepayers, and he was sure his colleague was as much concerned in that as himself.

Mr. PETRIE thought the junior member for Toowoomba had made a mistake in proposing the new clause, as the property was worth a great deal more than £3,000.

Mr. GROOM pointed out that the Bill was drafted on the same lines as all other Bills for a similar purpose that had been passed, and such a thing as a maximum or minimum price for the property to be sold was not to be found in any of them. The ratepayers were asked the specific question, "Shall the town hall be sold for £2,000?" And the answer to that was 310 "Yes," and 137 "No."

Mr. LEAHY: How many electors were there?

Mr. GROOM: There were 1,175 ratepayers, and if there had been anything like a hostile spirit existing towards the proposal there would have been a larger roll up. The whole matter would still be ventilated by the ratepayers, as a new council would be elected in February, and a new mayor and corporation would have to deal with the question. He could not accept the amendment.

Mr. TURLEY did not see why a minimum price should not be fixed so long as it was not above the value of the property. It would not prejudice the sale of the land in any way, and some provision of the kind was evidently desirable, seeing that the council were divided in opinion on the question of the sale of the property, as were the few ratepayers who took sufficient interest in the matter to go to the poll.

Mr. W. THORN did not think the proposal was a fair one, because the property had been offered to a reverend gentleman in Toowoomba for £2,000, and had been refused by him at the price.

Mr. FOGARTY: He did not refuse it; he accepted it.

Mr. W. THORN: The gentleman referred to refused it after getting the opinion of a professional man who had examined the building on his behalf, and the object of the hon. member in proposing this clause was simply to kill the Bill.

Mr. LEAHY hoped they would not spend the whole night over this Bill, the principle of which had been affirmed by the House. What the junior member for Drayton and Toowoomba was proposing was not that the municipal council should sell the property, but that this Committee should be the salesmen. If the hon. member wished to make a common-sense proposal he should propose that some proportion of the proceeds of the sale of the building—two-thirds or three-fourths—should be devoted to the erection of a new school of arts; but, in any case, he trusted they would get through with the Bill, and proceed with other business.

Mr. KEOGH thought the lecture of the hon. member for Bulloo was quite uncalled for. He remembered that when he was mayor of Ipswich a somewhat similar case occurred, where a piece of land which had been granted for a town hall was sold for school or church purposes, and the sale was effected by an Executive minute without any Bill.

The CHAIRMAN: I must ask the hon. member to confine his remarks to the proposed new clause.

Mr. KEOGH was merely pointing out that it was not necessary to pass a Bill to authorise the sale of this property, but that it could be effected by an Executive minute. He agreed that the

minimum price of the property should be fixed at £3,000, if it was worth that sum, but could not vote for it, as he had paired.

Mr. DIBLEY: If the junior member for Drayton and Toowoomba would fix the minimum price at £2,000, the amount agreed to by the council and those ratepayers who had voted at the poll, he should support the amendment; otherwise he should not do so.

Mr. FOGARTY was quite willing to make that alteration in the clause, as it would be some slight protection, whereas unless some minimum was fixed in the Bill there would be nothing to prevent the council from selling the property for £100. With the permission of the Committee he would substitute £2,000 for £3,000.

Clause, by leave, amended.

Mr. NEWELL: As the hon. member had been so pliant as to accept the suggestion of the hon. member for Woolloongabba, he would recommend him to withdraw the clause altogether and let the Bill go through. He was a member of the select committee, and from what he had been able to gather the majority of the voters in the municipality were in favour of the town hall being sold, as proposed in the Bill.

Question—That the new clause, as amended, stand part of the Bill—put; and the House divided:—

AYES, 25.

Messrs. Glassey, Jackson, McDonnell, Kerr, Grimes, Jenkinson, Cribb, Dibley, Story, Browne, Battersby, Turley, Fogarty, Bridges, Stephenson, Daniels, King, Dunsford, Smith, Stumm, Stewart, Maughan, Stephens, Fraser, and Cross.

NOES, 16.

Messrs. Dickson, Philp, Foxton, Bell, Newell, Groom, Lissner, O'Connell, Hood, Finney, Leahy, Petrie, Drake, McMaster, W. Thorn, and Callan.

Resolved in the affirmative.

The remaining clauses were put and passed.

Verbal amendments were made in the preamble and the title.

The House resumed; and the CHAIRMAN reported that the Committee had agreed to the Bill with amendments, and with an amended title.

### THIRD READING.

The Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence.

### EVIDENCE BILL—MARSUPIAL PROOF FENCING BILL—GAME AND FISHES ACCLIMATISATION BILL.

#### MESSAGES FROM THE COUNCIL.

The SPEAKER announced the receipt of messages from the Legislative Council, returning these Bills without amendment.

#### BRISBANE TECHNICAL COLLEGE BILL.

##### MESSAGE FROM THE COUNCIL.

The SPEAKER announced a receipt of a message from the Legislative Council returning this Bill with an amendment, in which the Council invited the concurrence of the Legislative Assembly.

On the motion of the HOMESecretary, the message was ordered to be taken into consideration to-morrow.

#### MINING BILL.

##### MESSAGE FROM THE COUNCIL.

The SPEAKER announced the receipt of the following message from the Legislative Council:—

[For text of message *vide* report of Legislative Council debates, page 1616.]

On the motion of the PREMIER, the message was ordered to be taken into consideration to-morrow.

### CAIRNS GAS COMPANY BILL.

#### RESUMPTION OF COMMITTEE.

Question—That clause 13 stand part of the Bill—on which it had been proposed to omit, on line 19, the word "ten" with a view of inserting the word "five."

Mr. DRAKE: When this amendment was moved the Treasurer suggested that there was a possibility of the stock being watered. He had since received a letter from the solicitor to the company, stating that they were agreeable to an amendment being made which would prevent the stock being watered. They asked to be allowed to receive 10 per cent. dividend on the paid-up capital and any additional capital raised for the purposes of expenses. He would therefore introduce an amendment to that effect, which he understood had the approval of the hon. member for Clermont, who had objected to the clause. With regard to the dividend, he had made inquiries, and found that 10 per cent. was the lowest amount fixed in any of the Acts of Parliament authorising the construction of gasworks in the colony. That was the rate fixed in the Charters Towers Act passed last year.

Mr. DUNSFORD: He raised objection to the 10 per cent. because he had in mind the probability of the stock being watered, but, if a safeguard was to be introduced against that, it would remove his objection. He had seen the amendment, which he believed would meet the case.

Amendment put and negatived.

On the motion of Mr. DRAKE, the clause was amended by inserting the following words after "company," on line 20:—"At the time of the passing of this Act and of such additional capital as may be subsequently *bonâ fide* subscribed and paid up."

Amendment agreed to; and clause, as amended, put and passed.

Clauses 14 to 32, inclusive, put and passed.

On the motion of Mr. DRAKE, a new clause was inserted providing that it should not be lawful for the company to refuse to supply gas to any person to whom it had been previously supplying gas "on the ground alone that such person was using or contemplating the use of any other method of lighting in substitution for or in combination with gas." The clause further made provision for the hearing of any complaint of this nature before two or more justices, who could make an order upon the company to continue to supply such person with gas, and in the event of non-compliance with such order the company should be liable to a penalty of £5 per day whilst such neglect or refusal continued, the penalty to be recoverable in a summary way before two justices.

Clauses 33 to 36, inclusive, put and passed.

On clause 37—"Power for municipality of Cairns to purchase company's undertaking after fourteen years"—

Mr. CRIBB thought it rather cumbersome that the "terms as to ascertainment of the purchase money" were to be from time to time prescribed by Parliament. They should fix the price now, because a powerful company might be able otherwise to defeat the council by means of the influence it could bring to bear. The clause required amending.

Mr. DRAKE: It was desirable for Parliament to prescribe from time to time the terms upon which the fair value of the works might be ascertained, but it would not be feasible to put such a provision in the Bill.

Clause put and passed.

The remaining clauses and the preamble were passed without amendment.

The House resumed; and the CHAIRMAN reported the Bill, with amendments.

## THIRD READING.

The Bill was then read a third time, passed, and ordered to be transmitted to the Council for their concurrence.

## SUPPLY.

## RESUMPTION OF COMMITTEE.

## RAILWAYS—GENERAL ESTABLISHMENT.

The SECRETARY FOR RAILWAYS moved that £25,863 be granted for railways—general establishment. There were a few increases on the vote of last year. The secretary was down for an increase of £25; he was now receiving £500 as against £600 paid to his predecessor. A similar increase was given to the chief accountant, which raised his salary to the amount paid to his predecessor. There were other small increases, chiefly classification increases, ranging from £10 to £20, and the number of clerks had been increased by nine. With regard to the traffic branch, he might state that early in June last he visited the Northern district, and during his journey he heard many complaints with regard to the position of the traffic managers. It was considered they had not sufficient authority. In endeavouring to remedy those grievances it was first proposed to send the Deputy Commissioner, Mr. Thallon, to take charge of the Northern Railways, but on further consideration it was seen that Mr. Thallon's presence was required more in Brisbane than in the North, and it was finally decided that he should remain here at a small increase of salary. The increase was set down at £200, but it was really only an increase of £60, as Mr. Thallon had previously free quarters. The traffic manager in the North now took charge of all railways north of Mackay, the Mackay line being included in the Rockhampton district. It was also decided that Mr. Thallon should pay periodical visits to the Northern and outlying districts, in order to keep himself more in touch with what was going on, and to see that everything was working satisfactorily. The changes that had taken place had given satisfaction in both the Northern and Central districts. The district traffic managers had been empowered to put on special trains, and to conduct the business of the lines generally, subject always to the approval of the Commissioner. Unless a district traffic manager could be trusted with discretionary power as to special trains and that sort of thing, he had no right to be in that position.

Mr. PETRIE asked the Minister, with respect to the death of the late Mr. Gartside, whether it was the intention to make any gratuity to his widow? Mr. Gartside had been chief draftsman, and one of the best men in the Government service. He understood that there were now two men doing the work which had been done by that gentleman, and he hoped that something would be done for the late Mr. Gartside's widow and family. People in his district complained of the want of accommodation on the Sandgate line, and of the incline at Wooloowin. The best-paying lines in the colony were the Sandgate and Pinkenba lines; and, though he admitted that the Commissioner and officers of the department were doing the best they could to meet the wants of the public, he thought something more might be done for the lines in his district.

The SECRETARY FOR RAILWAYS: The case of the late Mr. Gartside, and the desirability of granting a gratuity to his widow, had been under the consideration of the department, but so far no recommendation had been made. The claim sent in was for £500—a full year's salary. He did not know that it was desirable to grant so much, but there was a prospect that something would be done for Mrs. Gartside.

Mr. BATTERSBY contended that the Sandgate line had never paid, and would not now pay, were it not for the traffic it received from the North Coast line.

Mr. GLASSEY admitted that the removal of the traffic manager to the Northern portion of the colony would have suited that part of Queensland; but taking all the circumstances into consideration, no one could cavil at the arrangement finally made, as it would allow the traffic manager to move about more freely from place to place, and so gain a more accurate knowledge of the working of the railways in different parts of the colony. He had nothing to say against the small increases that were given. With regard to the secretary to the Commissioner, he did not think there was a more courteous officer in the service, or one who had better earned his salary. He thought the time had arrived when some definite scheme should be devised whereby persons engaged in the various branches of the railway service should contribute a small amount to a benefit fund, and the Government should subsidise that amount the same as was done by some of the larger companies in the older countries of the world. If some such scheme as he suggested were adopted there would be no necessity to bring forward such cases as had been brought forward by the hon. member for Toombul. He did not say it was unreasonable that some concession should be made to Mr. Gartside's widow, but he would like to see all grades of the service treated alike.

Mr. MORGAN wished to know whether the hon. member proposed to subsidise all friendly societies, or only the Railway Employees' Association?

Mr. GLASSEY: He was dealing only with the Railway Employees' Association.

The SECRETARY FOR RAILWAYS: The matter referred to by the hon. member for Bundaberg had not been considered by the department. Of course, as our railways were worked at a loss, any subsidy of that kind would have to be paid out of the general revenue. But the hon. member knew that in the case of fatal accidents the department provided a gratuity of from £50 to £120 for the widow and children left.

Mr. HARDACRE said that in New Zealand the Government insured all their railway employees against accident.

Mr. DUNSFORD asked if this discussion was in order?

The CHAIRMAN: A general discussion is allowed on the first vote. When that vote is passed, the question before the Committee must be adhered to.

Mr. HARDACRE: The New Zealand Government found their system more satisfactory than that of giving gratuities. However, our Railway Commissioner, and the country generally, were to be congratulated upon the position of the railway revenue, which had been growing steadily for the last two or three years. The revenue for the past five months had exceeded that of the first five months of the previous half-year by £61,000, and last month alone showed an increase of £17,000. This very gratifying state of affairs was probably owing to the more prosperous state of the colony, and also to economical and careful management in all departments. Last year the present Premier, when Secretary for Railways, told a deputation that the claims of the employees to be restored to the wages they received in 1893 would be favourably considered when there was a revival of prosperity. The Minister promised that a reply would be given, through him. He had sent no reply, but had informed him (Mr. Hardacre) that he would do so on the Estimates. He now took the opportunity of asking him for that reply.

The PREMIER: He had been deputationised by the hon. member when he was at the head of the Railway Department, and so far as he could see his way he had materially increased the payment to the lengthsmen. His hon. colleague, the Secretary for Railways, had the interests of the men at heart as much as the hon. member. When the Estimates were being prepared the question was fully discussed, and in view of the position of the finances it was decided that the lengthsmen would have to wait until there was a fuller measure of prosperity. He had repeatedly had to repress the ardour of hon. members who advocated increases to certain Civil servants, and he was bound to inform the hon. member that the Estimates having been framed for the year they could not be departed from. He could not admit that the lengthsmen's life was an unhappy one. Perhaps they did not get as much as they desired, or as much as the Government would like to be in a position to give them; but they had privileges which persons in similar rank outside the Government service did not possess. He did not say that the men were not entitled to all the wages they received, and he would not deny them reasonable hope of further remuneration, but he did not think the hon. member had shown substantial ground for pressing the matter in the way he had done. He appealed to both sides to say whether anyone in business or commercial life had recovered the same income which he enjoyed previous to 1893? If so, he was a fortunate man. Undoubtedly matters were improving, but they must not forget that a severe drought was overhanging the colony, and they could not tell what effect it might have on the ensuing year's railway revenue. He did not wish to appear pessimistic, but he said unhesitatingly that the returning prosperity had not yet proved sufficiently permanent to justify them in saying that the colony was entirely out of the wood. When the Secretary for Railways framed next year's Estimates, he hoped that he would be able to make increased provision in this direction, but he laid down the hard-and-fast principle that once the Estimates were framed they would not be departed from, so that the taxpayers would know the amount of expenditure beyond which the Government would not go.

Mr. HARDACRE admitted that when the Premier was in charge of the department he met the deputation as fairly as he could. He did not raise the question at the present time in any spirit of hostility, but the hon. gentleman promised that he would reply to the representations of the deputation when the Estimates came on, and he now asked him to fulfil that promise. He contended that justice should be done to the railway employees, and if provision could not be made in this year's Estimates, regulations on the subject could be drafted before next session.

The SECRETARY FOR RAILWAYS: The promise referred to was conditional—that if the finances of the colony warranted it the wages of the men would be restored. But there had been only a partial restoration of prosperity, and if the drought continued for another two months next year would probably be the worst they had ever known in Queensland. He had as great a desire as the hon. member for Leichhardt to see the wages of the lengthsmen restored, but there were many things to take into consideration. Just a month ago the department wanted 100 men at Toowoomba, and there were 1,000 applicants. In another case, since he assumed office, two men were wanted and 100 applied, and that was always the case when higher wages were paid in the department than outside. The pay was quite as high as in the other colonies. He had here a table showing the rates of wages

paid respectively in Queensland, New South Wales, Victoria, and South Australia. Gangers were receiving in Queensland from 7s. 6d. to 9s. a day; in New South Wales, from 8s. 6d. to 9s.; in Victoria, from 7s. to 9s.; and in South Australia, from 7s. to 9s. Lengthsmen and line repairers were receiving in Queensland from 6s. to 7s. 6d. a day; in New South Wales, from 6s. 6d. to 7s. 6d.; in Victoria, from 5s. to 6s.; and in South Australia, from 6s. to 7s. 6d. And it must not be forgotten that the railway employees received a good many concessions. They received accident pay if disabled during the performance of their duties. The widows of men killed while on duty received from £50 to £100 from the Commissioner in full and final settlement of all claims. Besides that they had houses and ground, and free passes by rail when on leave of absence, and their rations were carried free from the nearest town and at half rates from towns further along the line. Thus half rates would be charged for rations carried from Brisbane to Charleville. For a single man the amount of rations carried was 100 lb. a week; for married men without families, 400 lb.; for married men with a family of three, 400 lb.; for married men with families not exceeding six, 500 lb.; and above six, 600 lb. Second-class season tickets were issued to them at 1s. under the ordinary rates. Those were privileges that the working men of Queensland did not get outside the department. He must admit that he was much impressed by the statements of a deputation which waited upon him on the subject some time ago; and if the colony continued prosperous for the next few months, and he remained in charge of that department, he would do what he could to see that the men's wages were completely restored. But hon. members would agree with him that before rushing into an expenditure of that sort, it was desirable to see that prosperity was likely to attend on the affairs of the colony for another six months. He would like to see the matter settled once and for all; although he was very much afraid that, with largely increased pay and privileges, there would be a rush of outside people to get into the service. However, he would make the promise that if the circumstances of the colony continued to prosper as they had done during the last few months, when the next Estimates were framed, he would do his best to settle the question to the satisfaction of all.

Mr. SIM wished to know why the wages of the lengthsmen had not been restored on the Normanton to Croydon Railway? The Premier said that a lengthsmen's life was not an unhappy one. He only wished the hon. gentleman would try it on that line for the next three months. The men on a part of the line had to be half fish and half man. During the wet season, between the 12-mile and Normanton they were practically amphibious. Yet when the men on other lines were restored 3d. a day the men on that line got no restoration at all. As they were reduced along with the rest, it was only fair that they should have a restoration of pay also.

The SECRETARY FOR RAILWAYS: The lengthsmen on the line the hon. member referred to, he was informed, had been getting 9s. a day, and were reduced to 8s. 6d. They were now getting 8s. 6d., and gangers 9s. a day on that line, and he did not think they had a great deal to complain of.

Mr. SIM reminded the Minister that the extra allowance the men on that line got did not more than provide for the extra cost of the necessities of life in that district, and the restoration when made should have been made all round.

Mr. PETRIE agreed with the hon. member for Carpentaria. The chief draftsman in the Works Department should be given his proper

title as he was worthy of it. Before he entered the service he was in charge of public buildings, and had done all that was required of him.

The CHAIRMAN: I remind the hon. member that the Committee are not now dealing with public buildings, but with the Estimates of the Railway Department. The Estimates of the Works Department have been passed some time ago.

Mr. PETRIE knew a good deal about the Railway Department and the Works Department, and he hoped justice would be done.

The hon. member continuing to repeat his remarks,

The CHAIRMAN: The hon. member is now tediously repeating himself, and I warn him he must not continue that conduct any longer.

Mr. PETRIE was sorry he had transgressed and would say no more.

Mr. FINNEY was surprised to hear the statement that some railway servants who had been retrenched had not yet received any restoration of pay.

The SECRETARY FOR RAILWAYS: That is not correct.

Mr. FINNEY: The lengthsmen had often very rough work to do, having to go out in storm and flood in order to keep the lines in repair, and he hoped that the position of those men who had not been restored, or who had been only partially restored, since 1893, would be taken into consideration in framing the next Estimates. He wished also to refer to the question of holidays. According to the regulations employees in the department were allowed certain holidays, but if they allowed their holidays to accumulate for two or three years they had to submit to a deduction of one-fourth of the accumulation. While he agreed that there should be some limit as to the holidays, he did not approve of such a deduction, and hoped that the Minister and the Commissioner would revert to the old practice, under which the men could get three years' accumulated holidays without any deduction.

Mr. HAMILTON was very glad to hear the Minister state that if he could possibly see his way to do it he would restore the wages of lengthsmen and guards on the next Estimates. He was sure that such action would give general satisfaction to the Committee.

Mr. CURTIS asked why it was that the passenger fares on the Southern railways were less than those on the Central and Northern railways? If there was any differentiation at all made in the fares it should certainly be in favour of those systems which were paying, and not of those lines which showed a deficit.

The SECRETARY FOR RAILWAYS: The hon. member had been misinformed. The general passenger rates were the same on all railways throughout the colony except on the suburban lines around Brisbane, and there the competition of tramways and buses compelled the department to reduce the rates below what they would otherwise have charged. The same thing happened in the other colonies where there was a large population and a large amount of traffic a few miles out of town.

Mr. HOOD drew attention to the traffic rates since the line had been open to Cunnamulla. They had been increased from £1 4s. 2d. to £1 13s. 4d. from Brisbane to Charleville, while the same rates were charged to Cunnamulla, which was 130 miles further on. It was only fair that some concession should be made to carriers who loaded up at Charleville, because he did not see why the Railway Department should carry goods for nothing over that 130 miles. Then he thought the classification of goods required to be carefully looked into. Purely agricultural goods were carried at a very low rate, and he did not see why all the products of the soil should not be

carried at an equally low rate. For instance, wheat was carried at one-fifth the rate of wool. Either the department carried agricultural produce at a very big loss, or charged an exorbitant rate on wool. The rate for jam was three times the rate for butter, and the rate for tea was about double the rate for rice.

The CHAIRMAN: Under Standing Order 171, I call upon the hon. member for South Brisbane, Mr. Stephens, to relieve me in the chair.

Mr. STEPHENS accordingly took the chair.

Mr. W. THORN was sorry the Government had not seen their way to come down this session with branch lines to farming centres, including a pet line of his own, which had been guaranteed. There was a train to Crow's Nest every day in the week, and three extra trains; and as the stationmaster had no assistant he had too much work. Another grievance was in connection with the scarcity of trucks and the want of accommodation for farmers' produce, so that it should not be left out in all sorts of weather. This often caused serious loss to farmers. He also wished to ask if a platform could not be erected at the Gowrie coalmines where there were over 100 men at work. In regard to lengthsmen's wages, he hoped the time was not far distant when they would be fully restored. He had voted for the extension of the line from Charleville to Cunnamulla, and now that that line was completed, he hoped it would not be very long before railway workshops were erected at Toowoomba, so that disabled trucks and carriages from places west of the range would not have to be brought all the way to Ipswich.

Mr. O'CONNELL regretted to say that the important industry of sugar production had not received that fair play from the Railway Department to which it was entitled. So long as sugar was a payable commodity, the sugar districts did not grumble being charged a rate three or four times greater than that charged on other agricultural produce, but now that there was such a small margin of profit there was serious cause for complaint. For instance, the rate from Gin Gin on ordinary agricultural produce was 2s. 11d. and on sugar 5s. 6d. The Commissioner had, to a certain extent, met producers by coming down to 2s. 6d. a ton for distances of ten miles, but the ordinary rate on agricultural produce was 1s. 5d. Of course, the Commissioner's business was to try and make the railways pay, but when an industry was being carried on at cost price it was the duty of the Government to reduce railway rates to the lowest possible limit. All he asked now was that sugar should be carried at the same reduced rate as flour. The Commissioner said that would entail a serious loss of revenue, but he had no right to bolster up his returns by taxing an industry which was fighting for bare life. It would be a very serious thing to the colony if anything occurred to stop the industry, and he hoped that the Government would put raw sugar in its proper classification, as an agricultural product.

Mr. KEOGH wished to refer to the question of a superannuation fund. Some eighteen months or two years ago the present Commissioner expressed himself in favour of some such scheme. He did not say that it should be compulsory. They had superannuation funds in the other colonies, and in the United Kingdom the railway companies subsidised the contributions of the men £1 for £1. It was the wish of the railway employees that some scheme of the sort should be adopted in Queensland. Another matter which required attention was the annual holidays of the men. They should get what they were entitled to by the regulations. With regard to the rates charged on produce

carried on the railways, it was shown by the deputation who waited on the Minister that the actual producer had a great deal to contend against; that the middleman got the best of it in every instance. If a middleman purchased produce amounting to five tons, he received a drawback of 3s. a ton, whereas the producer had to pay the full rate of 7s. a ton if he was not prepared to send in a truck load of five tons. That was a grievance that ought to be remedied. As to the concessions given to railway employees, with most of them he agreed; but there was one that should not be allowed, and that was their rations being carried at half-rates from more distant places on the line. With regard to the restoration of wages, he had the greatest confidence in the Minister's promise that in the next Estimates he would provide what was right and just.

The SECRETARY FOR RAILWAYS: What the hon. member for Rosewood wanted the Commissioner to do was to carry 1 cwt. of goods at the same rate as a truck load of 5 tons. The questions which had been asked only showed the difficulties the Commissioner had to contend with in trying to please everyone. The farmers could combine to fill up a truck, and so get their produce carried at the cheaper rate, and the matter was really in their own hands. With respect to the question raised by the hon. member for Toowong, the Commissioner informed him that he would have no objection to allowing holidays to accumulate for three years without any reduction of time. The question raised by the hon. member for Musgrave with respect to the freight on raw sugar was a big one. There were good grounds for the hon. member's claim that it ought to be considered agricultural produce, and certainly the freight upon it was very much higher than upon ordinary agricultural produce. He admitted that when the rates were fixed the value of sugar was much higher than at present, and he questioned whether the producer of sugar now, at £8 5s. a ton, had as much profit on his enterprise as the farmer who grew pumpkins at £2 or £1 10s. a ton. The rate on sugar had been considerably reduced, as would be seen from the fact that taking Bingera to Bundaberg as an example, the rate in 1895 was 6s. a ton, while it was now 3s. 3d. The rate for ordinary agricultural produce for the same distance was only 1s. 5d. a ton. It was a question whether raw sugar should be considered agricultural produce, but if it was that rate would not pay the department. In fixing the rates, the value of the produce should not be taken into account so much as the profit on it to the producer. It was very difficult to determine what was agricultural produce; it might be contended that beef, and mutton, and wool were agricultural produce. Hon. members would admit the difficulty in which the Commissioner was placed—one party in Parliament insisting upon lower rates for produce, and another insisting upon increased expenditure upon working expenses. He thought, if it could be made, there should be a reduction in the rate upon raw sugar.

Mr. BELL complained of the irregularity of some of the suburban trains. Another matter on which he would like some explanation was the promise made by the Minister to grant special concessions to the owners of store stock in drought-stricken districts for the carriage of cattle to Rockhampton by railway. He would like to know why the same consideration was not made to the owners of store stock in the vicinity of Charleville, where a drought was raging. He also wanted to know why the name of a place in his electorate had been altered from Goggs' Forest to Bonarga.

#### The SECRETARY FOR RAILWAYS:

With regard to the stopping of the train referred to by the hon. member, it was the usual practice to do that on holidays, in order to furnish convenience for the congested traffic. As to the second matter mentioned by the hon. member, a special reduction of 40 per cent. had been made in the rates for cattle in the Central district, which, it was represented by the inspectors, would die in consequence of the ravages of the tick and the drought, unless they could be removed; but the rates for fat cattle remained unaltered. If there were any stock likely to die in the vicinity of Charleville or any other place from the same causes, they would be carried at the same reduced rate as was charged on the Central line. With regard to the changing the names of stations and sidings, that was a matter in the hands of the Commissioner.

Mr. McDONNELL would like to hear what the Minister had to say in regard to the suggestion made by the leader of the Opposition that the funds of friendly societies consisting of men in the Railway Department should be subsidised by the Government. This was a general thing with the railway companies in England; and he hoped the suggestion would receive favourable consideration. He would like to say that the action of the Commissioner in reducing the passenger fares and the workmen's weekly tickets was very much appreciated; but he thought the return tickets might be made available for two or three days instead of being available only for the day on which they were issued.

The PREMIER: The hon. member seemed to forget that return tickets to watering-places were available for two or three days whatever the distance might be. In regard to the endowment of a sick and benefit fund, he felt very favourably disposed to subsidise an enforced contribution on the basis referred to by the hon. member for Rosewood. Something of the kind had been tried in the service before, but it fell through because of the impatience of the younger men who had not the self-denial to contribute to the fund. If a fund were established by means of enforced contributions, he could promise that the Government would willingly assist; but no endowment could be given to small friendly societies.

Mr. McDONNELL: The fund he had referred to had been in existence since 1883, but the calls upon it had increased very much, and the men thought they had a claim to Government assistance. He was glad that the Premier considered the matter in a sympathetic way.

Mr. DIBLEY: The Premier last year, when Secretary for Railways, expressed himself as being in favour of paying the railway men their wages fortnightly, but they had heard nothing about it since. It would be a great boon to the lower-paid men, and also to the tradespeople with whom they dealt.

The PREMIER was glad the hon. member had introduced the subject, because he would be sorry if he were not made aware of the facts. In order that the department might learn how the system of fortnightly pay might be introduced here, an officer was sent to make inquiries in the South, and it was found after going into the matter very fully that to introduce the change here would involve an additional cost of £3,000 a year. Under the circumstances he would not advise such an increased expenditure. He would far rather see the wages of the men increased by that amount.

Mr. KIDSTON had heard strong desires expressed by the railway men for the payment of their wages fortnightly. The railway employees in the Central district were especially hardly dealt with in the matter of reduced wages, having been decreased 1s. a day while

men in the South were only decreased by 6d. a day. It was not an increase of wages they were asking for so much as the fulfilment of a distinct promise to have their wages restored to the former amount. He also wished to know whether the accounts for the Yeppoon banquet had been sent into the department, and whether they had been paid by the department, or by the Minister himself.

Mr. BATTERSBY had held the opinion for some years that the sooner the Government called for tenders for the purchase of the railways the better for the colony. It would save all this "yabber" every year, while the Government would at the same time be able to get 4 per cent. on the cost of the railways.

The SECRETARY FOR RAILWAYS: If it was any satisfaction to the hon. member for Rockhampton, he might inform him that the Yeppoon accounts had been sent to him for payment, and that they were paid by him as Secretary for Railways. With regard to the wages of lengthsmen, he admitted that if in the North their pay should be 1s. a day more than in the South, certainly in the Central district it should be 6d. a day more.

Mr. KERR said his attention had been drawn to the fact that at Rockhampton the station-yard was not lit by gas, and all the shunting at night had to be done by the light of a lamp taken from one of the carriages.

The PREMIER: Why did not the stationmaster represent that to the Commissioner?

Mr. KERR said it had been represented, but no alteration had been made.

Mr. CRIBB protested against the contention that increase of pay should depend upon latitude. It was more reasonable that it should depend upon nearness to a port. A man, for instance, could live more cheaply at Townsville than at Cunnamulla.

Mr. KIDSTON reminded the Minister that there had recently been a new classification, and the Central division was to be classed permanently with the South. The new regulations would give the Minister the opportunity to carry out the views he had expressed.

Mr. SIM desired to get an assurance from the Minister that before the Estimates were passed he would be given an opportunity to refer to the Normanton-Cloncurry railway.

The SECRETARY FOR RAILWAYS: That will be given you.

Mr. STEWART referred to the statement that the people of Yeppoon had invited the late Premier and the Secretary for Railways to a picnic and had sent the bill for the expenses to the Government for payment. He gave the statement a flat contradiction. The facts of the matter were stated in the *Rockhampton Bulletin* of 5th September in a report upon the subject, which showed that the bill was sent in to the Government at the special request of the Secretary for Railways.

The SECRETARY FOR RAILWAYS explained that after visiting the plantation at Yeppoon on the occasion referred to, on the invitation of the hon. member for North Rockhampton he went to the hotel where a number of the party had lunched, and on the proprietor asking him who was to pay for the lunches he replied, "If you are not paid for the lunches here send in your accounts to the department." Those accounts, as well as the account of the coachdriver, were subsequently received and paid by the department.

The PREMIER reminded hon. members that there had been an understanding with the leader of the Opposition that after fair discussion they would pass the first two votes for this department, and then adjourn till to-morrow. If, however, hon. members would go on discussing

other subjects in this discursive manner till daylight, they would have no alternative but to go on sitting until they had finished the Estimates of this department.

Mr. STEWART asked why the expenses on the Central Railway in regard to maintenance, repairs, and working expenses were less than on any other line in the colony?

The SECRETARY FOR RAILWAYS said he could not at present give any information on the subject. In reply to other questions put by the hon. member for Rockhampton North, he said that the jump in the non-paying traffic was due to the expansion of traffic all over the colony; also that it was the practice to charge to loan account the cost of maintaining lines for six months after they were completed, and the cost of new buildings on existing lines.

Mr. HARDACRE compared the rates of wages paid to different classes of employees on the Queensland railways and those paid in New South Wales, showing that they were higher in the latter colony. He also drew attention to the high rates of carriage of rations on the Central line, and to the inferior passenger accommodation.

Mr. KIDSTON pointed out the inconvenience resulting from the absence of a refreshment-room at Rosedale.

The SECRETARY FOR RAILWAYS said the matter was under consideration.

Mr. DANIELS drew attention to the insufficient accommodation for produce at Roxburgh, on the Pittsworth line, and also to the bad state of second-class railway carriages. He wanted to know when they were likely to receive the report as to the best route to St. George, because while that matter was undecided there was not much chance of the Pittsworth line being extended. He also advocated the construction of light railways in the district.

The SECRETARY FOR RAILWAYS: When all the routes to St. George had been surveyed he would be glad to submit them to the House.

Question put and passed.

#### TRAFFIC BRANCH.

The SECRETARY FOR RAILWAYS moved that £190,770 be granted for the traffic branch. There were several increases, but they were not of a contentious character. New railway extensions necessitated extra hands.

Mr. KIDSTON hoped that under the arrangements in the traffic branch the local traffic manager would have sole control.

The SECRETARY FOR RAILWAYS: The traffic manager would have sole control, responsible only to the Commissioner and the by-laws.

Mr. STEWART asked whether it was intended to increase the pay of casual hands who worked ten hours a day for 5s.? Such remuneration was altogether inadequate.

The SECRETARY FOR RAILWAYS said he would inquire into the matter and see if anything could be done.

Mr. HARDACRE supported the remarks of the hon. member for Rockhampton North.

The SECRETARY FOR RAILWAYS said 5s. was a very low rate, but many of those casual men were often taken on permanently.

Mr. TURLEY did not agree with the policy of the hon. gentleman in getting men as cheap as possible and keeping them down as low as he could.

The SECRETARY FOR RAILWAYS said he had promised to see if the position of these men could not be improved.

Question put and passed.

## MAINTENANCE BRANCH.

The SECRETARY FOR RAILWAYS moved that £283,861 be voted for the maintenance branch.

Mr. KIDSTON: He understood that an arrangement had been come to that they should adjourn after the last vote had been passed. The leader of the Opposition had gone away upon that understanding.

The PREMIER said there was such an understanding, but it was on the condition that the votes were passed within a reasonable time. However, he was inclined to adhere to the agreement.

The House resumed; and the Committee obtained leave to sit again at a later hour of the day.

The House adjourned at twenty minutes to 5 o'clock