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1901-11-29

Senate.

The President took the chair at 10.90 a.m., and read prayers.

#### PETITION

Senator BARRETT

presented a petition from 29 European divers residing in various parts of Australia, praying that the Senate would grant them protection against the inroads of coloured Asiatic divers, who were in the employ of European master divers in the waters of the northern coast of Australia.

Petition received and read.

#### KANAKAS IN QUEENSLAND

Senator HIGGS

- I desire leave, sir, to move, without notice, a motion asking for a return showing the number of kanakas in the three sugar-growing districts in Queensland.

The PRESIDENT

- If the honorable senator will ask a question now the Postmaster-General can give a reply.

Senator HIGGS

- Will the Government furnish the Senate with a detailed return, showing the number of kanakas in that portion of Queensland south of the Mackay district, in the Mackay district, and in that portion of Queensland to the north of the Mackay district?

Postmaster-General

Senator DRAKE

- I shall endeavour to get the information for the honorable senator by Wednesday.

#### CORRESPONDENCE WITH THE PREMIER OF QUEENSLAND

The PRESIDENT laid on the table the following paper : -

Return to the order of the Senate of 28th November. - Correspondence between Mr. Philp, Premier of Queensland, and the President of the Senate.

#### PACIFIC ISLAND LABOURERS BILL

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In Committee

(consideration resumed from 28th November,  
vide

page 8.010).

Clause 2.

In this Act unless the contrary intention appears - ..... " Pacific Island Labourer" includes all natives not of European extraction of any island except the islands of New Zealand situated in the Pacific Ocean beyond the Commonwealth as constituted at the commencement of this Act, but does not include - persons registered under section 11 of the Queensland Act 47 Vict., No. 12, on the ground of continuous residence in Queensland for a period of not less than five years before the 1st day of September, 1884 ;  
or

persons employed as part of the crew of a ship ; or

persons possessed of certificates of exemption under the Immigration Restriction Act 1001.

Senator PULSFORD

- I should be glad if the Postmaster-General would explain whether he thinks the definition of Pacific Island labourer is satisfactory. The Pacific Ocean includes not only the islands known as the South Sea Islands, from which the kanakas are brought, but also a very large number of the islands of Japan, to some extent the Philippine Islands, the island of Vancouver, on the coast of Canada, and many other places which might cause difficulties to arise. I should be glad if the Minister would instruct the committee as to the meaning to be attached legally to the definition.

Senator GLASSEY

- That has been the definition in laws operating in our State for many years.

Senator PULSFORD

- I know, but what sufficed in an Act for the government of Queensland may not suffice in a measure for

the government of the Commonwealth.

Postmaster-General

Senator DRAKE

. - I do not think that any difficulty is likely to arise over the definition. The term is used not only in the Queensland Acts, but in Imperial Acts, and I have not heard that any difficulty has ever arisen in connexion with its interpretation. The Imperial Act, 39 Vict., chapter 51, is intituled -

An Act to amend the Act of the session of the 35th and 36th years of the reign of Her present Majesty, Chapter 19, intituled "An Act for the prevention and punishment of criminal outrages upon natives of the islands in the Pacific Ocean. "

It shall be lawful for Her Majesty to exercise power and jurisdiction over Her subjects within any islands and places in the Pacific Ocean, not being within Her Majesty's dominions nor within the jurisdiction of any civilized power.

The Act contains no definition of the islands in the Pacific Ocean; but the Queensland Act of 1880, I find, does contain a definition - "Pacific islander," or "Islander." - A native, not of European extraction of any island in the Pacific Ocean which is not in Her Majesty's dominions, nor within the jurisdiction of any civilized power.

Senator Major Gould

- But we are attempting to legislate for islands which are under civilized powers.

Senator DRAKE

- I think not. We are using the same term as has been used in the Queensland Acts, and I think there can be no difficulty in interpreting the meaning of Pacific island in this Bill. It cannot possibly apply to an island which is within the jurisdiction of any civilized power.

Senator Major GOULD

- This definition is in very wide terras, and the restriction in the Imperial Act shows the necessity for reconsideration, if we do not contemplate interference with islands subject to any civilized power. If the definition is allowed to pass in its present form the Bill will apparently permit of the exclusion of any native not of European extraction of any island, whether it is under the jurisdiction of any civilized power or not. Surely any natives of an island under the jurisdiction of America, or any other civilized power, would be excluded by the Bill 1 The question arises at once whether we have any right, in a measure of this kind, to raise what might be a difficulty with other civilized powers.

Senator Drake

- Cannot we exclude the Samoans, for instance?

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Senator Major GOULD

- The question is whether it is desirable to do anything like that in this Bill, which practically is intended to deal with exactly the same class of persons as the Queensland Acts were designed to deal with. It is well not to have any conflict in our legislation, because, to a certain extent, the Queensland Acts for certain purposes remain in existence. We are starting on a new line, and surely the restraining of, men under other civilized powers from coming to Australia is a matter to be dealt, with in the Immigration Restriction Bill. I think that the general idea has been that what was wanting was to put a stop to the recruiting of this class, of labour from the islands which are under no civilized power, and have no Government to protect them.

Senator Pearce

-Would Germany exclude us from recruiting in Samoa?

Senator Major GOULD

- We should not say to Germany -"Your subjects cannot come here." It is very much better, even for the sake of symmetry, to make our interpretation in this Bill correspond with that in the Queensland Act.

Senator Playford

- The circumstances have been altered since that Act -was passed. Samoa has been taken over by Germany, and Honolulu by America.

Senator DRAKE

- The fact that the jurisdiction of some of the Pacific islands has changed, and that the conditions are constantly changing, makes it desirable that we should have in this measure an expression wide enough

to cover all the islands in the Pacific. The administration may be trusted not to overstep the powers conferred upon them by the Bill, but it is desirable that questions should not arise as to whether some of the islands where recruiting may take place are under the jurisdiction of a civilized power or not. As the jurisdiction of the islands is changing time after time, it is desirable that a wider definition should be used.

Senator GLASSEY

- Most honorable senators have come to the conclusion that the kanaka traffic should be dealt with definitely, and put a stop to within a certain time. We are going to close the door to kanaka immigration, but we must recognise that there is a possibility of other doors being open. Senator Playford has wisely interjected, that circumstances have considerably changed since the Queensland Act was passed. Therefore, the terms that applied at that period do not apply now. Honolulu is now under the jurisdiction of the United States, Germany has annexed Samoa, and it is not at all improbable that within a very short time the New Hebrides may be under the control of another civilized power - France. The planters may make arrangements with the German Government for bringing recruits from islands under the jurisdiction of that power. Evidently a variety of doors may be opened for the admission of kanakas. Therefore, the terms of this Bill should be made wide enough to enable us to deal with such questions should they unfortunately arise.

Senator Sir JOSIAH SYMON

- Senator Glassey has really missed the point raised by Senator Gould.

The very fact that circumstances have changed in relation to Samoa and the Sandwich Islands, gives rise to the difficulty. We are endeavouring to stop alien immigration. My own belief is that it should be entirely shut out. But that is not the policy now suggested. We are going to be very tender to foreign civilized powers in our Immigration Restriction Bill, and in order that their susceptibilities may not be wounded, one method suggested is, that we should not exclude coloured people directly but impose some kind of a test which will have the same effect. But under this Bill we pursue a different policy. The Samoans are now German subjects. The inhabitants of the Sandwich islands are, so far as they can be without being American citizens, American subjects. Under this Bill we are going to flout Germany and the United States, without using any educational test, by declaring that their subjects in the Pacific islands shall not be admitted into Australia. We should consider the complications that we may bring upon this country by adopting in one measure a set of conditions intended to avoid doing harm or causing irritation to other civilized nations, whilst on the other hand we are doing the very same thing in a Bill which is specially applicable to those islands in the Pacific which are under civilized control. It is suggested that arrangements might be made whereby kanakas might be brought from the Sandwich islands and Samoa. If such a state of things should arise, the Commonwealth Parliament would be justified in saying to Germany, or the United States, that we would not permit anything of the kind. But why do it now? What possible reason is. there why we should not introduce the same provision as is contained in the Queensland Act - "Nor within the jurisdiction of any civilized power." Surely that amount of consideration should be given, and we should not, at any rate, place upon our statute-book a hard-and-fast law excluding those who are the subjects of foreign powers.

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Senator HIGGS

- I am much surprised to hear Senator Symon suggest that we should do nothing that would offend Germany or any other power, whereas last night he stated distinctly that he wanted to keep Australia for Britishers. No greater insult could be offered to the French, Germans, or Italians, than he offered in his speech last night. .

Senator Sir Josiah Symon

- Nothing of the kind.

Senator HIGGS

- Senator Symon then said that he did not want these foreigners here, but wanted to keep Australia for the descendants of Britishers.

Senator Sir Josiah Symon

- Hear, hear. Does not the honorable senator ?

Senator HIGGS

- I think the Germans are good colonists, and I have no objection to their settling here; but when it comes

to allowing the subject races of Germany to come here from Samoa, we have a right to object and say that we will admit the Germans, but not the kanakas. Our objection is to Queensland planters entering into agreements with any power to bring their subject races here to work in competition with white men. Senator Symon occupies an extraordinary position on this question. We shall find him within the next fortnight voting for an amendment in favour of direct exclusion under the Immigration Restriction Bill which will insult Japan and China.

Senator Sir Josiah Symon

- Does the honorable senator regard China as on the same footing as Germany?

Senator HIGGS

- No, I do not. I think that the Chinaman has not reached the stage of civilization to which we have attained. When he does we may have to reconsider our position. For the honorable and learned senator to get up and criticise this clause whilst having nothing whatever to propose in its place, seems to me to be a waste of time.

Senator Sir FREDERICK SARGOOD

- I do not propose to touch the question before the committee, but I would draw attention to what appears to be incorrect drafting in the use of the word "Minister." Some time ago we passed an Acts Interpretation Act. Under section 17, paragraph (h), the word "Minister" is denned to mean -

One of the King's Ministers of State for the Commonwealth.

The next paragraph declares that a Minister means -

The Minister for the time being administering the Act or enactment in which, or in respect of which, the expression is used.

It seems to me that the word "Minister" is not needed here. It remains for the Cabinet to allocate the duties of Ministers, but if the Minister for External Affairs was away or unable through illness to discharge his duties this measure would become a dead letter.

Senator McGregor

- Nonsense. Does not one Minister act for another ?

Senator Sir FREDERICK SARGOOD. He cannot do so in this case under the Acts' Interpretation Act. It is distinctly stated that the Minister shall mean the Minister who is the holder of the office.

Senator Drake

- There is another section in that Act which covers it.

Senator Sir FREDERICK SARGOOD

- The honorable and learned senator refers to section 33, sub-section (2), which provides that- Where an Act confers a power or imposes a duty on the holder of an office as such - that is what this clause does - then, unless the contrary intention appears, the power may be exercised, and the duty shall be performed by the holder for the time being of the office.

The Government cannot make an acting appointment; the holder of the office is to act. Therefore that section will not get over the difficulty. Doubtless the Postmaster-General is aware that this matter was fully discussed in the Imperial Parliament during the consideration of the Act from which that measure was copied. It has also been debated in several of the State Parliaments. .

Senator DRAKE

- I would call the attention of the honorable senator to section 19 of the Acts Interpretation Act, which provides that -

Where in an Act any Minister is referred to, such reference shall unless the contrary intention appears be deemed to include any Minister for the time being acting for or on behalf of such Minister.

Senator Sir Frederick Sargood

- That does not appear in my copy of the measure.

Senator DRAKE

- It is in the Act as passed.

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Senator BARRETT

- I wish to obtain some information from the Postmaster-General with regard to paragraph (b), as to the meaning of which there is a great diversity of opinion among honorable senators. I wish to know whether this paragraph applies to kanakas who may man vessels engaged in the pearl-shelling industry. Prior to

the passing of the Queensland Act a number of white men were employed in this industry, but they were driven out of it by coloured men. Many of the coloured men purchased pearl-shelling boats, but the rich shipping companies were not prepared; to allow them to take over this industry for their own profit. The result was that the Queensland Parliament passed an Act which prevented coloured men from owning these pearl-fishing boats, but at the same time gave the monopoly to the rich shipping companies. Can these companies still man their boats by coloured crews, send them out to the pearling grounds, and be exempt from this provision? If so, this exemption should be struck out. We are determined that the Pacific Island labourers shall not have a footing in Australia after a certain time, and this point should also be borne in mind. I have a mass of information on the subject, but as I wish to see the Bill passed through committee as quickly as possible, I will not trouble honorable senators with it now. I shall deal with it more fully when the Immigration Restriction Bill is again before us in committee.

Senator WALKER

- I also desire to obtain some information from the Postmaster-General in regard to paragraph («), in which it is provided that the words " Pacific Island Labourer " do not include -

Persons .registered under section 11 of the Queensland Act. ... on the ground of continuous residence in Queensland for a period of not less than five years before the first day of September, 1884.

That means that unless a kanaka has been in Queensland since 1879, and holds a certificate of exemption, he is to be deported later on. It seems to me that we shall have to alter the paragraph by substituting the year 1901 for 1884. Why should we discriminate between men who arrived here in 1879 and those who have landed since? I have already instanced the case of a kanaka boy who came out here 25 years ago. He was only five years of age when he arrived, but he - has : Soever-' obtained a certificate of exemption. I suppose he was too young to apply for it at the time. If this paragraph be passed he - will have to be deported to the island from which he came, and, probably; he would not be able to speak the language of the people there now, because, practically, he is a European. If no one else will move in the direction I have indicated I shall have to do so myself.

Senator DRAKE

- I shall reply to both Senator Barrett and Senator Walker at the same time. The islanders described in paragraph (a) are already exempt under the Queensland Act of 1884, upon which we cannot go back. They are exempted by that Act from the operation of the Queensland laws on this question, and we feel that in passing this Bill we must follow that exemption. Kanakas holding certificates of exemption under the Act have been treated in Queensland as if they were white men, and exempted entirely from the operation of the law in this respect. We feel that in such cases we must honour the exemption. Under the same section in the Queensland Act islanders who are part of the crew of a vessel are also expressly exempted. They are in the same position as kanaka boys who have obtained exemption tickets. The section in the Queensland Act reads -

The provisions of the third and fourth sections of this Act and of the last preceding section shall not apply to islanders employed as part of the crew of a vessel, or as attendants at a depot or hospital for islanders : nor to any islander with respect to whom it shall, before the 1st day of September, 1884, be proved to the satisfaction of the Minister that he has been continuously in the colony for a period of not less than five years -

I think that is a complete answer to Senator Walker -

Upon such proof being made in respect of any islander, he shall be registered by the immigration agent as exempt from the aforesaid provisions.

The boys exempted in this clause are those who obtained exemption tickets before 1st September, 1884.

Senator Higgs

- What was the object of exempting crews of vessels ?

Senator DRAKE

- I do not know. I presume it was to restrict the employment of islanders to certain callings. It was not considered that this clause should be made applicable to islanders who were employed as part of the crew of a vessel.

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Senator DOBSON

- If we are going to take in hand the definition of the words " Pacific Island Labourer," I should like to point

out that the Postmaster-General has led us to understand that the definition contained in this Bill has been inserted with an express object. If it is a good object something may be said for it. When I interjected yesterday that the words "not in the jurisdiction of any other civilized power" were part of the definition, the Postmaster-General and other honorable senators appeared to have forgotten that fact. Is the definition in, the Bill, which differs from the definition in the Acts we are amending, being put in with any specific object, and is that object of sufficient importance to override the necessity which exists in most cases for observing uniformity of language when amending an Act? That is what I want to know. If we leave out the words "not in the jurisdiction of any other civilized power" we may have some of the islanders from Samoa or the Sandwich Islands, or some of the 350,000 natives in New Guinea coming into the Commonwealth, and they will not be hedged round with the restrictions which apply to Pacific Island labourers. If we leave out these words, all these later sections in the Pacific Island Labour Acts - which I understand the white men regard as of so much importance - will not apply to them. Therefore, unless there is some very good reason for altering the definition it appears to be most unstatesman-like that, when amending State Acts, we should depart from the definition contained in those Acts, when that definition is the sole subject matter thereof.

Senator PULSFORD

(New South Wales). -When I drew attention to the interpretation of the words "Pacific Island Labourer," I thought I was taking a course which was desirable in the interests of the Government as well as in the interests of the Bill, and that the representatives of the Government would take whatever steps seemed necessary in the matter. When I am not helping the Government to do right,

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am helping them not to do wrong. If they will not take advantage of my hint and make the alteration which seems to me to be necessary, then, of course, the consequences must rest with them.

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Senator PLAYFORD

- A great deal too much has been made of the question. It is provided in the last clause of the Immigration Restriction Bill -

This Act shall not apply to the immigration- of Pacific: Island labourers under the Pacific Island Labourers Acts 1880-1892 of the State of Queensland.

The position is that the Immigration Restriction Bill does not apply for the present to the immigration of certain people into the State of Queensland whose immigration is provided for by Queensland Acts. By the passing of the Bill before the committee we shall be practically repealing those Queensland Acts, and after 1906 the whole thing will cease and be done with, and then the Immigration Restriction Act will apply to the introduction of these Pacific islanders as well as to every one else. It really does not matter whether the words are left in or are struck out.

Senator BARRETT

(Victoria). - I have been impressed by the explanation given by Senator Playford,

and I shall not now persevere with the amendment I was about to propose. I have information with respect to the matter which I shall refer to later in dealing with another Bill.

Senator WALKER

(New South Wales). - I move -

That the following new sub-clause be added to the clause - "(d) Persons who have resided continuously in Queensland for a period of not less than five years before the 1st day of September, 1901."

At the end of his three years' engagement a kanaka is required to return to his island unless he enters into a new engagement, and if, at the time I have fixed, a kanaka has been five years in Queensland, it is a proof that he does not desire to go back to his island. If he desires to remain, I do not see why we should deport him, any more than Parliament should have provided for the deportation of a kanaka who had been five years in Queensland before the 1st of September, 1884. With regard to the case alluded to just now, I should like the Postmaster-General to tell me why that man, who was still a boy seventeen or eighteen years ago, and could not, therefore, apply for a ticket of exemption, should be treated as a criminal? We have heard a great deal about the immorality of this traffic, and I am one of those who even now regret that the kanakas were ever introduced. However, their introduction has now become a lawful

business transaction, and it is not fair that those who approve of it under existing conditions should be considered as identifying themselves with or approving of the abominable actions which took place in the old days. Whatever a man's colour may be, if he behaves himself, I think we have no right to deport him. That is altogether un-Christian and Un-British

Senator GLASSEY

(Queensland). - I am surprised at the warmth of  
Senator Walker

in alluding to the Kanaka who came to Queensland as a child. Does the honorable senator think that those who will have the administration of this measure are going to bundle men out? They will have the power to do it, but I have every confidence that they will be guided by common sense and humanity.

Senator Walker

- Why not make the law common sense and humane?

Senator DRAKE

- I desire to point out first of all with regard to this Kanaka who was brought here at the age of five years that he was illegally introduced into the colony, and was certainly not introduced under the Polynesian Labourers Acts. The Polynesian Labourers Act of 1880 refers to these islanders as "passengers," and contains this provision, which has not been altered in any subsequent Act -

No passenger shall be introduced who, in the opinion of the Government agent, is less than sixteen years of age.

The assumption all through the Polynesian Labourers Acts of Queensland is that the islanders who come into Queensland come in under an agreement, and sixteen years of age was fixed as the age at which they were supposed to be able to make an agreement. There is no provision whatever made for bringing children from the islands.

Senator Sir Frederick Sargood

- Does that affect this question?

Senator DRAKE

- It affects it in this way that it seems to me that if a Kanaka introduced as a child was not brought in under the Polynesian Labourers Act he must be considered to have been introduced in the same way as an alien from any other place. The case cannot be used as an illustration for a general argument at all. With regard to the amendment Senator Walker has moved upon this very slight foundation that any islander who, on the 1st September, 1901, had been in Queensland for more than five years should be allowed to remain altogether, I point out that it cuts dead against the arguments which have always been used in Queensland in favour of Polynesian labour as against every other form of alien labour. Those who come from Queensland know perfectly well that the chief reason always urged upon the Government for the introduction of Polynesian labour has been that it is a form of labour that could be got rid of as soon as we ceased to require it. Over and over again it has been pointed out in Queensland that it was an advantage that the islanders did not belong to a civilized power that could insist upon their being allowed to remain in the States. Senator Walker says that if islanders have been in Queensland for the time he specifies it is a proof that they desire to remain, and that therefore we should allow them to remain; but it is not a question as to whether the islanders desire to remain or not. They came in under certain arrangements and conditions, and one condition was that after three years' engagement they should return to the island or enter into another agreement, and at the termination of that second agreement the same option was open to them. They knew that they did not acquire any right to reside permanently in the State. I see no ground whatever for the amendment proposed, and I cannot accept it.

Senator WALKER

(New South Wales). - The Postmaster-General has, no doubt, seen a great deal of the correspondence in connexion with this subject, which has appeared in the Brisbane press. I have seen from it that the Messrs. Young have persons on their Fairymead plantation who have been married for fifteen or sixteen years, and who have reared families there. I take it that the children are British subjects, and are we going to deport the parents and leave the children here without them? The Queensland Parliament is to blame for not definitely fixing the time at which the Kanakas must return, instead of allowing them to go on renewing their agreements. 'I hope that we shall not be guilty of the savagery of sending these parents back to their islands, and leaving their children here as orphans. They are comparatively very few in

number, and I do not see why they should not be allowed to remain. The percentage is about 21/2, or about five people in every 200. Are the other 195 afraid that the five are going to demoralize them? I must press the amendment to a division.

Senator CHARLESTON

- If Senator Walker were prepared to follow out the suggestion made yesterday by Senator Macfarlane I should be prepared to support him.

Senator Walker

- I shall be disposed to do that when it comes up later on.

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Senator CHARLESTON

- I should not support the honorable senator in this instance unless I was quite sure that we could carry the other amendment; because, judging from the remarks of Senator Drake, the whole business has been based on inhumanity. Apparently it was a matter of no concern to the planters how the kanakas were to be treated. They were to be brought here and to take nothing away, and as soon as their services were no longer required, whether old or sick, or unable to work on their islands, they were to be deported. A more inhuman traffic I cannot conceive of. Whatever the consequences may be, I am prepared to allow those kanakas who are now in Queensland to remain, if we cease to import any more. But I cannot support the importation of more kanakas to be subject to the conditions which have been described by Senator Drake.

Senator Sir FREDERICK

SARGOOD (Victoria). - The further I go into this matter the more difficult it becomes, and it is rendered all the more difficult by the fact that the statistics so far show that on the 31st March last there were 4,416 kanakas who had resided continuously in Queensland for over six years. While I think it is a black spot on its escutcheon that Queensland ever entered into this abominable traffic, still we have to act in a reasonable manner. I cannot conceive that it is intended to deport all those kanakas who have resided for the term of not one agreement, but two agreements, and who apparently have expressed an intention to remain. These men had ample opportunity, if they so desired, to return at the end of the first; agreement, and again at the end of the second agreement, but they did not do so. According to

Senator Glassey,

they are the least objectionable of the dark-coloured races in Australia. In the Queensland Act, 47 Victoria, No. 12, it was recognised that those kanakas who had resided for five years in the colony and had an exemption should be allowed to remain. If that was fair then, I utterly fail to see how we can refuse a similar concession to those who have resided for an equal term since that time.

Senator Glassey

says that we may trust the officials to administer the Act honestly and humanely. I have had considerable experience in public life, and I do not know that I should be prepared in all cases to trust any officials with the administration of an important law of this sort.

Senator Glassey

- I would trust the honorable senator with its administration.

Senator Sir FREDERICK SARGOOD

- We have to deal with those who may feel as strongly on the subject as does the honorable senator, and in my opinion it would not be wise or safe to intrust to such persons the administration of an Act of this sort. We are assured that nothing but justice will be done, but I cannot shut my eyes to the fact that Senator Glassey and others have absolutely denied fair play and justice to the sugar-growers. If an act of injustice, from my point of view, is being done, by denying to the planters a reasonable time to get out of the industry, what hope have we that justice will be done to the poor kanakas who were imported, as Senator Drake said, that they might be dealt with, not as human beings, but as chattels? On the high ground of humanity which Senator McGregor took yesterday, we ought to hedge the question of deportation about as much as we legitimately can, and not leave it to any official or Minister to say that 4,000 kanakas, who have been resident in Queensland for six years may be deported. I think it is a monstrous proposition.

Senator MCGREGOR

(South Australia). I wish to ask



Senator Walker

and

Senator Sargood

to look into their consciences, and tell me whether it is not in the interests of the planters that they desire this labour to remain in Queensland?

Senator Walker

- No.

Senator MCGREGOR

- Most decidedly the extension for two years or ten years or for ever is wanted in the interests of, not the kanakas, but the planters. Yet those honorable senators will get up and say that these poor people have remained willingly. Did they listen the other day to the account of a couple of unfortunate kanakas in Cairns who were fined three years' salary for a simple offence?

Senator Walker

- We do not defend that.

Senator MCGREGOR

- The honorable senator wants them to be kept here so that they can still be treated in that way.

Senator Walker

- No, but to give them the option of remaining.

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Senator MCGREGOR

- Why do the majority of the kanakas remain ? It is the ambition of a kanaka when he returns to his island to take back a box filled with clothing and trumpery sold to him at a very high price by white or Chinese residents. Sometimes that box cannot be provided within the term, because their wages have been taken from them as penalties for some simple offence for which a white man would never be molested. They would rather remain in Queensland than return without their box. In the absence of a box many have had to remain who would have been deported long ago. For what purpose do honorable senators wish 4,000 odd kanakas to be kept here for ever ? To provide the planter with cheap labour and to deny fair wages and conditions to men of their own flesh and blood. If that is so, in the interests of Queensland, as well as in the interests of the islanders, it is better that they should go back and be treated humanely and educated to a certain extent by the good missionaries than that they should be allowed to remain for the purpose of making fortunes for men who have very little consideration for their welfare, physically or morally.

Senator FRASER

- If it was wise a few years ago to make an exemption in favour of those islanders who preferred to remain in Queensland, surely it is wise to do so now. The Government of Queensland took every possible precaution to protect the islanders, and the ration scale has been liberal in every respect. I know some of the islanders there, because I am connected with people in Queensland. I may instance the case of a man who is not on a plantation, but who went there as a youth, and grew up under good associations. He shed bitter tears from very fear of going back to his island. He was never so happy in his life as he had been with a good family whom he was serving. Is it fair or humane to compel such men to return ? If they are anxious to return to their islands, by all means give them the option of going. I have never before expressed this opinion ; but I think it would have been better for Queensland, and for the islanders, if they had never gone to that State. But we have a difficult problem to deal with, and we should deal with it as wise and humane men. If some of the islanders are anxious to remain, we should give them the option, and not inflict an injustice upon them as this Bill does.

Senator PULSFORD

(New South Wales). -

Senator McGregor

is continually drawing such harrowing pictures that, if we trusted to what he told us, I do not know what the legislation we passed would be like. He now tells us that most of the kanakas in Queensland are kept there because they are so poverty-stricken that they cannot get back to their islands. But the Savings Bank figures of

Queensland show that there were last year 3,864 kanaka depositors, and that the balance at that time

was £28,588, or an average of £7 7s.10d. per depositor. That simple statement of facts effectively disposes of the lurid picture drawn by Senator McGregor of the deplorable state in which the kanakas are living. We are called upon to protest against the insinuations made by Senator McGregor as to the reasons actuating some of us who feel called upon to oppose the provisions of the Bill. I have no interest in buttressing the sugar industry. I am not trying to get anything out of the kanakas. All I wish to do is. to render justice between man and man, and to prevent anything that would bring discredit upon Australia.

Senator HIGGS

(Queensland). - We have heard a great deal about humanitarianism from Senators Walker and Sargood. I will test their sincerity later on by an amendment proposing that these poor kanakas shall be paid a wage of not less than £1 per week.

Senator Walker

- I have no objection to that.

Senator Sir Frederick Sargood

- I will support that.

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Senator HIGGS

- I think this kanaka traffic is slave traffic, and that no words too strong can be used in connexion with it. The kanakas are treated infamously in many ways, and the rations given to them are inadequate, whilst the dwellings in which many of them reside are wretched. As to the figures of the Registrar-General, I think it has already been shown that we cannot place much reliance upon them. It is a strange thing that Senators Sargood, Walker, and the other opponents of this. Bill are placed in possession of figures which are not available to other honorable senators.

Senator Major GOULD

(New South Wales). - A great deal of false feeling has. been imported into this discussion. Some honorable senators speak of the kanaka traffic as a slave trade. Probably there are instances of hardship, but the deportation of these men, whether they like it or not, will be an act of gross cruelty. Some honorable senators prate about humanity and Christianity, but when they are called upon to put their professions into practical form, they do nothing of the kind. There are honorable senators who look upon this business in the light of an interference with the rights of white men to obtain labour, and they are prepared to work in any direction that will attain their object. Are they honest when they say that they want to consider the question from a humanitarian and Christian point of view

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Senator Sir Josiah Symon

- What humanity is there in sending semi-savages back to barbarism t

Senator Playford

- Why keep 4,000 of them here to breed.

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Senator Major GOULD

- No one wants them to come here ; but what is wanted is that under certain conditions those who are here may remain if they desire. Senator Walker has instanced the case of a kanaka who came to Queensland as a child. According to the Postmaster-General he came to the country illegally ; but is it not fair and reasonable that certain exemptions should be permitted to apply to cases of that sort ? The Postmaster-General thinks that the Minister will have power to grant exemptions, but I think he is absolutely wrong in his interpretation of the clause. Whether these young kanakas came here legally or illegally it is a hardship to deport them if they desire to remain. It is only a fair thing that the Minister who is to administer the Act should know exactly what power he has under it. It is not a wise thing to trust too much to his discretion. If the kanakas who are already in Queensland wish to remain there, and are willing to conform to our laws, we ought to allow them to remain. At any rate it is a fair thing to allow a reasonable time within which persons who have obtained certificates of exemption may be allowed to stay.

Senator DOBSON

(Tasmania).- On the grounds of justice and humanity, I" feel that I ought to vote for the amendment. Had not that been my opinion, I should have been driven to that conclusion by the remarks of Senators

McGregor and Higgs. Even though we may have been doing wrong for years in permitting the immigration of kanakas, that is no reason why we should turn them out at a moment's notice. They have obtained certain rights by coming to Australia ; they have been . of use to us in our industries, and we have grown wealthy by their labour. By all means, let us cease permitting the importation of kanakas, but do not let us say to them that they must quit the country at once.

Senator Pulsford

has pointed out that a great number of kanakas are depositors in the Savings Bank. The figures show that out of 9,000 kanakas considerably more than a third are thrifty, saving men. If, when they have saved a little money they care to go back to their islands with their boxes of toys, or their clothes, or tomahawks, or whatever they like\* to buy, let them go; but if some

of them like to stay and live under the conditions of higher civilization which we have taught to them, and want to be permanent labourers in Queensland, why prevent them ?

Senator McGregor

says - "Let them go back to be taught by the missionaries. " Does the honorable senator forget that there are 3,000 out of these 9,000 kanakas, in Queensland who are attending classes, conducted by missionaries and school masters there

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Three thousand of them are pledged teetotallers, and does it not seem, therefore, that more than one-third of these are men whose example might be followed by the whites? I think that all these tilings go to show that although we desire to get rid of the kanakas, and do not want them to compete with the white workers and break down wages, we have no desire to do any injustice to them. It appears to me, however, that we shall inflict an injustice upon them if we do not carry this amendment. Do honorable senators really think that although this clause provides that we may deport the kanakas, Ministers are going, against the will of the black men, to charter a ship and send them away

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I do not believe that they will do anything of the kind. Even if the clause remains unaltered, I still doubt whether they will have the power to do it.. I have been thinking over this matter in reference to. the definition of " Pacific Island labourer " in other Acts on this subject, but not in this measure - wrongfully, I think - which excludes those who are under the jurisdiction of any other civilized power. Supposing, for example, that these kanakas, were under the sovereignty of Germany, or that we were dealing with 9,000 Chinese under the Chinese Emperor. If we had the desire to deport them, does any one say we should have the power to- do so ? Is there no such thing as the comity of nations ? If we were to treat harshly men' belonging to a sovereign power, perhaps we would have to answer for our action.. The very fact, that kanakas have n©&gt; one- to protect them should lead us to be the first to defend their rights.

Senator STANFORTH SMITH

- The sympathy that has been shown for the poor kanaka during the debate this morning is really surprising. We are told that the dictates of humanity will be outraged if these poor kanakas are not allowed to remain in Queensland. It is a very peculiar coincidence that the idea entertained by certain honorable senators as to the best way of benefiting the kanaka appears to be, also, the best way of benefiting the planter. Senator Fraser, Senator Sargood, and others have said that it is a pity that the islanders ever came to Queensland. I would ask those honorable senators - "Did they not come here of their own volition?" They were not forced to come here.

Senator Sir Josiah Symon

- Then where is the slavery of which we have heard %

Senator Dobson

- They came in under contract.

Senator STANFORTH

SMITH.They came in because they desired to come in, and yet these honorable senators, including Senator Symon,

say that the result would be cruel and barbarous-

Senator Sir Josiah Symon

- I did not say that. I said it would be a cruel and barbarous thing to drive them out if they wanted to

remain after spending years in the State.

Senator STANIFORTH SMITH

- I may ' have been mistaken, but I thought Senator Symon said he was sorry they ever came into Queensland. They came in of their own free will. They were cajoled into Queensland, and the very same argument that holds good in regard to their remaining here, applies to their going out. We know why kanakas very often renew their engagements. They do so not only because they have not got the boxes and trinkets, and hats, and good clothing and tomahawks that they want, but because there is a communal system in their islands. They find when they return to their island homes that their friends have scattered, and the lands which they held have been handed over to some one else. Naturally they feel dissatisfied, and they come back. It seems to me that an attempt is being made to injure the whole intention of this Bill by means of a few insidious amendments. Senator Sargood has pointed out that over 4,000 kanakas will remain if the amendment proposed by Senator Walker - from the dictates of humanity - is carried. That is to say that nearly half of the kanakas at present in Queensland will remain in the Commonwealth, although they came here under agreement to be deported at the end of their term of service.

Senator Sir Frederick Sargood

- If they wished to go back.

Senator STANIFORTH SMITH

- It is said that the kanakas have come in because they wished to come in. But if the traffic is barbarous, if it is injurious from a moral as well as from some other points of view, then they should not have any option as to going out any more than they should have the option of coming in. In my opinion the men who have come in under the three years' agreement must be deported. They came here under a three years' agreement, with the option of remaining for another term under a new agreement. They did not come in in the same way as any of the other aliens of Australia are under contract, and no injury will be done if the contract is fulfilled. Senator Walker drew a harrowing picture of a nondescript kanaka child of five years of age. I do not know whether that was an imaginary case or a case of kidnapping. But it has nothing whatever to do with the question before us. What we want to do is to see that those who come in under contract shall go out of Australia. If they do not come in under contract they can be treated just as other aliens are treated. What will be the result if we have these 4,000 or 5000 kanakas remaining permanently in Australia ? No doubt they will marry. The very object of the planters will be to induce them to marry, just as the planters of South Carolina in days gone by encouraged the negroes to marry so as to rear children to continue the work on the plantations. These young full-blooded kanakas, if allowed to remain, will marry the women of their own or other coloured races, and they will breed a mongrel population in Queensland, that may increase faster than our own, so that on a smaller scale we shall have the same result as occurred 'in America when slavery was abolished.

Senator Charleston

- The' kanakas in Queensland are dying out fast.

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Senator STANIFORTH SMITH

- Yes, but they may become acclimatised. We know that the death rate has been enormous among the kanakas in Queensland, and it is admitted that the whole traffic has been cruel. It seems to me that it is very illogical to say that these people shall not have the option of coming in, and to say at the same time that those who have already come in under contract may stay if they desire to do so. We should keep them to their contract. They came here on the understanding that they would remain for a certain time, and then be deported.

Senator Sir Frederick Sargood

- No; the agreement was that they might go back if they wished.

Senator STANIFORTH SMITH

- It seems to be that they can always go back at the end of a certain period unless we are going to make absolute slaves of them. If we carry the amendment moved by Senator Walker, with the sole object of benefiting the planters--

Senator Sir Frederick Sargood

- That is absolutely incorrect.

Senator STANFORTH SMITH

- At all events it would have the effect of benefiting the planters, and of carrying out their desires. I hope the Senate will not vitiate the whole effect of the Bill by allowing half of the kanakas now in Queensland to remain there. Influence will be exercised on these men in order to keep them in the country. They may be fined and ill-used, and have their money taken from them so that they will not be able to leave Queensland. They will be kept here by every means possible, with the result that we shall have a hybrid population growing up, when the men who came here under contract should really have been deported at the end of their term.

Senator PLAYFORD

(South Australia). -

Senator Dobson

has urged with great vehemence the plea of justice. Justice will be done by carrying out the agreements. When two parties enter into an agreement, it is only right and proper that they should carry it out. In this instance, the planters or their agents have entered into agreements with the kanakas, one of the conditions of which is that the latter shall be sent back to their island homes.

Senator Dobson

- If they want to go.

Senator PLAYFORD

- No, whether they want to go or not. The Government of Queensland in their desire to make sure that this provision would be carried out absolutely insisted upon a deposit of £5 per head being lodged with the Treasury by the planters as a guarantee.

Senator Drake

- And the kanaka's last employer has to keep him until he goes back or makes a fresh agreement.

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Senator PLAYFORD

- Yes; for the benefit of the planter they have altered the conditions under which these men can be employed. To save the planter the expense of obtaining fresh recruits from the islands, the State Legislature has allowed the kanakas to enter into fresh agreements at the end of the first three years' term, and so on, but always with the understanding that deportation should take place in the end. We cannot get away from that. Therefore, it is just that we should see that that provision is carried out. The views of the Government are well expressed in their Acts of Parliament, and if we are going to deal with these people justly, deportation is the right thing to provide for. There maybe individual cases of hardship, but if we try to meet every individual case by law we shall find that we have undertaken a contract which we are not able to carry out. Lawyers have a proverb which reads something like this - "Hard cases make bad laws," and if we, in giving way to our humanitarian principles, ideas, and sympathies, attempt to meet these hard cases, we shall not be able to carry out the desire of the people for a white Australia. If we pass this amendment we shall be providing a nucleus of some 4,000 black men who will be kept in the country, and who will breed in the country, and instead of making Australia white we shall do something which will help to make it piebald. We are not going to do any act of injustice by what is proposed, but we shall be doing what is fair and right under the circumstances. We shall never make Australia absolutely white, but we shall wipe away some of the stain by passing the Bill as proposed. There are between 20,000 and 30,000 black and yellow men in Queensland at the present time, and Senator Walker proposes that we should add to that number 4,000 kanakas, who are to remain and breed there. My view of the proper treatment of aliens is. that when we have allowed them to come in voluntarily, and not under contract, as in the case of kanakas, we should not differentiate between them and our own people, but should treat them as British subjects. But where aliens have come in under a special contract one of the conditions of which is that at the end of their agreement they shall ' be deported, it is only proper that we should carry out the agreement. It has been said that we should make our laws so plain that the men who have to administer them will know what to do, but any administrator worth his salt will not hesitate to break a law if he thinks it necessary to do so in the interests of the country, and no administrator will put a law in force in cases in which he is satisfied it will work absolute injustice and supreme hardship. In a case such as that which has been specially referred to, whether the contention of the Postmaster-General, that the man could not be deported, is right or not, there can be no doubt that the

Minister administering the law would say - " Let the man remain." We have promised our constituents that we will keep the black and yellow races out of Australia, and in dealing with these particular individuals it is due to our .promise that we should treat them fairly under the contracts into which they have entered, and deport them in due course. We are not proposing to do it today or to-morrow, but in five years' time, and that appears to me to be ample under all the circumstances.

Senator PULSFORD  
(New South Wales). -

Senator Playford

tries to be fair upon all occasions, but on this occasion he has failed to give due weight to the matter of the re-engagement of the kanakas in Queensland. All the honorable senator has said about kanakas being engaged for a term is correct, with this exception, that after that term is terminated they have the right of reengagement for a further period.

Senator Playford

- Under the same condition of deportation at the end of the second period.

Senator PULSFORD

- That is so, but at the end of the second period, they may enter into a new agreement for a third period. I see that last year over 4,000 whose engagement had expired entered into new engagements for further periods, and they could not under the law of Queensland have been deported. I imagine that many of the 4,000 who re-engaged last year had previously re-engaged several times. How long they have resided in Queensland we do not know, but some of them may have been there for over ten years. In the case of men who have resided in Queensland for such a length of time, it does seem but the barest justice that we should deal with them in something like the same way as we deal with aliens generally, and we should not desire to take the power to deport them with or without their will. Reviewing the whole of the circumstances of the traffic, and the conditions under which kanakas reside in Queensland, I hope the committee will do what is fair, and agree to the amendment.

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Senator MACFARLANE

- Senator Playford

says that justice requires that a contract shall be carried out, but if the parties to the contract wish for a variation of its terms, is it an injustice to prevent it ? The honorable senator says that the kanakas came in of their own accord, and that they must, not go out of their own accord, and that is his idea of justice. Another honorable senator talked of the missionaries, and what they have done for the poor kanakas, and would do for them if they were sent back to their own islands. Many of us heard

Dr. Paton,

who is the greatest authority, as a missionary, in regard to the kanakas, and he beseeched us with tears in his eyes not to send some of these poor men back, because in some cases it would mean their ruin. Their lands are gone, their wives, if they had any, are gone, in some cases they have lost their language, all home ties have been broken, and the best thing for them would be to leave them where they are, if they wish to remain. There are very few of them, I think at most 4,000, who have money in the bank, and we know that

Mr. Young,

of Fairymead; who is one of the largest employers of black labour, says that nothing will induce a boy to remain in Australia if he once takes it into his head to go back to his island. The great majority of them wish to go back. They are like children, and they like to sport themselves in fine feathers, and take little trinkets and presents for the friends they have left behind them. But those who have lost their friends do not want to go back, and why in the name of justice should we deport them from our shores to their detriment, when their remaining here would do us no injury? I do not believe that the handful of kanakas who would remain could do any injury to the Commonwealth. I shall support the amendment.

Senator WALKER

(New South Wales). - We have heard a great deal, directly or indirectly, about what is called a " piebald Australia," and personally I have no wish to see that become a fact. I propose to read a short extract upon the question, from a letter written by

Mr. Joseph

Stirling. He is a master blacksmith whom I have had the pleasure of knowing for the last 35 years, a man who, never to my knowledge allowed a beggar to go past his door without assisting him. He is at present at Childers in the  
Isis.

He writes -

Is it a crime for a mau to have a black skin ? Is it advisable, or is it possible, to have a white Australia ? Nature says it is impossible. There is no land under heaven with the variety of climate as found in Australia, where all labour is done by white-skinned men. If the leaders are persuaded that it is advisable to have a white Australia, should the beginning not be made at the most difficult place first ? There are in Melbourne nearly 1,000 American blacks. Let the Federal Government take these men from their positions as hotel-keepers, waiters, cooks, &c, hire a couple of large ships, and deport them to America, and see how such action would result. America would send them back, accompanied by two or three of her best battleships. A message something like this would be given - "Gentlemen, - Put these men back into the positions from which you have taken them. Compensate them for every hour of time they have lost, or we will bombard Melbourne." And sooner than insult the Stars and Stripes, Australia would eat humble pie. Even if it was advisable, a white Australia is an impossibility. What are we to do with the native blacks, the Chinese, the Hindoos, the Syrians, the Cingalese? Many of the kanakas have been in the country for over twenty years, and are. they to be dealt with now as criminals ? They are as well-behaved as any labouring man in the community, and, as a rule, are trustworthy, will work faithfully in the absence of overseers, and will keep faith with one another. They have a sort of freemasonry among them, and may be trusted not to tell tales on one another. If any other nation but Britain had a protectorate over their country, Australia would not dare to brand as criminality the fact of a man being born in Polynesia. But does not the fact of Britain having established a protectorate over these islands confer any citizen rights on the natives of these islands ? I trow it does. If any nation made a claim to these islands Britain would go to war to establish her protectorate, and will Britain allow her people to be branded as felons because they have black skins ! I trow not.

With regard to the question of a so-called piebald Australia, I propose to read a short extract from a most interesting article in Chambers' Journal on " National Physiognomy Changing," showing that the British is one of the most mongrel races in the world, though in my opinion it is the best -

In Japan it has been observed with increasing astonishment, as almost a freak of nature, that 23 c 2 ever since the adoption by the Emperor Mutsuhito, 30 years ago, of European customs and costumes, the Europeanisation of the physiognomy of the Japanese has been growing apace.

I believe that, whether we like to acknowledge it or not, three-fourths of the population of the world are what honorable senators call coloured, and only one-fourth white. It is a moral impossibility to keep any race pure white for all time. Only this morning I read an account of our own nation in the days of Julius Cæsar, and we now see where comes in the great superiority of our people to these poor people after 2,000 years. After a short geographical description of the island, Caesar proceeded to speak of the inhabitants in these terms -

By far the most civilized are the inhabitants of Cantium (Kent) ; they do not differ much in their customs from the Gauls. The inhabitants of the interior do not for the most part sow corn, but live on milk and flesh, and clothe themselves with skins. AH the Britons stain themselves with woad, which produces a blue colour, and ives them a more formidable appearance in battle. They wear their hair long, and shave every part of the body except the head and the upper lip. Ten or twelve have wives in common.

Senator Playford

- Nothing of the sort. They were wiped out by the Saxons.

Senator WALKER

- Does the honorable senator mean to tell me that Senator McGregor was wiped out by the Saxons 1 This fear of a piebald Australia is only the catch-penny cry of some of the most disreputable newspapers in Australia. It is absolutely unchristian. Some honorable senators seem to think that they have a monopoly of Christianity. I am speaking on behalf of the kanakas, and not the planters, and I only want- to see justice done between man and man.

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Senator O'KEEFE

- Senator Walker has thought it necessary to take the committee back to ancient history to prove that we are about to commit an act of injustice. I propose to quote some recent history as to the moral aspect of this question. An impartial correspondent who recently inquired into the conditions of the sugar industry in Queensland contributed to the columns of the Melbourne Herald this statement -

Not so long ago, some part of Cairns awakened to the fact that it was quite a creditable thing to permit a horde of Japanese prostitutes to openly ply their shameful calling in a British town. Amongst " smart business men " and the like, who manage affairs, and do not stop to worry their heads over that which ranks under the denomination of public morals, a few persons, evidently imbued with some old-fashioned ideas still much prized by the race to which we belong, tried to assert inconvenient and quite unbusinesslike principles. The local municipal body was approached by petition, and asked to suppress the Japanese brothels. The people of Cairns do not forget the excitement which this awakening and surprising movement caused in their midst, nor what remarkable factors operated to produce the division of opinion caused by the attack upon this particular "vested interest" of the north. . . My purpose, however, in these articles is to state what I honestly believe to be the truth regardless of persons, and the truth is that those who, from mere mercenary self-interest, resisted the effort to improve the public morality of Cairns, are a quite insignificant few. Yet, the fact remains that the petitioners failed, and the local council, on the casting vote of the chairman, decided to retain the Japanese prostitutes. Upon what ground ? Simply and solely on the ground that, having regard to the number of kanakas and other coloured aliens in the district, as a measure of public safety the Japanese women could not be spared !

Question - That the words proposed to be added be so added - put. The committee divided -

Ayes ... .. 10

Noes ... .. 15

Majority ... .. 5

Question so resolved in the negative.

Clause agreed to.

Clause 3 -

No Pacific Island labourer shall enter Australia on or after the 31st day of March, 1904.

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Senator FERGUSON

-I move -

That, after the word " Australia," line 1, the following words be inserted : - " except that part of the State of Queensland north of the Tropic of Capricorn. "

In my speech on the second reading of the Bill, I said that I should be prepared to give an extension of ten years.. And at that time I intended that the extension should apply to all the State, but the amendment I propose is much fairer, as it applies to only that part north of Rockhampton. I hope that the committee will see the justice of the amendment. There is not the slightest doubt that it is much more difficult to carry on sugar-growing without black labour in, the tropics than elsewhere. Practically, every speaker in the debate on the second, reading admitted that the conditions in the tropics are different from those in the semi-tropics, and that, therefore, the planters in the north should be dealt with; differently from those in the south. I am convinced that the north will not. develop and carry on the sugar industry. unless an extension of time is granted. My object is to extend the time for ten years, to allow those who have invested their all in the industry to look round ; and if they find that they cannot produce without kanaka labour, and if within the time mentioned machinery is not invented to do the work, they will be able to clear out of the business with as little loss as possible. I admit that the kanaka must go, but I ask for simple justice towards the planters. At the end of seven years let recruiting cease. One-third of the kanakas in the country would be deported during each of the following three years, and at the end of ten years the last kanaka would disappear from Queensland. No one, I contend, would be injured under an arrangement of that kind. Every one who. is familiar with this subject knows the disaster which came upon the sugar industry of Queensland after 1885, when the Bill for the abolition of kanaka labour was carried. I am satisfied that a similar crisis will occur in consequence of this Bill. The Queensland Act was nothing like as stringent as is this measure. In taking this action, I am backed up by the opinion of the people of Queensland. I have received a number of letters assuring me of this. Let me read an extract from the report of the late Mr. W. H. Groom, who was a member of the Royal commission which inquired into the



kanaka traffic during the time the Act of 1885 was in force. Mr. Groom did not agree with the other two members of the commission, but wrote a separate report, and I will read what he said. He asked the question -

Is Queensland in a position to do without the Sugar industry, or to confine the cultivation of sugar to white labour exclusively ?

In answering that question, Mr. Groom said -

We are bound to look at all the surrounding circumstances of the case. The climate north of Townsville is essentially tropical, the scrubs are in impenetrable jungle, and, from the evidence placed before the commission, it is evident that it will cost an enormous amount of money to clear them, and render the land available for agricultural purposes. Further, immediately the scrub is cleared, malaria arises, seriously detrimental to the health of Europeans, and destructive to human life, as has already been proved in the construction of a line of railway going from Mourilyan plantation to Mourilyan harbor. It is the opinion of all who have had experience of the districts north of Townsville that the dense scrubs of the Johnstone, and the Barron, and the Tully, and the Russell cannot be cleared by European labour.

There is a fact about which there can be no doubt. I am not expressing my own opinion, but quoting that of Mr. Groom.

Senator Glassey

- There are a thousand-and-one doubts about it.

Senator FERGUSON

- This is the opinion of all who have had an experience of the district north of Townsville. Mr. Groom further said -

At present, agricultural labour by Europeans on their own freehold land in the districts now under consideration is evaded as much as possible.

Then he went on -

If the question, " Is Queensland able to do without the sugar industry, except on the basis of a white population ?" is answered in the affirmative, then undoubtedly a Very large portion of the coast districts of the north will not be cultivated, at all events for a long time to come, and from £4,000,000 to £5,000,000 of capital which has been invested in the sugar industry will be wiped out of existence, and the whole of the population now dependent upon the sugar industry for a livelihood will for a time, and until new industries arise, be thrown out of employment. Can Queensland at the present time afford to do this?

Is not that proof enough that the work in the northern parts of Queensland cannot be carried on except by black labour ? I have at my back, in moving this amendment, the support of all the local authorities in Queensland, and they are elected by the ratepayers. They know the conditions existing in the State. If they do not represent the people I do not know who does. I have the majority of the Queensland Parliament with me, and nearly all the principal papers in Queensland are on the same side. I have been twitted with the fact that the two newspapers in Rockhampton are opposed to kanaka labour. Well, I had a letter the other day from the editor and proprietor of the Rockhampton Daily Record. It is a private letter, but I may quote this passage from it -

If five years were granted, and there were no increase or diminution, time would be allowed to turn round. The cruelty lies in the sliding scale, reduction practically beginning forthwith. Only a Ministry of lawyers would initiate such a scheme.

Senator Higgs

- This Bill allows five years in which to turn round.

Senator FERGUSON

- I also have the labour party of Queensland with me in this matter. I am going to quote from the Queensland Hansard what was said by Mr. Reid, a member of the labour party, who has taken the seat formerly occupied in the Queensland Parliament by our Postmaster-General. This is what he said - 'I say the kanaka takes very little back to his island, but the Hindoo sends everything out of the colony'. When he gets his pay you will see one of his head men going down to the railway station or the post-office, to send money away, and the following season you will see other droves of Hindoos coming back on the money that has been earned by their fellow-countrymen. Anyone could see this month several gangs of Hindoos coming in and going out on the north coast line. I say that these Hindoos are the most filthy dirty race of men that I ever came across - the kanaka is a gentleman compared to them.

They have no cleanliness, and the stench that arises from them, as you experience when you meet a gang of them in the street, is enough to turn you sick. I know that some employers, in their anxiety to get their cane in, employ them rather than wait until they can get some one else, because they reckon that if they wait they may lose by keeping their cane standing in the ground.

It is a well-known fact that if the labour is not available when the crop is ready to be cut the cane will deteriorate in value. Every one acknowledges that.

Senator Glassey

- It will stand a year, without the slightest doubt.

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Senator FERGUSON

- But the mills must be kept going, or there will be a loss all round. Mr. Reid also says -

They may miss their turn at the mill, or may not get the benefit of the November or December showers. I say that the danger we are in arises from the number of other aliens that are coming in, and the number of Hindoos that are settling in Queensland ; and those considerations make it more vital to the people of Queensland to have the black labour question settled, than if we had merely to deal with the kanakas . . . Many people might recognise the necessity for an extension of the use of the kanaka being given. The honorable member for Bundaberg said he would give an extension of seven years The honorable member referred to is the successor of Senator Glassey in the Queensland Parliament. Mr. Barber has over and over again stated that he would be quite prepared to allow the planters seven years, and that in the southern . part of Queensland, where it is argued, to a certain extent correctly, that the white man can do the work. I think Mr. Barber's view is a most liberal one, and it is exactly what I am proposing. Surely honorable senators ought to agree with so reasonable a proposition. I do not admit for a moment that the kanaka ought to stay in Queensland. I repeat that he must go. But let him go in a way that will not injure more than is necessary the people of the north, who will suffer most. The Bundaberg people will not suffer so much. I am quite agreeable that this Bill, in its present form, should apply to Bundaberg. I think that five years is sufficient in that case. I am quite satisfied that if a Bill of this description were put before the Queensland Parliament to-day, it would, if amended in the direction I propose, receive the support of the labour party. Senator Staniforth Smith has stated that the question whether white labour can work in the cane-fields of North Queensland has never been tested. I reply that the Government of Queensland has shown a determination to test the question whether sugar' can be grown exclusively by white labour or not. For that purpose the Government erected and equipped two large mills, which they handed over to a committee of small farmers, under certain stringent conditions, one of which was, that no coloured labour of any description was to be employed in connexion with them, or in the cane - fields from which the cane crushed at the mills was grown. These farmers were all determined to carry out the work without coloured labour. Many of them were directly opposed to the employment of black labour. They went so far as to employ their own wives and ' sisters and children in the cane-fields, because they could not get white labour to work there. But ultimately they had to " cave in " and declare that they could not carry on their farms unless they were allowed a certain number of kanakas. There were about 50 of these small farmers supplying one of the mills, and 50 supplying the other. They found that it was impossible for white people to do the 'work in connexion with the cane-fields. The Government advanced money to them in order that they might get returns from their first crop or two, and did everything to encourage them, but they were ultimately compelled to grant them a concession in the way of employing coloured labour. That is the strongest proof that can be given that white men cannot do the work without the assistance of black labour. I should now like to read a report which comes from Geraldton, in the Cairns district. We are told that white men can work there at all times of the year. This report says -

Geraldton has not had such a varied experience with white labour in the cane-fields as other places previously visited, the reason being that the climate is exceedingly trying, and the district is farther removed from the more thickly populated centres. The little experience the farmers have had, however, has convinced the cane-growers of the fallacy of endeavouring to grow cane without coloured labour. Only one small contract for cane-cutting was completed in the district, and the contractors therefore feel proud of their achievement, as they' put up a record which no one has since beaten. In fact no one is ever likely to try again. In a few other instances the same story is told as heretofore. The white men worked for a few days, and then forfeited what was coming to them in the shape of pay, and decamped.

Considerable loss was sustained by the farmers through the failure of these men to complete their work, as promiscuous labour of any colour had to be obtained at a cost which brought the price of cane-cutting up to about (is. per ton, instead of 3s. Any one who has visited the district in the middle of summer must be convinced that it is utterly impossible to get white men to cut cane in such a climate. In some cases such work affects the Asiatics, but the kanakas seem to carry on without any great effort. We find in some places in the district that the aborigines are being used to great advantage in the canefields. They are a better class in this locality, and appear to take to the work more kindly than the blacks in other parts of the State. It is noticeable that when the natives get regular food and proper nourishment they develop good physique. There are a considerable number in the neighbourhood, and as the farmers are taking good care of them, it is probable that they may increase in numbers, when a further problem regarding a "white" Australia, will present itself. The cane-growers are certain that cane cannot be produced successfully without coloured labour, so they are using every effort to organize useful gangs of aborigines. The number of kanakas in the Geraldton district is 594, including 314 under agreement, or what is termed indentured, the rest being free to work for whom they please. The European population numbers 1,500 ; Japanese, 260 ; Chinese, 550 ; Malays, 160. The death-rate in 1900-1901 was- Kanakas, 7 per 1,000 ; other aliens, 9 ; Europeans, 17. The number of people here given, including those engaged in the town, are cultivating 5,600 acres of cane and 3,000 acres of bananas, representing an export value, with the other miscellaneous products, of over £100,000 per annum.

So that the coloured race are in a majority there. I think that is a proof that the place is not fit for white men to engage in out-door labour. White men are in business in the town, and are managing the estates, which is work they are adapted for. Now, for the advantage of Senator Glassey, I will give some particulars about the rainfall. This report says -

Geraldton is noted for its heavy rainfall, the average for the last ten years being 153 inches. The record rainfall was in 1891, when 2414 inches was registered. The average number of wet days in each year for the past ten years is 173. So that there are wet days through half the summer months. Is it possible for white men to work in a climate like that with 160 degrees of heat in the fields? For the first three months of the present year the rainfall was 130 inches.

I think that is proof enough that white men should not be asked to do open-air work there. It is disgraceful to ask them. The white man is fit to go there and guide and govern the blacks and manage the plantations, letting black labour do the field work. Another question which we must consider is that in the tropics north of Mackay is situated the only land that is likely to increase its sugar production. The best land for sugar-growing is in the north. Bundaberg is pretty well out of the sugar-growing area. The industry will not increase much in the Bundaberg district. I do not suppose that there will be any increase in Mackay. The best lands for this purpose are north of Mackay, and there it is possible to produce 1,000,000 tons of sugar per annum. If the industry is let alone, even for the next few years, the north of Queensland will supply all the sugar that the Commonwealth of Australia requires, and then the duty of £6 a ton on imported sugar will be inoperative. The north is the place where the growth of sugar can be increased, if we wish it to be increased, and if we do not wish to import our sugar from countries where it is grown by black labour under conditions which would not be tolerated here. No other country in the world controls coloured labour as it is controlled in Queensland, and no other country in the world grows so much sugar with so little coloured labour. There are a large number of small settlers growing sugar in the north, and they will be cleared out of the country if the Bill is carried in its present form. Is that a desirable thing ? The majority of them have been settled there for about eight years ; they are carving homesteads for themselves and their families out of the dense scrubs of the north, and they are carrying on their work in the fixed belief that the State laws will protect them. There are no people whom we should encourage more than the small farmers, and especially the cane-growers in the north, where they are so much wanted, and where there is an enormous quantity of land fitted for the settlement of a dense population. If we are to pass measures like this, we shall simply drive them off the land. I believe that if we permit an extension of time, such as I propose, machinery may be invented in the meantime, which will do the work which the kanakas are doing at present. At the end of the 10 years I believe the kanakas will be gone, and I want them to go, but reasonable time should be allowed to enable the settlers to look round and prepare themselves for the change. This especially applies to the north, as in the south there need be no difficulty. I remember that the Prime Minister, in addressing the great meeting held in the

Melbourne Town Hall on the 4th. of last month, said he would not suffer the industries of the people to be destroyed, and so force the working men to walk about the streets homeless. There are three primary industries in Australia. The agricultural, pastoral, and mining industries ; but if we destroy any one of them what is the good of the manufacturing industries?' No Tariff protection for the manufacturing industries will be of any value if any of the primary industries are destroyed, and this Bill is going to destroy one of the primary industries of Queensland. There is no doubt that under it the manufacturers of Queensland will suffer heavily. I know that at the present time one plantation has given an order to the extent of £40,000 to a foundry.

Senator Glassey

- That is in Bundaberg, and the honorable senator admits that there need be no destruction in the south under this Bill.

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Senator FERGUSON

--If we permit the northern planters to increase they will require machinery there as well as at Bundaberg, and the effect of this Bill will be to seriously injure the very manufacturing industries which the Prime Minister alluded to. I have here a letter which I received from a gentleman in Melbourne the other day. He has had a long experience in countries having a similar climate to Queensland. He says -

My excuse, as a stranger, for writing you is the Kanaka Bill, in which I feel an interest from having had some years' experience of the tropics, under latitude 13 degrees north, while a coffee planter in Mysore, with some knowledge of the country from Madras to Mangalore. My opinion is that the European cannot do continuous manual labour in such a country. Some might be able to stand it for a short period with the result that they would have to return to a southern climate to recover their health, which it would take years to do. Take one hot day in Victoria, which is a temperate climate, and what complaints of the dreadful heat, yet many talk of Europeans becoming accustomed to the enduring of the sun's heat, 130 degrees to 150 degrees, as if it were nothing.

That is the regular heat in the sun in the parts of the north to which I allude. Men going into the cane-fields have to put up with from 130 to 150 degrees heat in the sun -

The peculiarity of the tropics is not that the heat of any one day is greater than the heat of any one day in a temperate climate, but it is the continuous heat without variation, day after day, month after month, without cool nights, but the nights are passed in a bath -of perspiration.

That is quite true, I know it from my own experience. I have lived long enough in the tropics to know that month after month there is a continual heat.

Senator Pearce

- That depends upon whether one is living on the hills or on low ^country.

Senator FERGUSON

- There are no mountains where the cane-fields are, they tare all on low land.

Senator Glassey

- They grow cane on the mountain tops in the Mackay district.

Senator FERGUSON

- The writer of this letter says further -

In the tropics there is no working before sunrise or after sunset. The red heat of the sun and light come and go together. It surprises me that no mention is made of the Brazilian case, to show how unsuitable the country that can produce coffee and sugar is for European settlement. About 18G8 a company advertised the wonderful capabilities of a district in Brazil, which grew coffee and sugar, for European settlement. Some hundreds of Englishmen with their families went there. Some years pass, and then there are accounts in the papers of the trials, privations, and deaths Of those who had been duped to emigrate to the same district from Wales. If the part of Australia north of 23£ degrees south latitude is to be permanently settled it can only be done by giving it up to those people who can work and rear families in tropical countries wholly governed by Europeans.

That is exactly what I have said, and if we are going to settle the tropics, we must have white people merely governing the races who are to do the work there. I hope the committee will consider the people in the north to whom I have referred. I do not desire to take the committee at any advantage, and, while I believe that this is a just and proper amendment to adopt, I shall be prepared, if it is not agreed to, to

move a further amendment in the same clause, extending the time by two years for the whole of the State. The amendment I now propose is fair and just, and will get rid of the kanakas sooner than any other. If it is carried, the people of Queensland will at once agree to it, all bitterness will die out, and they will go to work and make the best of the situation. They will use every endeavour to find something to take the place of coloured labour, knowing that there will be no repealing an Act passed by the Federal Parliament.

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Senator DRAKE

- The proposal of the honorable senator is that, after the end of the year 1906, the State of Queensland shall be divided into two parts, and the employment of Polynesian labour shall be permitted in the half of the State north of the Tropic of Capricorn. The honorable senator has told us that he has behind him a majority of the Queensland Parliament and a number of the public bodies in Queensland, but I presume that he means that he has the support of those bodies on the general principle of extending the employment of kanaka labour as much as possible, and not that he has the approval of any one at all for this particular proposal to establish a colour line in Australia. It is the first time, I think, that a proposition of the kind has been made, and the Senate should consider it very carefully before it gives assent to it. Senator Symon referred to this matter last night, and apparently paved the way for this amendment. I shall not now enter into the constitutional aspect of the question further than to say that I differ from Senator Symon upon the point. I think there is considerable doubt as to whether, in fixing a colour line, we should not by a law of commerce be giving one portion of the State a preference as against another. It might not be infringing the letter of the Constitution, but there cannot be the slightest doubt that it would be absolutely violating the spirit of the Constitution, which is to place all parts of Australia as nearly as possible on an equality in regard to all matters connected with trade and commerce. We know that Senator Symon has an intimate knowledge of the history of the United States, and he will remember that there is one precedent there for the colour line, when what was called "the Missouri compromise" was arrived at, and the line in that case was called Mason and Dixie's line. That line was to separate the States in which slave labour could be employed from those in which it could not be employed; and there is no doubt that the creation of that line made the civil war inevitable.

Senator Sir Josiah Symon

- That was because of the slavery question.

Senator DRAKE

- I do not wish to enter into any discussion as to the way in which the employment of Polynesians differs from the employment of the negro in the Southern States of America, but there they had a colour line, and we know what it led to. The Missouri compromise was hailed by a great number of people as a solution of the existing difficulties, and one which would enable peace to be preserved, but we know that, as a matter of fact, it did not solve any difficulty, and it precipitated the war.

Senator Sir Josiah Symon

- Because the Southern States were not satisfied with it.

Senator DRAKE

- I do not know whether Senator Symon would like posterity to associate his name with the creation of a colour line in Australia.

Senator Sir Josiah Symon

- I have no objection to a colour line.

Senator DRAKE

- I should prefer, if any notice at all is to be taken of anything I do, that posterity should know that from the first I was most strongly opposed to drawing any colour line at all in Australia. Senator Ferguson says that on account of the climate it is more necessary to have this form of labour employed north of the Tropic of Capricorn than south of it. Let us see what Dr. Maxwell has to say on page 5 of his report on this subject of temperature. I am going to compare the temperature of Bundaberg, which is south of the colour line proposed to be drawn, with that of Mackay, which is north of it. It is now admitted that sugar can be grown with white labour in the Bundaberg district. I am very glad it is. It is only within the last few days that that has been universally admitted. I know that many, of us in the past have contended that sugar can be grown in the Bundaberg district by white labour, and we were always told by those opposite to us that it

could not be grown there by white labour exclusively. Now, apparently, it is generally admitted that sugar can be grown without black labour south of the Tropic of Capricorn, but not north of it. Let us compare the temperature of the Bundaberg and the Mackay districts.

Senator Playford

- That is no good unless we compare the humidity also.

Senator DRAKE

- If that is so, I should like to know why we have had all these thermometer readings quoted to us.

Senator Fraser

- They mean nothing.

Senator DRAKE

- Some senators apparently do not like to have them quoted. I find that Dr. Maxwell gives the mean minimum temperature for four years at Bundaberg at 61 '3 degs., and at Mackay at 63-9 degs. - a difference of a little more than 2 degs. The mean maximum temperature for the same period is given as 33-4 degs. at Bundaberg, and 79-8 degs. at Mackay, so that Mackay is 4 degs. lower than Bundaberg. The mean of temperature for the four years was 72-3 degs. at Bundaberg, and 71-9 degs. at Mackay - Mackay again being lower than Bundaberg.

Senator Ferguson

- Mackay is on the coast and Bundaberg is far inland.

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Senator DRAKE

- Bundaberg is 9 miles from the sea, as the crow flies, and is one of the places on the eastern coast of Australia where the good sugar-growing land extends right down to the sea beach. It goes right down to the beach at Barolin and the Woongarra scrub. I lived at Bundaberg 25 years ago and saw the Woongarra scrub gradually being cut down. I suppose I was in the Cairns district quite seventeen years ago, when I came down by the pack-horse track from Herberton to the coast. I do not think there is any sugar district in Queensland which I have not been in several times, so that I am not speaking in ignorance of the subject. The highest temperature in four years was 99 "6 degrees at Bundaberg, and 96 "6 degrees at Mackay. The lowest temperature in four years was " frost " in each case, while the total units of heat per year were 26,389 for Bundaberg, and 26,280 for Mackay. These figures show that the temperature is really lower at Mackay than at Bundaberg. I do not see how any argument can be raised that it is necessary to employ kanakas in that part on account of the extraordinary heat. The temperature is not very much higher at Cairns, which is much further north than at Mackay or Bundaberg. . The mean minimum temperature in four years was 61 "3 degrees at Bundaberg, and 67-6 degrees at Cairns. The mean maximum temperature in four years was 83-4 degrees at Bundaberg, and 83-3 degrees at Cairns. The mean of temperature for four years was 72-3 degrees at Bundaberg, and 75-4 degrees at Cairns. The highest temperature in four years was 99-6 degrees at Bundaberg, and 100-4 degrees at Cairns. The lowest temperature in four years was " frost " at Bundaberg, and 45 -1 degrees at Cairns. The total units of heat per year were 26,389 for Bundaberg, as against 27,516 for Cairns. Apart from the figures as to temperature, the Cairns sugar district is situated on a splendid inlet running in from eight to ten miles, so that it has the sea not only on the east, but also on the south. In fact, it is fairly below the sea level. My experience of the Cairns district is that it is an exceedingly pleasant place to live in, even in the summer time. From personal experience I believe that the figures I have quoted, as compared with the heat at Bundaberg, fairly represents the heat which would be experienced by a resident. The further one gets up north the more one gets the benefit of the trade winds which temper the climate considerably. Such places as Cairns are certainly not unhealthy to live in. As showing the unreasonableness of fixing a colour line, it should be borne in mind that as each district is a very large one, some plantations are nearer than others to the sea. I have no doubt that the heat on a plantation at Bundaberg is greater than on a plantation at Cairns, because to a very great extent the heat depends on the position of the land. . But to say that work can be done south of the Tropic of Capricorn by means of white labour, but that it cannot be done by white labour in the Cairns district, seems to me a statement which is incapable of proof. In this discussion we have heard a great deal about what work a white man can or cannot do. In Queensland we have been accustomed for years to hear these statements. I have always held and expressed the opinion that there is no work a black man can do which a white man cannot do better, I shall relate a little incident

which happened when I was in Blackall about Christmas, 1884. The thermometer in the coolest room of the house registered 117 degrees, and the official record was 119 degrees. Blackall is in the Barcoo district, where previously the kanakas had been employed, although they had gone back to the coast at that time. On the verandah I had some conversation with a gentleman who was engaged in pastoral pursuits, and who knew something of the employment of kanakas up there, and he used to me exactly the same arguments as I have heard used here, in regard to white men working in the cane fields. What he said was that the climate was too hot for a white man, and that none but blacks ought to be employed in such climates. On Boxing Day, all the young fellows from the stations round about went to a place a mile outside the town, with light refreshments, to play cricket on a field as bare- of grass as is this floor. They returned at night, and they had enjoyed themselves so much all day that they made up a match between two rival teams for the following Sunday. I said to my friend - " Did you ever find a man with a black skin who would do that for pleasure 1 " " Oh," he said, "that was not work, that was play." If a white man will do work like that for pleasure, and call it play, he will do it if there is good red gold to be had by it. So long as the white men tell us through their representatives that they will and can do the work, we ought to admit that it is possible. In my speech on the address in reply I said that it would be more difficult to substitute white for coloured labour in some parts of Queensland than in others, but not on account of climatic conditions, because at the two ends of the scale lie Bunaberg .and the Johnstone River districts, which Senator Ferguson has .referred to under the name of Geraldton. Bundaberg is closely connected with what I may call labour centres ; it is connected by railway with Brisbane and Gympie, and any man who gets an engagement in Bundaberg receives a free railway pass to take him up. Being near to a labour centre, it is comparatively easy for the planters of Bundaberg to get white labour in substitution for the black. But the Johnstone River district, which is a strip of enormously rich land on the two banks of the river between hills, is quite remote from every other. There is no manufacturing, no mining, no general agriculture, nothing at all near. Consequently all the labour has to be taken up, and I believe it is the sugar district in all Queensland which depends most exclusively on coloured labour. How do we deal with that difficulty of substituting white for coloured labour 1 Senator Ferguson says that this Bill is more drastic than the one proposed in Queensland in 1885, but we have no right to consider this question without having reference to the fiscal proposals of the Government in another place. It is known perfectly well that the sugar duties have been postponed pending the passage of this Bill because it is recognised that the two things hang so closely together. It is admitted - and I am very glad that Senator Ferguson has admitted it - that there is nothing to prevent sugar from being grown by white labour in the Bundaberg district, which according to his amendment means south of the Tropic of Capricorn. The proposals of the Government then give a special inducement to the planters in those districts as well as to others to substitute white for coloured labour as quickly as possible. That will have the effect, I think, of releasing coloured labour in those districts. The coloured labourers who have been employed there can take engagements for districts further north, where the substitution of one class of labour for the other becomes more difficult. Therefore, for the five years term which is given for making the change, the probability is that the sugar-growers north of the Tropic of Capricorn will have an abundant supply of the labour on which they have been accustomed to depend. The Tariff proposal of the Government is to give a preferential duty of £3 a ton, as against imported cane sugar, or £7 a ton as against sugar produced from beet root, so as to foster the cultivation of sugar in Queensland by white labour. The only reason why that preferential duty is given to growers of sugar by means of black labour in Queensland for five years, is to enable them to make this change. Looking at it from that point of view, are we justified in asking the people of Australia to consent to the grant of that preferential duty to the growers of sugar by means of black labour for a longer period than five years, because Senator Ferguson proposes that with regard to a portion of Queensland employing, according to Mr. Maxwell's figures, about three-fourths of the total number of kanakas, it shall be imposed for the benefit of planters who are employing black labour for another five years? I doubt whether we should be justified in asking the people of Australia to make that sacrifice.

Senator Macfarlane

- The Tariff can be altered in any one year.

Senator DRAKE

- A Tariff is generally imposed with the understanding that it shall stand for some considerable time. Some

honorable senators have drawn attention to the large amount of money which is involved in this preferential duty, and have expressed the opinion that it is making almost too large a sacrifice for this purpose. If that is so, can we, in reason, ask the people of Australia to extend that protection to the growers of cane by means of coloured labour for another five years after the expiry of the term proposed in this Bill?

Senator Pulsford

- The Government propose to give it in. perpetuity.

Senator DRAKE

- Not so, because we propose that the use of kanaka labour shall cease and determine in 1906.

Senator Pulsford

- And that after that year there shall be no excise at all.

Senator DRAKE

- I am speaking not about the excise duty, but the preferential duty of £3 per ton, which is a protection to the producers of sugar by means of coloured labour, up to the time when they are able to employ white labour, and the termination of their employment of coloured labour is fixed at the year 1906.

Senator Pulsford

- And then they get more protection than ever.

Senator DRAKE

- Not at all. The object, as I said, is to foster the cultivation of sugar by means of white labour.

Senator Sir Frederick Sargood

- For all time?

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Senator DRAKE

- Practically. We are giving this protection to the employers of coloured labour, not because we want sugar to be grown by means of coloured labour, but because we recognise the difficulties of the planters in substituting one class of labour for the other. But it is going too far to ask the people of Australia to consent to a margin of import duty, which would mean giving this benefit to the growers of sugar by means of coloured labour for a further period of ten years.

Senator Glassey

- It would be cheaper to buy them out.

Senator DRAKE

- Perhaps it would.

Taking this Bill in conjunction with those proposals, I think we have done as much as we are justified in doing, in insuring to the growers of sugar by means of coloured labour an extended market and a higher price, and also a supply of coloured labour for five years.

Senator FRASER

- These arguments about the temperature are absolutely beside the question. Any man who has travelled in hot countries must realize, without book knowledge, that to quote temperature without reference to the humidity of the air is absurd and misleading. I have travelled the world over three or four times. Three years ago I spent a whole summer in Ceylon. Of course, Ceylon has a very moderate temperature, the heat being very oppressive ; but at Blackall, which I know intimately, as I have property not very far off, we get a temperature of 117 degrees in the shade. There is a temperature of 117 dogs. in the shade in some parts of the north. I could name 50 places where the temperature reaches that degree, though I know that for eight months in the year there is no better climate in the world. But let the present condition of Queensland be remembered. For five years there has been no rain. The stock have died in thousands ; and if this Bill is passed in its present form I am certain that the sugar industry in the Cairns district will be killed. That will mean striking a deadly blow at Queensland. I shall be no party here or elsewhere to recording a vote that will destroy an industry which Parliament in its wisdom has created. I think that is a proper sentiment to hold and express. It must be remembered that this measure will practically come into force at once. Although it professes to give five years to the planters, it will have immediate operation, because as soon as it is known that Parliament has decreed that kanaka labour shall cease, it will have the effect of stopping credit in the northern parts of Queensland, and many a man will be ruined. I deny in toto that the northern sugargrowers can do without black labour. It is not correct to say that it is only within



the last few days that it has been stated that the Bundaberg growers can dispense with coloured labour. When I was on the platform at the election I said just what I am saying now - that as far as concerns the sugar-growers of the south they can hold their own. That has been said for years past.

Senator Drake

- It is new to me.

Senator FRASER

- The people of Queensland, who are well informed on this subject, have known all along that the growers of the south could struggle along. Those of us who are opposing this Bill do not object to a slight amount of disturbance. I admit that there would be some difficulty in the Bundaberg district at first, but that could be got over. But it is said that the bonus that is to be given to these growers will recompense them for the loss of kanaka labour. I maintain that the growers of the south need no bonus, and are not entitled to one, for the simple reason that Queensland sugar has for years past been able to compete with the sugar of the world on even terms. That fact cannot be contradicted. It has been able to compete with sugar grown in Java with the aid of servile labour at only 3d. a day. I agree with Senator Symon that we have no right to consider this Bill in connexion with another measure for granting a bonus to the sugargrowers.

Senator Sir Josiah Symon

- It is offered as a bribe.

Senator FRASER

- That is so. If the sugar-growers were all situated in one locality I could support with great satisfaction the proposal that the Government make in this respect. But at present it simply means that a heap of money is going to be put into the pockets of those who have not earned it, and are not entitled to it, and who have been able to compete on even terms with the sugar of the world. Is not that statement true?

Senator Playford

- It is not true. They had a protective duty in Queensland.

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Senator FRASER

- I have bought sugar times out of number in Melbourne, Sydney, Brisbane, and elsewhere. The Queensland sugar comes to Melbourne on precisely the same terms as does sugar from Mauritius, Java, and other parts of the world. If one goes to the wholesale houses - Messrs. James Service and Company or Messrs. William Peterson and Company - he will see upon the table all kinds of sugars. I have bought frequently 10 tons at a time, and sometimes more, and have often bought Queensland sugar in preference to that grown elsewhere, although it has been subject to a duty in Victoria.

Senator Playford

- But that has not been the case in Queensland.

Senator FRASER

- I am speaking of sugar grown in Queensland and exported. If it is true that Queensland sugar has been able to compete with Java sugar grown by means of labour paid at the rate of 3d. per day and under no restrictive laws at all, it needs no bonus. The kanaka labour is not servile labour as is the labour of Java.

Senator Sir Josiah Symon

- The one is coloured labour, and the other is pauper coloured labour.

Senator FRASER

- The labour employed in Java is servile labour of the lowest type, whereas in Queensland the labour employed is not servile at all.

Senator O'Keefe

- It is only paid at the rate of 4s. a week.

Senator FRASER

- The rate is about 14s. a week.

Senator Sir Josiah Symon

- The protective duty did no good as far as concerned the export trade.

Senator FRASER

- A protective duty never does good to the export trade. No one says it can do good. A protective duty, for instance, could not do any good to the wheat export trade. The bonus which the Government intend to

pay will simply be for the benefit of the sugar-growers in the south of Queensland and in the north of New South Wales, whilst their policy will ruin the growers of Northern Queensland. I hold that the policy of the Government is devoid of wisdom and statesmanship, and will redound to the discredit of those who are responsible for it. Time will tell who is right in this matter. I have founded my opinions upon a long experience of the affairs of Australia.

Senator McGregor

- The honorable senator never made a speech like this at the federal elections.

Senator FRASER

- I said the other day, and will repeat, that I could have afforded to lose 30,000 votes at the election. I should still have been a member of this Senate. Let Senator McGregor remember that I got about 86,000 votes.

Senator Higgs

- By the grace of the Age.

Senator FRASER

- By the grace of the people. I thank the Age and I thank the Argus,

but I thank myself a little bit as well, because I am no baby in politics, and I have a clean record. I have refused many offers to enter Governments, and any of my old colleagues with whom I have sat at a Cabinet table would I believe be glad to welcome me back.

Senator Dobson

- The honorable senator's character won the election.

Senator FRASER

- I am pleased to believe that that had something to do with it.

Senator McGregor

- If the honorable senator went before the electors without any money he would not get a thousand votes.

Senator FRASER

- I spent less money than most people who went before the electors, and most of what I spent went in advertising. I hope and pray that something will yet be done to relieve the growers of the north, who will be placed in difficulties by this Bill. Personally I shall wash my hands of the matter, feeling that, as sure as we are living men, the passing of this Bill will redound to the discredit of somebody. I am anxious that that discredit should be avoided if possible. Unfortunately Queensland has been suffering for four years from drought, and has lost millions of sheep. The passing of this Bill will strike a blow at the vitals of the State. Mr. Philp, the Premier of Queensland, knows full well what the difficulties of the situation are ; no one knows better. If this were a proposal to wrong the manufacturers of Melbourne, as it is intended to wrong the sugar-growers of Queensland, it would never be tolerated. Yet some of the manufacturers of this city have only a few sticks of machinery compared with the interests involved in the sugar industry of Queensland.

Senator McGregor

- Why not move that the manufacturers be allowed to have kanakas to help them ?

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Senator FRASER

- That is not a relevant interjection. I am comparing the small manufacturers in the south with men who are riveted to the soil, and have been put there at the instance of a Government of a State. They have invested their money to the extent of six or seven millions in an industry which has been encouraged and built up at the instance of the Government. If any class should be encouraged and lauded, it is the men who are on the soil - the primary producers.

Senator McGregor

- Why not give the wheat farmers kanakas to do their work ?

Senator FRASER

- When the Tariff comes on for consideration, we might have something to say upon that. To expect the wheat farmers to get any encouragement from a duty is grossly absurd, but this proposal is wicked. I shall give it my utmost opposition, because my conscience tells me that I ought not to do less. I hope the Senate will agree to the amendment proposed by Senator Ferguson, who has spent a life-time in

Queensland, and whose return to this Parliament in his absence from the State showed that he was a man to be trusted. If we give him a vote in this instance, we shall not regret it, and I hope that some of the labour representatives from Queensland will waive their objection. If they allow this amendment to be carried, I believe the House of Representatives will not object to it. If that can be brought about, we shall all be pleased, the people of North Queensland will be thankful, and when the history of the Commonwealth comes to be written, it will be said that members of the Senate rose to the occasion, and did their duty.

Senator PULSFORD

- I listened with considerable amazement to the audacious statement made by Senator Drake that the amendment would create a colour line. The proposal of Senator Ferguson is that the Bill, as originally introduced by the Government, shall stand as regards the district south of the Tropic of Capricorn, and that beyond that line the introduction of kanakas shall be suspended five years later than is here proposed.

Senator Playford

- That is a colour line.

Senator PULSFORD

- It is nothing of the sort, because there will be kanakas north and south of the line at the same time, and when the period fixed comes to an end, the Government will be at liberty to deport the whole of them. The colour line adopted in America was a colour line pure and simple, because it was proposed that there should be no slaves at all north of the line.

Senator Sir Josiah Symon

- The coast of Australia is a colour line under the Immigration Restriction Bill.

Senator Drake

- That is the only colour line we want.

Senator PULSFORD

- I think that it would be well for the committee to remember that those who move and support this amendment have already accepted the Bill as applied to a large portion of the districts in which the industry is being carried on, and this amendment asks for only a small concession when the extent of the industry throughout Queensland and New South Wales is taken into consideration. Senator Drake has again deluged the committee with readings of temperature which have no bearing at all upon this matter when taken apart from the dominating element of humidity. It is the saturation of the atmosphere and not the degrees of heat that constitutes the danger to the life of European races. Everybody knows that Europeans in India, where a similar climate exists, send their children to England as quickly as they can, not only to seek education, but that their health and lives may be preserved. I look upon it as a matter of the gravest uncertainty whether even the lives of the white races can be preserved in the extreme northern part of Queensland. There are solid reasons for urging the committee to extend the concession asked for by the amendment to those who have invested so much of their capital in and devoted so large a part of their lives to the development of the northern portion of Queensland.

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Senator Sir FREDERICK SARGOOD

- I desire to explain the position I feel bound to take upon this amendment. It is contended by a considerable number of those who may be supposed to possess practical information upon the subject that except under very great difficulties the industry cannot be carried on in the tropics by white labour, and it is asked that an extension of time shall be given to planters in the tropics to prepare for the change, or to clear out of the industry altogether. I have strongly opposed the kanaka traffic from the beginning. I think it is a disgrace to Queensland ever to have allowed the kanakas to be introduced, and I believe it will be a disgrace to Queensland to continue their introduction. I recognise the fact that there are about 9,000 kanakas employed in the industry, and I voted for Senator Walker's amendment, to enable the kanakas now in Queensland to remain if they wished to do so, with the conviction that, if under this Bill white labour was substituted for kanakas in the southern portions of the State, the kanakas displaced would go to the north. If that were the case there would be no need to import any more kanakas at all, and that is the position I am now going to take up. I cannot consent to the importation of a single additional kanaka. I believe that if Senator Walker's amendment had been carried - and it may yet be

carried upon reconsideration - the surplus kanakas from the south would go to the north, and then, by an extension of time for their deportation, the difficulty would be overcome. I do not wish that there should be any misunderstanding about my feelings upon the matter. I could not, under any circumstances, be a party to the continuation of an iniquitous system which I believe to be a disgrace to Queensland and to the Commonwealth. I must vote against Senator Ferguson's amendment because it recognises the introduction of kanakas for a further period for these tropical regions.

Senator CHARLESTON

- I shall vote against this amendment, and should it be lost I shall move the insertion of the words " after the passing of this Act " after the word " Australia " in the first line of the clause. I am in full sympathy with the words and sentiments expressed by Senator Sargood. I did not vote for Senator Walker's amendment, because I was desirous of stopping any further importation of kanakas. The amendment now proposed is an admission on the part of Senator Ferguson and those supporting him that white labour cannot be used in the work north of the Tropic of Capricorn. The honorable senator proposes a colour line, and asks that those north of it shall be given a little more time. I say that if that is agreed to when the time comes to refuse the further introduction of kanakas, it will be said that the Federal Parliament gave encouragement to the planters north of the Tropic of Capricorn to carry on the industry with kanaka labour. We shall then be told that we will ruin their business and will destroy vested rights which we have ourselves created. If I can carry the amendment which I suggest, I shall not object to the amendment moved by Senator Walker, or to the omission of that part of the Bill dealing with the deportation of kanakas.

Senator Sir JOSIAH SYMON

- Senator Charleston has suggested an amendment, but comparing it with the amendment proposed by Senator Ferguson, I think we should prefer the latter. By accepting the amendment suggested by Senator Charleston, we should shut out all Pacific islanders, and should pledge ourselves to omit the provisions for the gradual reduction in the number introduced, provided for under clause 6. It is clear, from the contention which Senator Ferguson enforced with great power and information, that his desire is to do justice to these planters and farmers, because there is a doubt as to the speed with which coloured labour may be exchanged for white labour in the districts north of the Tropic of Capricorn. I think it is only fair that a convenient time should be allowed to enable a change in the management of plantations in those districts to be made. If Senator Charleston is taking to his bosom his own amendment as a substitute for Senator Ferguson's amendment, it is really an illusion he is indulging in.

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Senator Major GOULD

- I am sorry that so few honorable senators, who apparently are opposed to the amendment, have not seen fit to offer any reasons beyond those offered by the Postmaster-General. We have got ourselves into a peculiar position. We find that views are expressed in favour of retaining a number of the kanakas who are now here. Earlier in the sitting we divided on an amendment which would have had the effect of allowing not all those kanakas, but only a limited number, to remain if they so desired. But, by a substantial majority - although only 24 senators voted, still there were several pairs on the question - the committee declined to accept an amendment of that character, although it was urged, not as a means of assisting the planters, to provide white labour, but to a large extent on the ground of humanity towards the kanakas, and also on the ground of what we have regarded as the inalienable right of an immigrant to a country, to remain so long as he behaves properly and conforms to the laws; unless, of course, it is proved that the alien population has become a serious menace to its prosperity or safety. No attempt has been made to prove that such is the case here. After the decision on the previous amendment, surely Senator Charleston and Senator Sargood will see that it is impossible to pass an amendment which will have the effect of retaining a large number of kanakas in the country for all time. It was tried in a much more modified form than is now proposed, but it failed. I do not anticipate that honorable senators will turn round on the opinions they expressed earlier in the day in that division. We are asked by Senator Drake to bear in mind the advantages which will be given to the planters if they will only consent to the measure, and get rid of their kanakas very speedily. But that is anticipating what will have to be dealt with here at a later period. Does he not know that a large number of honorable senators are opposed to the giving of any preferences to individuals? Do we not see that when we take a position like that, we practically say to

these men - "We want you to remain with your sugar industry for all time, and the people of this country for all time will pay you a bonus of £6 a ton on your sugar."

Senator Playford

- No, it is only £3 a ton.

Senator Major GOULD

- The proposal is to have an import duty of £6 a ton, and an excise duty of £3 a ton, but if the planter will utilize white labour, he will receive a bonus equivalent to £2 a ton on his product, and by this means he will really get the benefit of a £5 duty. We come to the end of the five or six years, and then we say to him - "Now that we have cleared out the kanakas, we will give you an additional bonus of £1 ; you will have no excise to pay, but you will have the benefit of £6 a ton." What will be the result 1 If you attempt to remove or to reduce that duty, the planters will say - "You encouraged us five or six years ago to go on with the industry. You told us that if we did we should have the benefit of £6 a ton for all time." As Senator Fraser has declared, where a State has induced people to enter into an industry, it is cruel and wrong to take away the inducement which had been given. During the years which have to roll by we may find that this bonus, which will be looked upon as 60 per cent., is equivalent to 100 per cent. We have no right to pledge the Commonwealth to a position of that kind. If it had been possible to allow the industry to go on as heretofore, and impose a revenue duty on sugar, we should then have dealt fairly with these men, but at the same time we should have given them the benefit of that duty. What was the effect of imposing a duty on sugar in New South Wales ? Originally a duty of £5 a ton was imposed for revenue purposes, and it acted purely as a revenue duty for a great number of years. After a time, some men were induced to start sugar planting, and when it was proposed by Mr. Reid to interfere with the duty, straight-out free-trader as he was, he recognised that he would have to reduce the duty by. £1 in one year, another £1 in the next year, and so on until it was repealed. But after it had been reduced to £3 he recognised that it could not be further reduced. The effect of the duty in New South Wales was to render it absolutely impossible to get rid of a certain amount of the protection which was given to the sugar-grower. It is undesirable for the committee to tie up the Commonwealth in exactly the same way. Supposing that we are assenting parties to the proposals in this Bill. Senator Drake says to us plainly "one of our reasons for asking you to give your assent is because we expect 'you to' give a bonus to those planters who will grow sugar-cane in a particular way." But when the Tariff Bill was submitted what position should we be in if we said that we do not believe in giving bonuses at all, or in having a higher excise, or in retaining an excise 1 We should be placed in an absolutely false position. They would say to us - "You practically promised assent." What did Senator Drake tell us to-day ? That the other House .will, before it deals with the sugar duties, await the decision of the Senate on this Bill.

Senator Drake

- The consideration of the sugar duties has been postponed.

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Senator Major GOULD

- Let us hear what the Prime Minister said in the very able letter he wrote in reply to one of Mr. Philp's many communications on this great sugar question. It is very much in the same vein as the speech which he delivered in Maitland and in other parts of New South Wales. Writing on the 12th November, he said - You urge that -if the labour traffic is wrong, the Bill is wrong. If the question had been whether such a traffic ought now to begin, this Government would have proposed legislation under which its inception would have been impracticable. But interests have grown up which you yourself are anxious to conserve. This Government recognises that a sudden ending alike of licences and of agreements would cause suffering to your own people, outweighing in its intensity the immediate advantage of the cessation. You cannot well argue that the justice of setting limits to a wrong necessitates, as a logical sequence, the further wrong of making the process unjust and cruel. It would certainly not have been humanity or statesmanship so to act ; and if this is a wrong traffic I am not impelled, either by reason or conscience, to transgress such principles of action in removing it.

When we find this view laid down so clearly as it is by the Prime Minister, the cessation of this traffic becomes a question of degree 1 observe that you decline to treat the provisions of the Tariff as affecting in any way the opinion of your Government upon the Bill itself. It is impossible to deal fairly with the question without considering these proposals in conjunction.

It is clearly laid down by the Prime Minister that if it were not for the Tariff proposals, he would not be prepared to ask Parliament to terminate this traffic at so early a date. The principles of justice necessitate a continuance of the traffic for some period, either more or less, and this lesser period is to be justified only as a means of getting honorable senators to Assent to the proposal for a bonus in the Tariff. We have no right to pledge ourselves in such a way that we are bound to assent to the bonus if we do not believe in the principle or the justice ' of granting bonuses. When we refer to Dr. Maxwell's report, we find that he takes the extreme view, that possibly in the far north it will be impossible to carry on this industry without black labour. That report which was furnished in response to a request from the Prime Minister, the Government have considered so far that they have thought it necessary to propose the grant of a bonus to assist the planters to get out of an industry which, without such assistance, might be the means of ruining them. With that opinion of Dr. Maxwell before us, coupled with the belief of some honorable senators that white men can do this work, we say, as there is a doubt on the subject, give the planters beyond the Tropic of Capricorn a fair opportunity to get out of the industry at a minimum of loss, if they find that they cannot carry on with white labour. It may be that some planters, thinking that they can succeed, will try ; but at least give them a reasonable chance to make the trial. When a man is engaged in an industry which will not be profitable after a certain class of labour is done away with, and which he has been induced to go into by State legislation, he should be afforded a reasonable time in which to minimize his loss. If a man is allowed only five years, and he owes any money, the banks or the capitalists will be down upon him, and say - "We want a settling up as soon as possible," and then he is done for. But, if he is allowed the longer period of ten years, as is suggested by Senator Ferguson, in this more uncongenial climate for white men, then he has a reasonable chance of making other arrangements, and minimizing the loss which otherwise he would sustain. I believe that if the Government had not felt that there was some difficulty in the way, they would have made such a difference as that in' the Bill. I do not suppose that Senator Drake has yet consulted his colleagues as to the amendment. If it were only for the sake of affording an opportunity for such a consultation, it would be a reasonable thing for honorable senators to stay their hand.

Senator Fraser. - They may agree to it.

Senator Major GOULD

- They may.

Senator Glassey

- If they do, there may be others who will not agree to it. I would not support them if they did.

Senator Major GOULD

- The honorable senator has not the control of the Senate. He may hold his own opinion and exercise his own discretion as to his vote, but if the Government come down and say - " We have considered the whole question, and we think it would be a reasonable thing to make this difference," the probability is that a majority of honorable senators would go with Senator Drake. . I shall vote for the amendment. If it is carried I shall be very glad, but if it is not carried I shall be prepared to accept the verdict of the committee.

Progress reported.

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16:15:00

Senate adjourned at 4.2 p.m.