

Legislative Council,

Friday, 4th March, 1892.

Augmentation of Ministerial Salaries Bill: first reading—High School Act Amendment Bill: withdrawn—Governors of High School Bill: first reading—Customs Bill: second reading—Aborigines Protection Act Amendment Bill: third reading—Married Women's Property Bill: third reading—Goldfields Act Amendment Bill: in committee—Wonerup Roads Bill: second reading: in committee—Electric Lighting Bill: second reading—Adjournment.

THE PRESIDENT (Sir T. Cockburn-Campbell, Bart.) took the chair at 3 o'clock.

PRAYERS.

AUGMENTATION OF MINISTERIAL SALARIES BILL.

This bill was received from the Legislative Assembly, and was read a first time.

HIGH SCHOOL ACT AMENDMENT BILL.

THE COLONIAL SECRETARY (Hon. G. Shenton), in accordance with notice, moved that the bill intituled "An Act to amend 'The High School Act, 1876,'" be withdrawn.

Question—put and passed.

THE COLONIAL SECRETARY (Hon. G. Shenton), in accordance with notice, moved that it be an instruction to the select committee appointed to consider and report on "The Governors of the High School Appointment Bill," that they do draft a new bill amending the Act to provide for the higher education of boys, of 1876, with its amending Act of 1878.

Question—put and passed.

GOVERNORS OF HIGH SCHOOL BILL.

THE COLONIAL SECRETARY (Hon. G. Shenton) brought up the bill as drafted by the select committee, and moved that it be now read a first time.

Question—put and passed.

CUSTOMS BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Shenton): I now have to move the second reading of this bill. I may state the bill is primarily brought in for the purpose of consolidating the present Customs Acts which are in force in

the colony. There are a very large number, and we thought it advisable to have one Act dealing with the Collection of Customs. Also, it is found to be necessary under the new form of Government that certain powers hitherto vested in the Collector of Customs should devolve upon Ministers. This Act has been very carefully drawn, and I think that hon. members will find that it deals with all matters required for that important branch of Her Majesty's Service—the collection of Customs. I therefore move the second reading.

Question—put and passed.

ABORIGINES PROTECTION BILL.

This Bill was read a third time and passed.

MARRIED WOMEN'S PROPERTY BILL.

This Bill was read a third time and passed.

GOLDFIELDS BILL.

IN COMMITTEE.

Clause 2—No miner's right to be issued to any Asiatic or African alien:

THE HON. J. MORRISON: Yesterday evening I moved to report progress in order that time might be taken to look into this clause. I find, however, when it was brought forward in another place, the Premier said that the object of the Bill was to renew the clause passed five years ago provided by the principal Act, which prohibited Asiatic and African aliens from holding miner's rights on the fields; that the time has expired, and that their idea was not to extend it again for a term of years, but to make it perpetual. Well, sir, I think for us now to pass an Act making it perpetual that no Asiatic shall be allowed to hold a miner's right in the Kimberley district is what I should call hasty legislation, especially in the face of what is going on in Queensland. We find Sir Samuel Griffith who, with no doubt very laudable intentions, almost ruined the Queensland sugar trade by doing away with Asiatic labor for the purpose of encouraging white labor, now finds the necessity of reverting to this kind of labor, and proposed a law allowing them to work there owing to whites being unable to—

THE HON. J. W. HACKETT: I say it is quite the opposite.

THE HON. J. MORRISON: Then I will say because they will not do it.

THE HON. J. W. HACKETT: He gives very different reasons; it is proved they can work.

THE HON. J. MORRISON: It is strange that he should turn round—he has a mind of his own—and say that he sees the necessity of these alien races being employed there. I think that owing to the climate we shall still have to employ these Asiatics if we are to work our mines in the northern parts of Australia in any kind of paying manner. I think that this bill, making the exclusion perpetual, is going too far, and I shall move, as an amendment, when the third reading comes on, “that this Bill be read a third time this day six months.”

THE COLONIAL SECRETARY (Hon. G. Shenton): I must inform the hon. member that he is rather in error in the statement he made with regard to Sir Samuel Griffith. Sir Samuel Griffith has not proposed to introduce Asiatics because the whites could not work; he is simply proposing to go back to the old system of introducing kanakas. It is known that these kanakas can be returned to the islands they come from after completing their term of employment. I may state that when I was in Queensland, there was a strong feeling that either kanaka or coolie labor should be introduced under the three or five years' system by which after their term had expired they could be returned to the country to which they belonged. The same system exists now in the West Indies, where coolies are brought from India for a term of years, and then returned to their own country. The objection to Chinese working on the goldfields is that unless this law were passed they would have equal rights with Europeans and white settlers in working the mines. It has been found that the working of goldfields by Asiatics has not been known to answer; they are not useful citizens to the State, for whatever they can manage to scrape together is not spent in the colony, but is sent out of it. Under the Act which expired at the end of last year no Asiatic or alien was allowed to take out a miner's right. We propose to renew this restriction, and I think hon.

members will agree that it is a very wise restriction. It does not interfere with the employment of these men as domestic servants on stations or as shepherds.

THE HON. R. E. BUSH: I understand this bill does not prevent these Asiatics from being employed on the goldfields.

THE COLONIAL SECRETARY (Hon. G. Shenton): They are not allowed to work in the gold mines, but they can be employed as household servants on the goldfields. The object of the bill is simply to prevent these men from holding miners' rights to quarry in the mines, but I think it does not prevent their being employed as domestic or outside servants. I think, under these circumstances, there can be no objection to the bill excepting, as the hon. member Mr. Morrison says, there is this difficulty, that in the northern territory, such as at Kimberley, we find it is very difficult to get Europeans to work the mines. In the Northern Territory of South Australia—Port Darwin, for instance—I think most of the mines are being worked by Chinese labor, and it is quite possible that at some future time, it will be found necessary to alter this regulation in order to facilitate the working of our goldfields in our Northern Territory, either by working with coolies from India or Kanakas, so as to prevent the necessity of Chinese labor.

THE HON. R. E. BUSH: I support Mr. Morrison. I consider if we pass this Act we might as well strike the Kimberley goldfield, as a goldfield, off our maps. We have had five years' experience of these fields, and it has been found impossible to work with white labor. It is agreed that they are extremely rich mines, and even with all their richness, it has been found impracticable to work them with whites. Again, sir, I notice the hon. Colonial Secretary seems to take exception to the employment of Chinese, and mentions Indian coolies. This Act, of course, prevents these Indians coming and working on these goldfields.

THE COLONIAL SECRETARY (Hon. G. Shenton): They are British subjects.

THE HON. J. W. HACKETT: They are not aliens.

THE HON. R. E. BUSH: Then the Kanaka is not a British subject.

THE HON. J. W. HACKETT: He is neither an Asiatic nor an African.

THE HON. R. E. BUSH: The whole question hinges upon this point; the working men of Australia naturally dislike any kind of cheap labor whether Kanaka, Chinese, or Indian coolie. There is no doubt about that, and I do not think, if it were possible to do without this labor, any Englishman would propose any but white labor. The passing of this bill would, I think, be detrimental to our rich goldfields in the Northern districts, and if Mr. Morrison puts his remarks in the form of an amendment or motion I shall be most happy to support it.

THE HON. J. W. HACKETT: My hon. friend Mr. Morrison will pardon my making allusion to his reference to Sir Samuel Griffith, for it shows the undesirability of referring to matters of common notoriety without taking the trouble to make ourselves perfectly acquainted with the circumstances connected with them. Now Sir Samuel Griffith has published a manifesto which I may take upon myself to say my hon. friend has not read.

THE HON. J. MORRISON: Perhaps it has not been published here.

THE HON. J. W. HACKETT: It was published at length in a paper having a very large circulation in this colony, and styled the *West Australian*, and it is certainly very small encouragement to the proprietors of that paper to find so small a reward for their labor and energy, as appears from the fact that it has not been read even by the Hon. Mr. Morrison. Sir Samuel Griffith, in a paper which seems to be more or less a piece of special pleading, puts the three grounds which led him to object to kanaka labor. They were these: 1. That kanaka labor tended to encourage the aggregation of large estates, owned for the most part by absentees and fostered by gang labor, and so discourage actual settlement by small farmers working for themselves. 2. That it led to field labor or tropical agriculture being looked down upon as degrading and unworthy of white races; 3. That the permanent existence amongst us of a large servile population is not compatible with the continuance of our free political institutions. Now he pleads that all these things have been altered since the

legislation of a few years ago. In the first place he points out large estates are being broken up day by day, and that the small sugar farmer is taking the place of the large sugar planter. The number of white sugar farmers is daily increasing, and therefore the condition that was formerly attached to the employment of kanaka labor in the tropics has passed away. He assigns reasons for his important change of front which would have been better had it taken place many years previously, or if he had never placed himself in a position necessitating such a change. He finds that by maintaining the prohibition against kanaka labor that he is injuring the small white sugar farmer. The Hon. Mr. Bush has referred to the experiences of the Kimberley goldfields. It is very curious how reports get about. I have been informed by a gentleman well acquainted with these goldfields, who has held high positions, both politically and magisterially, in that district, that white labor can be employed with just as much advantage as colored labor on the Kimberley goldfields. He says a distinction is to be drawn between labor on the coast and labor on the tableland country, and on this latter the goldfields are wholly situated. This place is 2,000 feet above the level of the sea and white labor could thrive on it. It was perfectly healthy for the white man who could do as good a day's labor there as he could 500 miles to the southward. The whole question is whether we ought to legislate against alien labor becoming a great factor in our mining population, not only for industrial purposes but for legislative purposes. There can be no question, that where you give a miner's right you will have to give a miner's vote before long, and I hope a change will soon take place in our franchise to that effect. It has been generally agreed that it is not expedient to encourage a large importation of African or Asiatic aliens in these colonies. This is a matter which, for my part, I think, contains an element of great danger, and I say so because the first few months of my life in this colony I spent in a circle where colored labor was not only largely introduced, but was also coming to be considerably in the ascendant. This was a source of much danger to the white

population, who petitioned the Governor; and in the old Legislative Council measures were taken to exclude these aliens, except in certain cases and under certain conditions. I believe that it is a fact that so far from the legislation being repugnant to the miners of the Kimberley district, a petition has been largely signed representing about 1,000 persons, and has come down from our far Northern territory, praying that legislation of this kind should be passed into law. If that be so it removes the slight objection which can be taken to the bill, and I can only say if we exclude the Chinese from being able to hold miners' rights, and it be found that we are doing injury to the field, I have perfect faith in the wisdom of the Government, and of the Parliament of the day, that they will take prompt measures, if not to remove, at least to relieve the injury. I would ask hon. members to look to the experience of one of the greatest and most marvellous countries in its development which history has recorded. I refer to the United States of America. The one great danger which is alarming her statesmen is the presence of a large colored population in their midst. And when the disintegration of that great country does take place, it will be found that the wedge to split it into fragments will be that colored element which is increasing more and more in even larger ratio than the white population. It is too late to take exception to this legislation. The hon. member Mr. Morrison was himself a member of the House at the time this Goldfields Act was originally passed in 1886, and this clause was incorporated in it which restricted aliens from holding miner's rights for a period of five years.

THE HON. J. MORRISON: That is the very point.

THE HON. J. W. HACKETT: It was not to be permanent—that restriction which he voted a few years ago; and if it is not renewed at once, we shall find a large influx of African and Asiatic aliens come from the Northern Territory to Kimberley. He should have moved for further temporary restriction, to be consistent, and not have moved to strike it out altogether.

THE HON. J. MORRISON: I have no motion yet. I do not know that I would object to renew this restriction for

another five years, but I do object to make it perpetual.

THE HON. J. W. HACKETT: The hon. member has conceded so far. He certainly moved—

THE HON. J. MORRISON: I moved nothing.

THE PRESIDENT: The hon. member stated he would probably move the third reading this day six months.

THE COLONIAL SECRETARY (Hon. G. Shenton): Surely it would have been sufficient if the hon. member had adopted that plan when the third reading came on. Now we shall have another debate. We have had two debates over this, and the hon. member has not made up his mind yet what to do.

THE HON. J. W. HACKETT: The hon. member himself voted for temporary restrictions. If the Colonial Secretary asks for that to be made perpetual, and this House agrees to it, the House has at any time the power to repeal it if they think fit. Therefore I shall support the clause.

THE COLONIAL SECRETARY (Hon. G. Shenton): In the old Goldfields Act there was a specific time mentioned—five years. If it is found that this bill is a hardship, and cannot be worked well, then it is very easy to repeal it. We do not mention any time; we simply leave it an open question. It was necessary to bring forward this bill, the period of five years having expired, as it was thought that there would be a large influx of aliens from Port Darwin if there were not some legislation on the subject. Strong representations were made by the miners at Kimberley against this, and for that reason we brought this measure forward. If at some future time it is found that this bill causes hardship, and that the mines cannot be worked without this colored labor, no doubt the legislature of that time will look upon it from a business point of view and the Act will be repealed. We do not ask for any specific time.

THE HON. G. W. LEAKE: Two topics have been introduced into this debate. One is the clearing of the reputation of a gentleman in Queensland—Sir Samuel Griffith—and the other that when the United States are broken up it will be the negroes that will do it. Let me point out that the negroes in North America are very numerous, and if they

do anything it will be nothing compared with the vengeance the whites have brought down upon themselves by centuries of slavery. It is suggested that the Indian Coolie is not an Asiatic but a subject of Her Majesty. There are also Chinese subjects of Her Majesty, both in the Straits and at Hong Kong, and yet these will be precluded from working by this bill.

THE HON. J. W. HACKETT: No; they are not Asiatic aliens.

THE COLONIAL SECRETARY (Hon. G. Shenton): A man born there is a British subject.

THE HON. G. W. LEAKE: I am glad to hear it; but I cannot see why an able-bodied Chinaman is to be placed in any worse position than anyone else. The Frenchman, the German, the Italian, and the Austrian can all work, and why not the Chinaman? The English have opened up China by fire and the sword, and in that country an Englishman can do pretty much as he likes. I have had considerable experience of the Chinese. Are they idle, are they cheap? Do they scamp their work—in other words, are they not honest laborers? I can quote with confidence what Mr. Gladstone said of the Chinese; they are not odious for their vices, but for their virtues. Is their labor of no value to the community? Is the European a moral of all the virtue that attaches to laborers? I think not, and yet, unless the Chinaman happens to be a subject of the Queen, he is to be prevented from working, or from holding a miner's right.

THE HON. J. G. H. AMHERST: We appear to have wandered somewhat from the point. The matter appears to me to rest upon this word "Alien." When I was in Fiji, there was a boy perfectly black who used to say he was the first white man who had put his foot in Fiji. He had come from Barbadoes, and prided himself that he was a British subject. He was the son of his father, who had been naturalised. A Chinaman landed at the port of Fremantle the other day. When questioned he stated he was an Englishman, not a Chinaman; his father was a naturalised Englishman, and he was the son of his father. That explains the alien difficulty. We ought not to allow Chinamen to come here from the other colonies, Port Darwin, and other ports

and receive licenses to mine. Mr. Hackett has touched upon an important point when he says that the Chinaman who has a miner's right will have a miner's vote, and I think he is perfectly right there, and I do not think we should for a moment permit these aliens to govern us with their votes. Another point has been most lucidly explained by my hon. friend the Colonial Secretary, as to this matter being in perpetuity. Any time it can be annulled. If five years hence these mines cannot be worked without alien labor, it will be time to so amend the Act as to allow this labor to come down and work them. With regard to kanaka labor: In Fiji the kanaka was good enough on the flat, but in the hills the white man did his work. The kanaka was no good; he could not stand the cold nights. I believe if we were to have these laborers in the mountains at the North, they would not be able to work half so well as the white men. I think it would be a most serious matter if any delay occurred in passing this bill, and I shall most decidedly oppose any motion for shelving it for six months or any other term.

Clause agreed to.

The remaining clause was also agreed to, and the bill reported.

WONNERUP ROADS BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Shenton): I now move the second reading of this bill, which is brought in for the purpose of closing a road, which is of no further use to the public. As hon. members are aware, no roads can be closed without passing a bill through both Houses of the Legislature.

Question—put and passed.

IN COMMITTEE.

The bill was then considered in committee and agreed to without amendment.

ELECTRIC LIGHTING BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Shenton): In moving the second reading of this bill I would explain that it has been brought in at the request of certain municipalities in order that elec-

tric light companies may be placed under proper supervision. It also gives Councils power to draw up regulations as may be approved by the Governor, acting with the advice of the Executive Council. It also gives them power to break up roads, and in fact similar powers to those framed under the Gas Companies' Acts as now existing in Perth and Fremantle. The latter part of the bill gives power to the company to sue and be sued. As soon as the bill is passed there is one company ready to commence operations.

THE HON. J. W. HACKETT: Does it prevent any other company supplying electric light?

THE COLONIAL SECRETARY (Hon. G. Shenton): I think not. It says any company. I take it that means any company or companies can supply electric light.

Question—put and passed.

ADJOURNMENT.

The Council, at 4 o'clock, p.m., adjourned until Monday, 7th March, at 8 o'clock p.m.

Legislative Assembly,

Friday, 4th March, 1892.

Railway Refreshment Room, Beverley—Augmentation of Ministerial Salaries Bill: third reading—Game Bill: Legislative Council's amendment—South-Western Railway Act, 1891, Amendment Bill: in committee—Remission of Crown Lands Rents Bill: first reading—Discipline of Garrison Troops Bill: first reading—Petition of John Slattery: consideration of—Adjournment.

THE SPEAKER took the chair at 2:30 p.m.

PRAYERS.

RAILWAY REFRESHMENT ROOM AT BEVERLEY.

MR. QUINLAN asked the Commissioner of Railways why the Government contemplated building a refreshment room at the Beverley railway station, in view of the accommodation now available.

The reason he asked the question was because he understood this refreshment room would interfere with vested interests.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said the Legislature expressed a wish some time ago that there should be a refreshment room built at Beverley, and the money was voted for it. There was no more accommodation for travellers at Beverley now than there was then, and travellers were constantly complaining of the long distance they had to walk from the railway station in order to obtain refreshments. It was not desired to interfere with existing interests, and the persons who supplied the present accommodation could, if they wished, rent this refreshment room at the station, which was provided simply for the accommodation of travellers between Perth and Albany.

AUGMENTATION OF MINISTERIAL SALARIES BILL.

Read a third time, and transmitted to the Legislative Council.

APPROPRIATION BILL, 1892.

Read a first time.

GAME BILL.

LEGISLATIVE COUNCIL'S AMENDMENT.

On the Order of the Day for the consideration of the Legislative Council's message, suggesting a further amendment in clause 9 of the Game Bill,

THE ATTORNEY GENERAL (Hon. S. Burt) said this was a measure they had seen before. He believed it had now occupied the attention of both Houses of Parliament for something like three months, and it now came before them again for reconsideration. Amongst the three or four amendments proposed by the Council when this bill was first sent to them was one in this 9th clause, which imposed a penalty upon persons found with prohibited game in their possession during the close season, and which gave power to arrest such persons and to take from them the game found in their possession. All the other amendments suggested by the Council had been agreed to by the Assembly, but in this 9th clause they made an amendment which that House had declined to agree to, for