

1888.
NEW ZEALAND.

THE CHINESE QUESTION

(CORRESPONDENCE RESPECTING, AND MINUTES OF CONFERENCE ON).

Return to an Order of the House of Representatives, dated 17th May, 1888.

Ordered, "That there be laid before this House copies of all papers and correspondence that has passed, on the Chinese question, between the Government of New Zealand and the Governments of Victoria, New South Wales, and Queensland."—(Mr. SEDDON.)

CORRESPONDENCE.

No. 1.

Sir H. PARKES to the Hon. the COLONIAL SECRETARY.

SIR,—

Colonial Secretary's Office, Sydney, 8th November, 1887.

I have the honour to invite your consideration to the expediency of new legislation in relation to the Chinese, and I enclose copies of correspondence which has already taken place between this Government and the Government of Victoria on the subject.

2. I do not myself join with those who are ever railing against the degraded character of the Chinese. It is on very different grounds that I consider their settlement in large numbers in the Australasian Colonies open to grave objection. For the soundest of political and social reasons it is inadvisable and fraught with serious evils to allow sharply-defined class distinctions to grow up in these colonies, where the common elements of success, industry, good conduct, and perseverance should leave the race of emulation open to all alike. I hold it to be a question of policy of the first magnitude to cement society together in Australia by the same principles of faith and jurisprudence, the same influences of language and learning, and the same national habits of daily life.

3. I shall be glad if you will inform me of the views of your Government on the general question, and of the provisions which you consider should be embodied in any new measure of restriction.

I have, &c.,

The Hon. the Colonial Secretary, Wellington, New Zealand.

HENRY PARKES.

Enclosures.

COPY of TELEGRAM from the Hon. DUNCAN GILLIES, M.P., Victoria, to the Hon. the COLONIAL SECRETARY, Sydney, dated the 2nd November, 1887.

Do you purpose to legislate on Chinese question this session; if so, can we come to an understanding on the subject as to proposals?

Sir H. PARKES to the Hon. D. GILLIES, M.P., Victoria.

SIR,—

Colonial Secretary's Office, Sydney, 4th November, 1887.

In reference to the question of the settlement of Chinese in Australasia in its whole bearing upon the national development and permanent welfare of these communities, I have the honour to state for your information that, in the opinion of this Government, it would be a great advantage if all the colonies could agree upon a measure of restriction, or, perhaps, more correctly speaking, of practical prohibition, which should be framed in the same terms and impose the same conditions. Although in the vast extent of Australian territory questions of climate and of the suitability of the soil for special industries must necessarily raise difficulties in the application of labour to productive capabilities, much greater in some parts than in others, still the main subject cannot, I apprehend, be safely put aside by any Australian Government; and it seems to me that it can hardly be considered with satisfactory results except in view of the better qualities rather than the worst characteristics of the Chinese, their self-denial, plodding industry, persistency of purpose, and powers of imitation; and these striking individual qualities, again, in the light of the enormous numbers of the Chinese nation—their 400,000,000 to our less than 4,000,000 of souls.

1—A. 6.

2. I shall be glad to learn from you what the Government of Victoria may consider called for as an adequate basis of any new measure, with an earnest desire on the part of this colony to co-operate with the other colonies in the most effectual remedial legislation.

The Hon. Duncan Gillies, M.P., Melbourne, Victoria.

I have, &c.,
HENRY PARKES.

No. 2.

Sir H. PARKES to the Hon. the COLONIAL SECRETARY, New Zealand.

The Hon. the Colonial Secretary, Wellington. (Received 28th November, 1887.)

CAN you give me any reply to my letter of the 8th instant, respecting new legislation for protecting these colonies from the influx of Chinese. I was anxious that we should act in concert on this question; but, in view of information we have received of the probable arrival of a shipload of Chinese, I feel that I cannot delay proceeding in the matter.

HENRY PARKES, Sydney.

No. 3.

The Hon. the PREMIER, New Zealand, to the Hon. the PREMIER, Sydney.

Hon. the Premier, Sydney, New South Wales.

29th November, 1887.

Nor yet had time to consider question Chinese immigration, but should be willing to join legislation to prevent any undue influx of Chinese.

H. A. ATKINSON, Premier.

No. 4.

Sir H. PARKES to the Hon. the COLONIAL SECRETARY, New Zealand.

SIR,— Colonial Secretary's Office, Sydney, New South Wales, 3rd April, 1888.

In reference to the Chinese difficulty, and the circular letter of the 23rd ultimo* on the subject from the Government of Victoria, I have the honour to enclose for your information a copy of my reply to Mr. Gillies, and also copy of the cable-message of this Government transmitted to the Secretary of State on the 31st, urging that the contention of these colonies against the continued influx of Chinese may be taken up as a national question by the Imperial Government. I hope your Government will concur in the views of Victoria and this colony and make a similar representation to Her Majesty's Imperial Government.

I have, &c.

The Hon. the Colonial Secretary, Wellington, New Zealand.

HENRY PARKES.

Enclosures.

Sir H. PARKES to the Hon. D. GILLIES, M.P., Victoria.

SIR,— Colonial Secretary's Office, Sydney, 30th March, 1888.

In reply to your letter of the 22nd instant, on the subject of Chinese immigration, I desire to say that the receipt of the despatch from the Secretary of State, covering copy of the note of the Chinese Minister in London, addressed to Lord Salisbury, and at the same time the knowledge received through the public Press of the reported treaty made between the Government of the United States and the Government of China, suggested to me the precise course which you now submit for my consideration.

There can be no doubt whatever that we have a just ground for appealing to the Imperial Government to take up the great contention of these Australian Colonies against the continued influx of Chinese labourers. If we are part of the Empire, as self-governed colonies excluded from all participation in the making of treaties, we have an indisputable right to expect the Imperial Government to consult and protect our separate and peculiar interests in this matter (which does not reach Her Majesty's subjects in Great Britain) by the exercise of the powers of treaty on our behalf. As you point out, all the inconvenient and possibly exasperating consequences of legislation by different Australian Parliaments would be avoided by the Empire, in its highest capacity, dealing with the subject.

Entertaining this view of the question at this stage of its development, with which I am very glad to learn that your Government are in accord, I incline to the opinion that it would be best for each Australian Government to act separately in communicating its views to Her Majesty's Imperial Advisers, though it would, of course, be advisable that their action should be as nearly simultaneous as practicable.

I have, &c.,

The Hon. Duncan Gillies, M.P., Victoria.

HENRY PARKES.

TELEGRAM sent by His Excellency the GOVERNOR to the SECRETARY of STATE.

In reference to Chinese immigration, and the inquiry made by the Marquis of Salisbury, your Excellency's Advisers beg briefly to explain that the law of this colony for some years past has imposed the restriction of a poll-tax of £10 on each immigrant and a limitation of one immigrant to every 100 tons of the ship's burden; but, owing to recent occurrences, severer measures are now demanded throughout all the colonies. This state of things has given rise to new reflections in

* Not received by Colonial Secretary, New Zealand.

dealing with a difficulty which threatens to become a calamity. As these colonies form an important part of the Empire, it is submitted that our cause of contention is of sufficient national concern to be taken up by the Empire. If we have no voice in the making of treaties it seems only just that our interests should be considered and protected by those who exercise that power. We learn by public report that the Government of the United States has entered into a treaty with the Government of China, by which Chinese immigration into America is no longer permitted. We fail to see why Australia may not be similarly protected.

We desire, on behalf of this colony, through your Excellency, to impress upon Her Majesty's Imperial Advisers the more prominent phases of the Chinese question, as it specially and almost exclusively affects the Australian section of the British people. (1.) The Australian ports are within easy sail of the ports of China. (2.) The climate, as well as certain branches of trade and industry in Australia, such as the cultivation of the soil for domestic purposes, and tin- and gold-mining, are peculiarly attractive to the Chinese. (3.) The working-classes of the British people in all the affinities of race are directly opposed to their Chinese competitors. (4.) There can be no sympathy, and in the future it is to be apprehended that there will be no peace, between the two races. (5.) The enormous number of the Chinese population intensifies every consideration of this class of immigration in comparison with the immigration of any other nation. (6.) The most prevailing determination in all the Australian communities is to preserve the British type in the population. (7.) There can be no interchange of ideas of religion or citizenship, nor can there be intermarriage or social communion between the British and Chinese. It is respectfully submitted that the examination of these principal phases of the question can only lead to one conclusion—namely, that the Chinese must be restricted from emigrating to any part of Australasia. It will be seen that, while the question scarcely touches the people of the United Kingdom, it vitally concerns these great colonies, whose importance in their political and commercial relations entitles them to be protected by the diplomatic influence and the powers of treaty which belong to the Empire.

With renewed expressions of our loyal attachment to Her Majesty, we urge that immediate steps be taken to open such negotiations with the Emperor of China as will result in permanent security to the Australian Colonies from the disturbance of Chinese immigration in any form. The matter is too grave and urgent to admit of long delay. However desirable it may be to avoid the irritation and conflicts of interests which may arise from local legislation of a drastic character, if protection cannot be afforded as now sought, the Australian Parliaments must act from the force of public opinion in devising measures to defend the colonies from consequences which they cannot relax in their efforts to avert.

31st March, 1888.

HENRY PARKES (for Cabinet).

No. 5.

The Hon. the PREMIER, Melbourne, to the Hon. the PREMIER, New Zealand.

The Premier of New Zealand, Wanganui.

(Readdressed 1st May, 1888.)

S.S. "AFGHAN" with large cargo Chinese passengers for various ports in Australasia; a large number for ports in New Zealand. "Afghan" proposes to tranship them in vessels bound for New Zealand ports. None of the Chinese have been landed here in consequence of objections taken. If you object to Chinese being transhipped to New Zealand should inform Union Company, Dunedin, at once.

D. GILLIES, Premier, Melbourne.

No. 6.

The Hon. the PREMIER, New Zealand, to the Hon. the PREMIER, Melbourne.

The Hon. the Premier, Melbourne.

4th May, 1888.

THANKS telegram *re* Chinese. Communicated directly Union Company but too late. Wish act unity other colonies. Shall be obliged if you will send full particulars what your Government proposes doing *re* question generally, and what other colonies are doing.

H. A. ATKINSON, Premier.

No. 7.

The Hon. the PREMIER, Melbourne, to the Hon. the PREMIER, New Zealand.

The Hon. the Premier, Wellington, New Zealand.

Melbourne, 4th May, 1888.

I WILL state shortly your telegram on 4th what we have done in cases of immigrants (Chinese) brought to this port. The steamship "Afghan" arrived in the port of Melbourne on the 27th April ultimo with sixty-eight immigrants (Chinese) on board. Some were for Melbourne, others for various Australasian ports. No vessel is entitled to bring into any port in Victoria more than one immigrant for every 100 tons of the tonnage of the vessel, unless such immigrant produces evidence to the satisfaction of the Collector of Customs that he is a British subject. Any such vessel arriving having on board a greater number of immigrants than herein stated is liable to a penalty of £100 for every immigrant on board in excess of the limitation. All the naturalisation-papers which were tendered to the Collector of Customs were examined, and the immigrants who presented them failed to produce evidence to satisfy that officer that such immigrants were the persons to whom such papers were issued; and in nearly every case fraud was apparent. It is well known that large numbers of letters of naturalisation have been used fraudulently, and have been presented by persons to whom they were not issued. It was publicly intimated on several occasions

by the Government that in all these cases the greatest care would be taken to enforce the law. It is beyond doubt that there are a large number of immigrants on board the "Afghan" in excess of the limitation provided by law for a vessel to bring to this port. There are some twelve immigrants who are entitled to land on payment of the poll-tax of £10 each. The Commissioner of Trade and Customs has intimated to the master of the vessel through the agents that as soon as those twelve land he will at once take steps to enforce the penalty in the case of every immigrant in excess of the number which the "Afghan" was entitled to bring to this port. But the Commissioner has been given to understand that the right to land these immigrants is not to be insisted on. The "Afghan" left yesterday without having landed any of the immigrants she had on board. Another vessel, the steamship "Burrumbut," arrived here a few days ago with fourteen immigrants (Chinese), who were transhipped at Sydney from a vessel from Hongkong. Some may have been entitled to land, the others were not; and to prevent trouble and inconvenience it was arranged that the fourteen should be transhipped into another vessel bound to China, their passages being paid. This was done with the consent and approval of the immigrants themselves. The Government has issued a Proclamation taking power to quarantine any vessel coming from certain ports named, together with Chinese and other Eastern ports, until such vessel and passengers be released by the Health Officer. South Australia quarantined a vessel from China carrying immigrants (Chinese) on board, and it appears from the Press that the Government of New South Wales proposes to adopt somewhat the same course as this Government has done in the cases referred to. In the course we have taken we have strictly kept within the limits of the law. Copy of the Proclamation referred to will be forwarded.

D. GILLIES, Premier, Melbourne.

No. 8.

The Hon. the PREMIER, New Zealand, to the Hon. the PREMIER, Melbourne.

The Hon. the Premier, Melbourne.

8th May, 1888.

CHINESE.—Be good enough to wire the names of the ports in your Proclamation coming from which vessels are to quarantine.

H. A. ATKINSON, Premier.

No. 9.

The Hon. the PREMIER, Melbourne, to the Hon. the PREMIER, New Zealand.

The Hon. the Premier, Wellington, New Zealand.

8th May, 1888.

YOUR telegram Chinese. Proclamation mentions Hongkong, Singapore, together with Chinese and other Eastern ports as infected ports; and directs that all intercolonial and other vessels bringing Chinese passengers to Victorian ports be detained by Health Officer until released by said officer.

D. GILLIES, Melbourne.

No. 10.

The Hon. the PREMIER, Adelaide, to the Hon. the PREMIER, New Zealand.

The Hon. the Premier, New Zealand.

9th May, 1888.

It occurs to the South Australian Ministry that in the present aspect of the Chinese question unity of action amongst all the colonies of Australasia is most likely to satisfactorily effect our common purpose of restricting Chinese immigration. We think, also, that this unity can best be secured by a Conference of the representatives of the different Governments, when the matter might be fully discussed and a joint course agreed upon. We suggest, therefore, that such a Conference should be held with all possible despatch; and we shall be happy to make arrangements for the representation of this Government at such time and place as may be most convenient to all. We are addressing a similar communication to the other Australian Governments, and we are anxious to receive your early reply to our suggestion.

T. PLAYFORD, Premier, Adelaide.

No. 11.

The Hon. the PREMIER, New Zealand, to the Hon. the PREMIER, Adelaide.

The Hon. the Premier, Adelaide.

11th May, 1888.

CHINESE.—We concur as to Conference, and, although now Parliament is sitting it is possible a Minister cannot be spared, we will appoint some competent person to represent us. Place of meeting not essential.

H. A. ATKINSON, Premier.

No. 12.

Sir H. PARKES to the Hon. the PREMIER, New Zealand.

The Hon. Sir H. A. Atkinson, Wellington, New Zealand.

11th May, 1888.

If Conference on Chinese difficulty is held we think it should be limited to colonies under responsible Government, as such alone can act for themselves; and that each Government should be represented by two members of Executive Council. We shall be very glad to act with other colonies, but are prepared to act alone. Regret that owing to pressure of parliamentary business Ministers cannot leave Sydney at present time.

HENRY PARKES, Sydney.

No. 13.

The Hon. the PREMIER, Adelaide, to the Hon. the COLONIAL SECRETARY, New Zealand.

The Hon. the Colonial Secretary, New Zealand.

15th May, 1888.

WE suggest that the proposed Chinese Conference should meet in Sydney on the 19th June, each colony to be represented by two members of the Executive. If necessary, we shall ask our Parliament to consent to a short adjournment. We shall be glad to know if this meets your views. Sydney is suggested as being probably most generally convenient.

T. PLAYFORD, Premier, Adelaide.

No. 14.

The Hon. the PREMIER, New Zealand, to the Hon. the PREMIER, Sydney.

The Hon. the Premier, Sydney.

14th May, 1888.

Re CHINESE.—After further consideration this Government is of opinion that no Conference is necessary if each colony jointly or singly urged the Imperial Government to conclude treaty with China similar to the American-Chinese Treaty.

H. A. ATKINSON.

[Similar telegram to Premier, Adelaide, on 16th May, 1888.]

No. 15.

The Hon. the PREMIER, Adelaide, to the Hon. the COLONIAL SECRETARY, New Zealand.

The Hon. the Colonial Secretary, Wellington, New Zealand.

16th May, 1888.

WE have just despatched the following telegram to the Premier of New South Wales, and if the same meets with your approval we would respectively suggest that the matter might be made the subject of a similar representation by your Government. "*Re* Chinese Conference.—We respectfully suggest for your consideration that immediate decisive legislation by any one colony on any subject properly coming within the scope of the intended Chinese Conference might affect the probability of our securing our joint objects and the utility of the Conference, and should, if possible, be postponed pending the result of joint Australian deliberations. To obviate any inconvenience attaching to delay we shall be prepared to agree to any proposal for expediting the meeting of the Conference what may be agreeable to all interested.—T. PLAYFORD, Premier."

T. PLAYFORD, Premier, Adelaide.

No. 16.

The Hon. the PREMIER, Adelaide, to the Hon. the PREMIER, New Zealand.

The Premier, Wellington, New Zealand.

16th May, 1888.

Re CHINESE CONFERENCE.—We feel most strongly that a Conference is essential to securing uniformity of Australasian action both as regards domestic legislation and representations to the Home Government. No doubt success will greatly depend upon this. We trust, therefore, that you will be able to see your way to adhere to your original decision, which we had, of course, communicated to the other colonies. We may add that we had suggested the 19th June as the date of assembly chiefly to meet what we judged would be the convenience of your Government; but if you desire an earlier date we shall be happy to endeavour to arrange. Awaiting your early reply.

T. PLAYFORD.

No. 17.

The Hon. the PREMIER, New Zealand, to the Hon. the PREMIER, Adelaide.

Hon. Premier, Adelaide.

18th May, 1888.

Re CHINESE.—As you still consider Conference necessary, we concur. It is impossible that either members of Ministry or Executive Council can attend while our Parliament is in session, but we will send some suitable person.

H. A. ATKINSON.

No. 18.

Sir H. PARKES to the Hon. the PREMIER, New Zealand.

Sir H. A. Atkinson, New Zealand.

17th May, 1888.

THIS Government will concur in any arrangement which may be agreed upon by Premiers of South Australia and Victoria for Conference on Chinese question, with view to united representation to Imperial Government, but it would be extremely inconvenient for two Ministers to leave Sydney at present time.

HENRY PARKES, Colonial Secretary, Sydney.

No. 19.

Sir H. PARKES to the Hon. the PREMIER, New Zealand.

The Hon. Sir H. A. Atkinson, New Zealand.

17th May, 1888.

BILL to virtually exclude Chinese passed through all its stages in Legislative Assembly. Suspension of Standing Orders and second reading carried without dissentient voice. Bill finally passed after seven o'clock this morning, amidst loud cheers.

HENRY PARKES, Colonial Secretary, Sydney.

No. 20.

The Hon. the COLONIAL SECRETARY, New Zealand, to the Hon. the PREMIER, Melbourne.

SIR,—

Colonial Secretary's Office, Wellington, 25th May, 1888.

In the course of correspondence between this Government and that of New South Wales upon the Chinese immigration question, Sir Henry Parkes refers to a circular letter from the Government of Victoria dated the 22nd March upon the subject. As no such letter has reached this Government, I should feel greatly obliged if you would favour me with a copy, as it is of the first importance that we should be fully and officially acquainted with the views of a colony holding the position which Victoria does amongst her sisters of the Australasian group.

The Hon. the Premier, Melbourne.

I have, &c.,
T. W. HISLOP.

No. 21.

The ACTING-SECRETARY to the PREMIER, Melbourne, to the Hon. the COLONIAL SECRETARY, New Zealand.

SIR,—

Premier's Office, Melbourne, 12th June, 1888.

I have the honour to acknowledge your letter of the 25th ultimo (No. 88, 1599), intimating that you had not received a copy of the circular letter addressed by me on the 23rd March last to the several Australasian Governments on the subject of the Chinese immigration question, and expressing your desire to be furnished with a copy. I have to express my regret that, through an oversight, the circular referred to was not sent to you at the time of its despatch to the other colonies, and I beg now to enclose a copy for your information.

The Hon. the Colonial Secretary,
Wellington, New Zealand.

I have, &c.,
WM. SEWELL (For the Premier),
Acting-Secretary to the Premier.

Enclosure.

SIR,—

Premier's Office, Melbourne, 23rd March, 1888.

Referring to previous correspondence respecting the immigration of Chinese to Australia, I beg to draw your attention to an aspect of the question which it appears to me requires to be borne in mind when considering the nature of the measures to be taken.

With regard to limiting even to prohibition the influx of Chinese, I assume that the Australian Governments are in accord; but the question arises whether local legislation by the several colonies is, after all, the most satisfactory, or even the most efficient means to be employed. I desire to submit to your consideration that it is quite possible that the influence of Her Majesty's Government with that of the Emperor of China might effect more, and perhaps in a more convenient manner, than drastic measures adopted here. It can hardly be supposed that in a nation like China, which numbers its population by hundreds of millions, its Government can really regard with very much concern the question whether or not a few thousands depart for Australia. On the contrary, the interest of that Government would probably be to retain rather than to lose its population. And, if this be so, it must be easily within the power of the Queen's Government in its multifarious dealings with the Government of China to find a means and an occasion of stipulating, possibly in exchange for some small concession (such as has been recently sought in Burmah), that the Emperor should prohibit emigration to Australian ports. Thus might be accomplished inoffensively, through the means of diplomacy, all that we desire; while legislative measures of sufficient stringency to effect our purpose might engender an international bitterness, which sooner or later might find means to express itself. From a merely utilitarian point of view, this is to be deprecated.

There are two important points which should not be lost sight of in dealing with this aspect of the matter—namely, the comparative proximity of the Chinese Empire to Australia, and its power to pour down upon our land vast hordes of its people.

If, then, our object can be equally well accomplished by means of friendly representations through Her Majesty's Government it would seem in every point of view desirable to take that course. The consideration of this view is the more important from the fact of representations having been made on this subject, in the form of a despatch (circular, 23rd January, 1888), by the Chinese Minister in London to Lord Salisbury so lately as December last, copy of which has just been received here. Indeed, the line of action which I suggest is that which appears, in the last resort, to have been adopted by the United States of America, as a telegram which lately appeared in the newspapers states that "A treaty has been signed by the Chinese Minister at Washington, Chang Yen Hoon, and Mr. Bayard, the Secretary of State for the United States, by which Chinese labourers are forbidden from entering America."

If you concur in the view I have put forward I shall be glad to know in what way you think we should proceed. I would suggest a memorandum through the Governor to the Secretary of State.

The Hon. the Premier, Adelaide.

I have, &c.,
D. GILLIES, Premier.

THE CONFERENCE.

No. 22.

COPY of RESOLUTIONS arrived at by CHINESE CONFERENCE.

THE resolutions arrived at by Conference, and which have been embodied in a draft Bill, are as follows: 1. That, in the opinion of this Conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia. 2. That this Conference is of opinion that the necessary restrictions can best be secured through the diplomatic action of the Imperial Government and by uniform Australasian legislation. 3. That this Conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action. 4. That this Conference is of opinion that the desired Australasian legislation should contain the following provisions: Firstly, that it shall apply to all Chinese with specified description. Secondly, that the restriction should be by limitation of the number of Chinese which any vessel may bring into any Australasian port to one passenger to every 500 tons of the ship's burden. Thirdly, that the passage of Chinese from one colony to another without consent of the colony which they enter be made a misdemeanour.

CARRINGTON, Sydney.

No. 23.

COPY of CABLEGRAM from the SECRETARY of STATE for the COLONIES to the GOVERNOR of NEW SOUTH WALES.

HER Majesty's Government recognise spirit in which Chinese immigration question has been discussed by Conference, and will be prepared to consider resolutions in all their bearings without delay. Desirable I should have as soon as possible all provisions of proposed Bill.

KNUTSFORD.

No. 24.

PROCEEDINGS of the CONFERENCE on the CHINESE QUESTION (held in Sydney in June, 1888), together with the Minutes of Proceedings and Papers laid before the Conference.

MINUTES OF PROCEEDINGS.

At the EXECUTIVE COUNCIL CHAMBER, SYDNEY, 12TH JUNE, 1888.

THE following gentlemen, representing the undermentioned colonies, were present:—New South Wales: The Hon. Sir Henry Parkes, G.C.M.G., M.P.; the Hon. John Fitzgerald Burns, M.P. Victoria: The Hon. Duncan Gillies, M.P.; the Hon. Alfred Deakin, M.P. South Australia: The Hon. Thomas Playford, M.P.; the Hon. Charles Cameron Kingston, Q.C., M.P. Queensland: The Hon. John Murtagh Macrossan, M.P. Western Australia: The Hon. Sir Malcolm Fraser, K.C.M.G., M.L.C. Tasmania: The Hon. Phillip Oakley Fysh, M.L.C.

On the motion of the Hon. Thomas Playford, seconded by the Hon. Duncan Gillies, the Hon. Sir Henry Parkes, G.C.M.G., was appointed President. On the motion of the Hon. Duncan Gillies, seconded by the Hon. P. O. Fysh, Mr. Alex. C. Budge was appointed Secretary.

The commissions of the representatives were laid upon the table.

The Conference then proceeded to consider the question of admitting representatives of the Press, when, after deliberation, it was not considered expedient to do so.

The following petitions were laid before the Conference, and read: (1) From Quong Tart, (2) from Chinese merchants, (3) from E. Kretsohing.

The Conference unanimously resolved that the President and the Hon. J. F. Burns be a Committee to direct what papers should be printed.

The Hon. Charles C. Kingston explained the absence of the Hon. Richard Oliver, who is appointed to represent New Zealand.

The Hon. Thomas Playford then laid before the Conference a telegram from the Secretary of State to His Excellency Sir W. C. F. Robinson, the Governor of South Australia, which was read.

The Hon. Thomas Playford gave notice of the following resolutions: "1. That, in the opinion of this Conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia. 2. That this Conference is further of opinion that the necessary restriction can best be secured through the diplomatic action of the Mother-country, and by uniform Australasian legislation. 3. That this Conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired action. 4. That this Conference resolves to consider a draft Bill as the basis of the legislation referred to. 5. That a Committee, to consist of _____, be appointed to prepare the form of representation, and draft Bill. 6. That the Committee to prepare the draft Bill be instructed as follows: (1) That this Bill shall apply to all Chinese; (2) that the restriction should be by way of poll-tax and by limitation of the number of Chinese which any vessel may bring into an Australasian port; (3) that the poll-tax be £30 per head, and the limitation one Chinese to every 200 tons; (4) that the influx of Chinese from one

colony to another without payment of poll-tax be made a misdemeanour; (5) that no Chinese now in Australasia be rendered liable to any payment or penalty other than is provided by existing regulations."

It was then resolved, unanimously, that voting should be by colonies.

The Council adjourned at 4.20 until to-morrow at 9.30 a.m.

At the EXECUTIVE COUNCIL CHAMBER, SYDNEY, 13TH JUNE, 1888.

Present:—New South Wales: The Hon. Sir Henry Parkes, G.C.M.G., M.P.; the Hon. John Fitzgerald Burns, M.P. Victoria: The Hon. Duncan Gillies, M.P.; the Hon. Alfred Deakin, M.P. South Australia: The Hon. Thomas Playford, M.P.; the Hon. Charles Cameron Kingston, Q.C., M.P. Queensland: The Hon. John Murtagh Macrossan, M.P. Western Australia: The Hon. Sir Malcolm Fraser, K.C.M.G., M.L.C. Tasmania: The Hon. Phillip Oakley Fysh, M.L.C.

The Conference having assembled at 9.30 a.m., the minutes of yesterday's proceedings were read and confirmed.

The Hon. Thomas Playford then brought before the Conference the resolutions of which he had given notice, as follows:—“1. That, in the opinion of this Conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia. 2. That this Conference is further of opinion that the necessary restriction can best be secured through the diplomatic action of the Mother-country, and by uniform Australasian legislation. 3. That this Conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action. 4. That this Conference resolves to consider a draft Bill as the basis of the legislation referred to. 5. That a Committee, to consist of _____, be appointed to prepare the form of representation, and draft Bill. 6. That the Committee to prepare the draft Bill be instructed as follows: (1) That this Bill shall apply to all Chinese; (2) that the restriction shall be by way of poll-tax and by limitation of the number of Chinese which any vessel may bring into an Australasian port; (3) that the poll-tax be £30 per head, and the limitation one Chinese to every 200 tons; (4) that the influx of Chinese from one colony to another without payment of poll-tax be made a misdemeanour; (5) that no Chinese now in Australasia be rendered liable to any payment or penalty other than is provided by existing regulations.”—And moved the first resolution, which was carried on the following division: Ayes—New South Wales, Victoria, South Australia, Queensland; No—Tasmania; Western Australia did not vote.

The Hon. Thomas Playford then moved the second resolution, as amended, viz.: “That this Conference is of opinion that the necessary restriction can best be secured through the diplomatic action of the Imperial Government and by uniform Australasian legislation,” which was carried unanimously.

The Hon. Thomas Playford also moved the third resolution, which was carried unanimously.

The Hon. Thomas Playford then moved the following resolution in lieu of No. 6: “That this Conference is of opinion that the desired Australasian legislation should contain the following provisions: (1) That it shall apply to all Chinese, with specified exceptions.” Carried.

The Hon. Thomas Playford then moved the following resolution (No. 2): “That the restriction should be by way of poll-tax and by limitation of the number of Chinese which any vessel may bring into an Australasian port.”

Upon which the Hon. Duncan Gillies moved an amendment as follows: “That all the words after the word ‘be’ in the first line be omitted, with a view to the insertion of the following words: ‘By limitation of the number of Chinese which any vessel may bring into any Australasian port to one Chinese to every 500 tons of the ship’s burthen.’”

The President then put the following motion: “That the words proposed to be omitted stand part of the question,” when it was negatived on the following division: Ayes—South Australia, Queensland; Noes—New South Wales, Victoria, Tasmania; Western Australia did not vote.

The amendment was then put and carried upon the following division: Ayes—New South Wales, Victoria, South Australia, Queensland; No—Tasmania; Western Australia did not vote.

The Hon. Thomas Playford withdrew No. 3 of the resolutions.

The Hon. Thomas Playford proposed No. 4, as follows: “That the influx of Chinese from one colony to another, without consent of the colony which they enter, be made a misdemeanour,” which was carried.

The Hon. Thomas Playford asked leave to postpone No. 5, which was granted.

A Committee was then appointed, consisting of the Hon. Alfred Deakin, the Hon. Charles Cameron Kingston, and the Hon. John Murtagh Macrossan, to frame and bring up the form of representation and draft Bill referred to.

The Conference then adjourned until to-morrow at 9.30 a.m.

At the EXECUTIVE COUNCIL CHAMBER, SYDNEY, 14th June, 1888.

Present:—New South Wales: The Hon. Sir Henry Parkes, K.C.M.G., M.P.; the Hon. John Fitzgerald Burns, M.P. Victoria: The Hon. Duncan Gillies, M.P.; the Hon. Alfred Deakin, M.P. South Australia: The Hon. Thomas Playford, M.P.; the Hon. Charles Cameron Kingston, Q.C., M.P. Queensland: The Hon. John Murtagh Macrossan, M.P. Western Australia: The Hon. Sir Malcolm Fraser, K.C.M.G., M.L.C. Tasmania: the Hon. Phillip Oakley Fysh, M.L.C.

The Conference having assembled at 9.30 a.m., the minutes of the proceedings on the 13th instant were read and confirmed.

The Committee appointed to frame the form of representation to the Imperial Government and the draft Bill laid the same on the table, when they were read, and the Conference went into Committee on the Bill.

After considering the Bill clause by clause, and making certain amendments, it was adopted. Tasmania voted against the Bill. Western Australia did not vote.

The Conference next proceeded to the consideration of the proposed representation to be made to the Secretary of State for the Colonies, as drawn up by the Committee, when it was agreed to, with amendments.

A telegram from Sir Thomas McIlwraith, Premier of Queensland, to the Hon. J. M. Macrossan, on the subject of Lord Knutsford's circular telegram to the Governors of the Australasian Colonies, was then read, as follows: "Brisbane, 14th June, 1888.—Cabinet have considered confidential telegram from Lord Knutsford, and unanimously disapprove of his suggestion to place all foreign labourers on the same footing, with power to relax the regulations in certain cases."

The Hon. Alfred Deacon proposed, and the Hon. J. M. Macrossan seconded, the following resolution: "That the Governments of the Colonies represented at the Conference, with the exception of the Governments of New South Wales and Western Australia, undertake to introduce to their respective Parliaments measures which shall, while providing for the particular local circumstances of each colony, approach as closely as possible to the draft Bill which has been adopted by the Conference, and shall contain nothing inconsistent therewith," which was carried upon the following division: Ayes — Victoria, South Australia, Queensland, Western Australia; No—Tasmania.

The representatives of New South Wales at the Conference desired to place the following memorandum on record: "We the undersigned representatives of New South Wales at the Conference of the Australasian Colonies on the Chinese question, being unable to join in the last preceding resolution, in consequence of legislation now before Parliament, do hereby concur in and agree to the policy embodied therein; and, so soon as two or more of the other colonies have passed into law the typical or uniform Bill agreed upon by the Conference, we further agree to take the necessary steps to bring the law of New South Wales into strict harmony with those of the other colonies, reserving to New South Wales, however, the right of any variations or additions not inconsistent with the main principles of agreement.—HENRY PARKES, J. F. BURNS."

The Hon. Sir Malcolm Fraser also desired to place on record the following memorandum: "Sir Malcolm Fraser could engage that the Bill should be laid before the Legislative Council of Western Australia, but could not state what action the Government of that colony would take in regard to it."

The Hon. Phillip O. Fysh also desired to place on record the following memorandum: "14th July, 1888.—Tasmania dissents from the decision of the Conference 'That further restriction of Chinese immigration is essential to the welfare of the people of Australasia,' because the vigorous legislative action of the colonies has already proved successful in limiting the number of Chinese immigrants—a fact which is established by statistics and admitted in the Ministerial memorandum of Victoria upon this subject, despatched in March last; also, from the engagement by the Government to secure, if practicable, the early passage of a measure similar to the draft Bill through their respective Parliaments without waiting the result of the representations made by cable to the Home authorities, as being inconsistent with the request made by the Governments of New South Wales, Victoria, Queensland, and Tasmania, for Home Government intervention in the matter which this Bill proposes to dispose of, and because, all that need be desired may be accomplished by treaty, while drastic legislation, if preceding diplomatic efforts, may prove embarrassing, and engender international bitterness; and because convinced that upon occasions when the insular interests of the colonies can be secured in connection only with those which are Imperial, it behoves these colonies to remember that their preservation is maintained by British forces, and that Colonial Acts must be justified by the Home Government. Tasmania dissents from the main purposes of the draft Bill because no exception is made which would enable Chinese residents to improve their social condition by the introduction of their wives. It ignores the rights of such naturalised British subjects as may be at present absent from the colonies who have children in the colonies born of British wives, and have accumulated property under the sanction of colonial laws. It makes no exception in favour of Chinese born under English rule in Hongkong and elsewhere. It disregards the climatic characteristics of the northern territories of Queensland, South Australia, and Western Australia, which are a barrier to successful occupation, except in pursuit of avocations peculiarly tropical, and unsuitable to European labour.—P. O. FYSH."

The Hon. Phillip Oakley Fysh proposed, and the Hon. John M. Macrossan seconded, the following resolution, which was unanimously agreed to: "That the record of the proceedings of the Conference be communicated by the President to the representative deputed by New Zealand to attend this Conference on his arrival, and that, in the event of the concurrence of the Governor or that of the representative of New Zealand being obtained, the President be requested to communicate the fact to the Secretary of State for the Colonies, through his Excellency the Governor."

The Hon. Thomas Playford, with the consent of the Conference, withdrew the resolution No. 5, of which notice had been given by him yesterday.

The Hon. Duncan Gillies then proposed, and the Hon. Phillip Oakley Fysh seconded, the following resolution: "That the President of the Conference be instructed to request His Excellency the Governor to transmit the joint representation adopted by the Conference to the Secretary of State for the Colonies," which was unanimously agreed to.

The Hon. Sir Malcolm Fraser proposed, and the Hon. Thomas Playford seconded, the following resolution: "That the substance of the joint representation be transmitted to the Governors of the Australasian Colonies," which was unanimously agreed to.

The Hon. Thomas Playford proposed, and the Hon. Duncan Gillies seconded, the following resolution: "That the thanks of the Conference be given to Sir Henry Parkes, G.C.M.G., for the great services he has rendered in the important position he has occupied as President of the Conference," which was unanimously carried.

The Hon. Alfred Deakin then proposed, and the Hon. Charles C. Kingston seconded, the following resolution, which was unanimously carried: "That the thanks of the Conference be given to Mr. Alex. C. Budge for the efficient services rendered by him as Secretary."

The Conference then adjourned.

TELEGRAM FROM SECRETARY OF STATE TO SIR W. C. F. ROBINSON, GOVERNOR OF SOUTH AUSTRALIA, TO BE FORWARDED TO THE GOVERNORS OF THE OTHER COLONIES.

REFERRING to your telegram of 22nd May, inform Conference Her Majesty's Government anxious to meet views of Australian Colonies with regard to limiting Chinese immigration, but measures adopted by New South Wales create obstacles to present negotiations with China. It is therefore important to ascertain whether, in substitution for legislation of a similar kind, other arrangements more in accordance with feelings and views of Chinese Government, and at the same time fully effective for the purpose of restricting Chinese immigration, may not be adopted. Having regard to political and commercial interests of Empire, and particularly to commercial interests of Australian Colonies, no avoidable obstacles should be placed in the way of trade which are likely to afford valuable market for products of Australian Colonies. Chinese Government specially objects to legislation for placing Chinese emigrants on different footing to subjects of any other Power; and it seems desirable to consider whether laws and regulations equally restricting immigration into colonies of all foreign labourers, with powers of relaxing regulations in special cases reserved to Governments, may not meet requirements of case. If thus placed on equal footing with other nations Chinese Government, if it were still thought necessary to come to an international arrangement, might be willing to accept conditions more or less of a similar kind to conditions laid down in treaty concluded with United States of America, and limitation of numbers which would be permitted to embark for any of Australian Colonies. In any case it should be clearly understood that, while Her Majesty's Government will be prepared to consider any representations from Conference, they are not at present able to give any assurance that negotiations with Chinese Government can be opened, as it depends on nature of proposals to be made to that Government; but I confidently believe that Conference will endeavour to conciliate susceptibilities of Chinese Government as far as possible.

KNUTSFORD.

The PRESIDENT of the CONFERENCE to His Excellency Lord CARRINGTON.

MY DEAR LORD CARRINGTON,—

14th June, 1888.

As President of the Conference on the Chinese question, I am instructed to request your Excellency to transmit to the Right Hon. the Secretary of State for the Colonies the enclosed telegrams as unanimously agreed upon by the Conference. I enclose also a draft Bill agreed upon to be introduced in the respective Parliaments to carry out the decisions of the Conference.

Yours very sincerely,

HENRY PARKES.

CABLEGRAM TO SECRETARY OF STATE.

At the Australasian Conference, held in Sydney on the 12th, 13th, and 14th instant, at which the Colonies of New South Wales, Victoria, South Australia, Queensland, Tasmania, and Western Australia were represented, the question of Chinese immigration, and your cablegram to the Governor of South Australia in connection therewith, were fully considered.

The members of the Conference are sensible of the wish of Her Majesty's Government to meet the views of the colonies, and have specially deliberated upon the possibility of securing legislation which, while effective, should be of a character so far as possible in accordance with the feeling and views of the Chinese Government. They have not overlooked the political and commercial interests of the Empire, nor the commercial interests of the colonies.

In 1886 the total exports to China from New South Wales, Victoria, South Australia, Queensland, and Tasmania were valued at £16,000, out of a total export trade amounting to £38,700,000. Our imports from China in the same year were valued at £846,000. While the custom of the colonies, therefore, is very valuable to China, that country offers no present outlet of importance for Australasian trade. There has never been any attempt on the part of any of the colonies to close their markets to the exports of the Chinese Empire, although most, if not all, of them are now produced in great quantities in the British Empire of India. The suggestion that any restrictions which are to be imposed should be of a general nature, so as to give power to exclude European or American immigrants, has been very carefully deliberated upon, but no scheme for giving effect to it has been found practicable.

As the length of time to be occupied in negotiations between the Imperial Government and the Government of China is uncertain, and as the colonies in the meantime have reason to dread a large influx from China, the several Governments feel impelled to legislate immediately to protect their citizens against an invasion which is dreaded because of its results, not only upon the labour market, but upon the social and moral condition of the people. At the same time the Conference is most anxious that Her Majesty's Government should enter into communication with the Government of China, with a view to obtaining as soon as possible a treaty under which all Chinese, except officials, travellers, merchants, students, and similar classes, should be entirely excluded from the Australasian Colonies. By way of assisting to bring about such an understanding, the Conference has recommended the abolition of the poll-tax now levied upon Chinese immigrants. While believing that the local legislation now proposed will accomplish its object, the colonies would prefer that the exclusion of the Chinese should be brought about by international agreement

of a friendly nature, as in the case of the United States. The Conference further desires that Her Majesty's Government should induce the Governments of the Crown Colonies of Hongkong, Straits Settlements, and Labuan to at once prohibit the emigration of all Chinese to the Australasian Colonies unless they should belong to the classes above mentioned. The Chinese who may claim to be considered British subjects in those colonies are very numerous, and the certainty that their migration hither was prevented would give great and general satisfaction.

The resolutions arrived at by the Conference, and which have been embodied in a draft Bill, are as follows: "1. That, in the opinion of this Conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia. 2. That this Conference is of opinion that the necessary restriction can best be secured through the diplomatic action of the Imperial Government, and by uniform Australasian legislation. 3. That this Conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action. 4. That this Conference is of opinion that the desired Australasian legislation should contain the following provisions: (1) That it shall apply to all Chinese, with specified exceptions; (2) That the restriction should be by limitation of the number of Chinese which any vessel may bring into any Australasian port to one passenger to every 500 tons of the ship's burthen; (3) That the passage of Chinese from one colony to another without consent of the colony which they enter be made a misdemeanour." The first and fourth resolutions were indorsed by all the colonies except Tasmania, who dissented, and Western Australia, who did not vote, while the second and third were carried unanimously. As a whole, therefore, they faithfully represent the opinion of the Parliaments and peoples of Australia.

In conclusion, the Conference would call attention to the fact that the treatment of Chinese in the Australasian Colonies has been invariably humane and considerate, and that, in spite of the intensity of popular feeling during the recent sudden influx, good order has been everywhere maintained. So serious a crisis the colonial Governments have felt called upon to take strong and decisive action to protect their peoples, but, in so doing, they have been studious of Imperial interests, of international obligations, and of their reputation as law-abiding communities. They now confidently rely upon the support and assistance of Her Majesty's Government in their endeavour to prevent their country from being overrun by an alien race who are incapable of assimilation in the body politic, strangers to our civilisation, out of sympathy with our aspirations, and unfitted for our free institutions, to which their presence in any number would be a source of constant danger.

HENRY PARKES, President.

A BILL for the RESTRICTION OF CHINESE IMMIGRATION. (51^o Victoriae, 1888.)

WHEREAS at a meeting of representatives of Australasian Governments, held at Sydney in the month of June, one thousand eight hundred and eighty-eight, it was amongst other things resolved that it was desirable that uniform Australasian legislation should be adopted for the restriction of Chinese immigration: And whereas the provisions of this Act were approved by such representatives as the basis of such uniform legislation: And whereas it is desirable to legislate on such basis accordingly: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. In the construction of this Act the following words shall have the following meanings: "Chinese" shall include every person of Chinese race not exempted from the provisions of this Act; "vessel" shall include every ship, boat, or vessel; "master" shall include every person, other than a pilot, for the time being in command or charge of any vessel.

2. This Act shall not apply—(1) To any person duly accredited to any Australasian colony by any Government, as its representative, or on any special mission; (2) to the crew of any vessel not being discharged therefrom in the colony, and not landing in the colony, except in the discharge of duties in connection with such vessel; (3) to any persons, or any class of persons, who shall for the time being be exempted from the provisions hereof.

3. It shall be lawful for the Governor in Council from time to time, by Proclamation to be published in the *Government Gazette*, to declare that the provisions of this Act shall not apply to any person or any class of persons to be mentioned in such Proclamation, either generally or for any time to be fixed by such Proclamation; and any such Proclamation may be revoked by the Governor in Council by Proclamation to be published in the *Government Gazette*.

4. The master of every vessel, upon arrival at any port or place in this colony from parts beyond the colony, and having any Chinese on board, shall forthwith, and before making any entry at the Customs, deliver to the Collector or other principal officer of Customs at such port or place a statement specifying, to the best of his knowledge and means of information, the number of Chinese on board such vessel, and the places of shipment and destination, and the name, calling, or occupation of each such Chinese; and for any default in the observance of this section such master shall, on conviction, be liable to a penalty of one hundred pounds.

5. No vessel shall enter any port or place in the colony having on board a greater number of Chinese than in the proportion of one Chinese to every five hundred tons of the tonnage of such vessel, such tonnage to be ascertained if the vessel shall be British by her certificate of registry, and if otherwise, or if such certificate shall not be produced, then according to the rules of measurement provided by "The Merchant Shipping Act, 1854." And if any vessel shall enter any port or place in the colony having on board any Chinese in excess of such number the owner, master, or charterer of such vessel shall, on conviction, be liable to a penalty of five hundred pounds for each Chinese in excess of such number.

6. Any Chinese who shall enter this colony by land without first obtaining a permit in writing from some person to be appointed by the Governor in Council shall be guilty of a misdemeanour,

and shall be liable, on conviction, to imprisonment, with or without hard labour, for any term not exceeding six calendar months; and, in addition or substitution for any such imprisonment, shall be liable, pursuant to any warrant or order of the Magistrate or Justices by whom he shall be convicted, to be removed or deported to the colony from whence he shall have come.

7. All penalties and all moneys ordered to be paid or being the proceeds of any sale made under the authority of this Act shall be paid into the consolidated revenue.

8. For the purposes of all proceedings under this Act, the Stipendiary or Police Magistrate or the Justices may decide, upon his or their own view and judgment, whether any person produced before them is a Chinese within the meaning of this Act.

9. Any vessel on board which Chinese shall be transhipped from another vessel and be brought to any port or place in this colony shall be deemed to be a vessel bringing Chinese into the said colony from parts beyond the said colony, and shall be subject to the provisions of this Act.

10. The Governor, with the advice of the Executive Council, may make regulations for carrying out the provisions of this Act. A copy of such regulations shall, within fourteen days, be laid before both Houses of Parliament, if Parliament be then in session, and, if not then in session, within fourteen days after the commencement of the next session; and if disapproval of such regulations is not expressed by resolution within fourteen days thereafter they shall have the force of law.

11. All penalties and sums of money recoverable under this Act shall be recovered in a summary way at the suit of some officer of Customs authorised by the Colonial Treasurer, or of other officers appointed for such purpose, by like authority before any Stipendiary or Police Magistrate or two or more Justices of the Peace, in accordance with the provisions of the Acts regulating proceedings on summary conviction. And it shall be lawful for the Colonial Treasurer, by writing under his hand, to authorise any officer to detain any vessel, the master whereof shall, in the opinion of the said Treasurer, have committed an offence, or be a defaulter under this Act. Such detention may be either at the port or place where such vessel is found, or at any port or place to which the said Treasurer may order such vessel to be brought. For the purposes of such detention the officer so authorised shall be entitled to obtain in the customary manner such writ of assistance or other aid and assistance in and about the detention of or other lawful dealing with such vessel as are by law provided under the Act or Acts regulating Customs with reference to seizure of vessels or goods. But such detention shall be for safe custody only, and shall cease and be discontinued if a bond with two sufficient sureties be given by such master for the payment of the amount of such penalty and other sums as may be adjudged to be paid under the provisions of this Act: Provided that if default be made in payment of any such penalty incurred by such master in terms of any conviction adjudging the payment thereof it shall be lawful for such officer to seize such vessel, and for him and any other officer or person duly authorised or empowered in that behalf to take all such proceedings for the purpose of procuring the condemnation and sale of such vessel as are provided by law in case of condemnation or forfeiture of a vessel for a breach of the Customs laws of the said colony: Provided that the proceeds of sale of any such vessel shall be paid into the consolidated revenue, and, after payment of the amount of such penalty and of all costs incurred in and about such sale and the proceedings leading thereto, the balance shall be placed by the Colonial Treasurer to a trust account, and be held in trust for the owners of or other persons lawfully entitled to the vessel so condemned and sold.

12. No poll-tax shall hereafter be taken or demanded from or in respect of any Chinese.

13. This Act may be cited for all purposes as "The Chinese Immigration Restriction Act, 1888."

APPENDICES.

No. 1.—MEMORIAL FROM CHINESE MERCHANTS.

To the Honourable the Representatives of the Australasian Colonies, meeting in Conference upon the Chinese question in Sydney, June, 1888,—

The humble memorial of the undersigned Chinese merchants, resident in Sydney, on behalf of themselves and other Chinese resident in Australasia and New Zealand,

RESPECTFULLY SHOWETH,—

1. That by Article 5 of the Treaty of Peking, made on the 25th day of October, 1860, between Her Majesty the Queen of Great Britain and Ireland and His Imperial Majesty the Emperor of China, it was amongst other things provided that the Chinese, in choosing to take service in the British colonies or other parts beyond the seas, were to be at perfect liberty to enter into engagements with British subjects for that purpose, and to ship themselves and their families in British vessels at the open ports of China.

2. Your memorialists would respectfully refer to the rights given to British subjects to reside in and own property in China, and to travel therein.

3. Upon the faith of the above treaty, and upon legislation passed in the various Australasian Colonies, Chinese have come to the Australasian Colonies; some have married European women there; many are still residents there; while others have left temporarily, and have in such cases obtained certificates authorising them to return within a certain time.

4. The Chinese merchants and traders resident in the Australasian Colonies from time to time require, in the ordinary course of their business, to visit the other Australasian Colonies; and your memorialists would respectfully point to the great hardship that would be inflicted on them if provision be not made for them visiting such colonies.

5. Your memorialists would also respectfully point out that in the proposal to impose a poll-tax so high as the sum of £100 per head upon any Chinese coming to any one of the Australasian Colonies,

that such amount is unduly severe and unnecessarily high on the one hand, while on the other the very magnitude of the tax would hold out inducement to breaches of the law.

6. Your memorialists would also respectfully point out the hardship Chinese would be liable to if provision be not made for the performance of existing engagements with the Chinese in reference to their right to return to the colonies, if so returning within the time specified in their exemption tickets.

7. Your memorialists would also point out the hardship and injury to the Chinese who may have become naturalised British subjects, and who now own property in any of the Australasian Colonies, if they be not allowed, after due examination, to return to their homes.

8. Your memorialists would respectfully refer to the fact of the general reduction during the last few years of the numbers of the Chinese resident in Australia (with the exception of Port Darwin under special circumstances).

9. Your memorialists would respectfully refer to the proposal to exclude Chinese from mining, it being well known that the Chinese only follow the Europeans, and make a living where Europeans cannot; and the mining by the Chinese means the saving to the country of a large amount of wealth that would otherwise be lost.

Your memorialists therefore humbly pray that your honourable Conference will take this memorial under favourable consideration.

And your memorialists will ever pray, &c.

QUONG TART, Sydney, merchant.

JAMES UNG QUOY, George Street North, merchant.

SUN KUM TIY, George Street, merchant.

YUEN LAH, Queen's Street, merchant.

ONYIK and LEE, George Street, merchants.

W. GOLDTOWN, King Street, agent.

No. 2.—Mr. QUONG TART to the Hon. the CHAIRMAN of the INTERCOLONIAL CONFERENCE.

HONOURABLE SIR,—

Sydney Arcade, 12th June, 1888.

I have the honour to respectfully offer my services, as a Chinese resident and naturalised British subject, in any capacity that may be considered by your honourable assembly to be of use in arriving at the general opinion of the Chinese residents in Australasia, respecting your intended legislation in the different colonies concerning the Chinese. My services have been availed of by the Government of New South Wales on several occasions recently, and my knowledge of colonial life in its various phases, on the diggings and as a business-man generally, enables me (subject to your approval) to explain matters which possibly may require explanation at your distinguished Conference.

Kindly and respectfully apologizing for approaching your august body,

I have, &c.,

QUONG TART.

No. 3.—MEMORIAL from CHINESE RESIDENTS in AUSTRALASIA to the Hon. Sir HENRY PARKES, K.C.M.G., &c., Premier and Colonial Secretary, &c., Chairman of the Intercolonial Conference, now being held at Sydney, June, 1888.

SIR,—

In presenting our humble memorial to your most august body, and prefacing the same by reference to Article 5 of the Convention of Peace signed between Her Most Gracious Majesty the Queen of Great Britain and Ireland and His Imperial Majesty the Emperor of China, on the 24th October, 1860, we consider that the Articles of Convention for purposes indicated are virtually Articles of Treaty, as understood by the representatives of the people now and then concerned. That the general opinion is good and has been ratified is clearly proven by the number of Chinese emigrants and passengers from time to time leaving the open ports of China (their good conduct guaranteed) for English colonial possessions without any previous or present violation of existing treaties.

We would humbly and respectfully submit to your honourable Conference the fact that in the Australasian Colonies there are numbers of Chinese inhabitants from the different provinces of China who have left the open ports referred to in the Treaty of Tien-Tsin, and merely mentioned as matters of detail in the Convention of Peking in our memorial.

The Chinese residents of Australasia would deeply deplore any legislation altering the present friendly relations of the subjects of Her Most Gracious Majesty the Queen of Great Britain and Ireland and His Imperial Majesty the Emperor of China in any portions of the British Empire and the Empire of China.

Our commercial intercourse, and the desire of further amity to preserve the peace and harmony of both nations, for mutual welfare, is the earnest wish and good prayer of

Your most humble and obedient servants,

QUONG TART.

JAMES UNG QUOY.

YUEN LAH.

SUN KUM TIY.

ONYIK and LEE.

W. GOLDTOWN.

On behalf of, and with the approval of, the Chinese residents of South Australia, Victoria, New South Wales, Queensland, and Tasmania.

No. 4.—LETTER from CHINESE RESIDENTS in VICTORIA to the REPRESENTATIVES of the AUSTRALIAN GOVERNMENTS in Conference assembled.

HONOURABLE SIRS,—

The Chinese residents of Victoria, through this Committee, beg respectfully to approach your honourable Conference in the hope that, under the deep sense of responsibility attaching to your present deliberations, you may see clearly that there are two sides to this important question. Locally, we have had scant courtesy shown to us as subjects of a great and friendly power, and this is probably the experience of our brethren at many other Australian ports, but of this we do not speak at present.

We consider the “cry” of a great influx of Chinese as one of those poor hollow things that time and reflection will cause the generous British mind to feel heartily ashamed of, but at the same time the cruel injustice inflicted under it may be far-reaching. “Behold how great a matter a little fire kindleth.” Our own land has no equal on earth for fertility and resources, which by-and-by will cause her to weigh heavy in the scale of nations; and therefore we assure you, honourable Sirs, that the question whether a few stragglers should emigrate from such a stupendous empire as China is one of perfect indifference to her Government or her people. But the evil treatment of the few that are here, or who have been recently turned away from these shores, is a different matter altogether. We hope it may not be, but fear it may, that a deep wound has been inflicted that will rankle and bear evil fruit in the near future. Our late Ambassador in London spoke wise words when he said before a British audience, “We look to you and the representatives of your colonial possessions now in London to see that these returning Chinese bring nothing home with them but what will promote peace and good-will between the two countries—no memories of suffering, injustice, or exceptional treatment.” And we commend these words to the thoughtful consideration of the Conference.

In a vivid epoch in the history of your own great country it was not so much the severance of the political tie which bound the American Colonies to the Mother-country as the cruel heritage of strife that was left to rankle, causing sore grief to the wise men of both lands. But for this heritage it is possible that to-day they might have been so united by common feeling as to stand out to view as the arbitrators of the world. Notwithstanding the impassioned protests of a few splendid men, the strife was entered on with a light heart by the ruling statesmen of the day, and though as yet we have had no colonial statesmen to protest against the injustice we have been subjected to, yet in this connection we are glad to admit that in our intercourse with the best class of colonists we have found amongst them a feeling of repugnance at, and an utter detestation of, the treatment which our countrymen have received at the hands of the various colonial Governments. We draw the moral from the American incident just referred to that it is much easier to plant a thorn in the national feeling than to withdraw it or heal the wound.

We affirm that the Chinese are a peaceable, industrious, and a law-abiding people, and that they are not insensible of, nor ungrateful for, the protection of wise laws justly administered. What they do complain of is—(1) That the laws have been strained and tortured to oppress them; (2) that the laws have even been broken to inflict harsh treatment and injustice; and (3) that by the hasty and violent conduct of various colonial Governments, which should have held the scales of justice evenly balanced, the more ignorant portion of the population have been incited and encouraged to outrage the feelings and show contempt and hatred to our countrymen.

We think all this is bad and foolish for these reasons: That a time may come, nay, probably will come sooner than is supposed, when the presence and power of China as a great nation will be felt in these seas, and it lies with you to say, as wise men or otherwise, if this is to be for good or for evil; that injustice, inhumanity, and violence afford a poor foundation to build up the life of a young nation, and however popular in the meantime it may be with the unthinking multitude, yet we are most sure such weapons mean disaster in the future to the users. The stringency of the laws at present regulating immigration from China effectually preclude many being added to the population even if it were much desired. We, however, do not hesitate to confidently affirm that were the ports open and free the Chinese population of Australia would always remain an insignificant portion of the whole. Finally, it is our belief that the matter your honourable Conference has in hand is weighty—no mere family quarrel, but one that touches most intimately international rights and obligations—dealing, as it does, with the stranger within your gates. It cannot be decided by a wave of the hand, nor by heated public orations.

The Supreme Court of one colony has declared “It is not aware that such a course of conduct as has been pursued in reference to the Chinese has ever been adopted at any period of our history.” Imperial statesmen have counselled you that friendship with China was well worth purchasing at the cost of a little sacrifice. We trust, therefore, that for the sake of the two great countries whose interests are involved that the dictates of humanity and justice may rule your deliberations, and that you will be guided to remember that it is righteousness alone which exalteth a nation, but that sin is the reproach of any people.

We have the honour to remain your most obedient servants, for and on behalf of the Committee of Chinese residents, Melbourne.

CHEOK KONG CHEONG, Chairman.
LI AH MONG JAMES MOY LING
W. SHI GUN SUN SUEY SHING.

[Approximate Cost of Paper.—Preparation, nil; printing (1,275 copies), £12 18s.]