

Queensland.



ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

No. 47

A Bill to Regulate and Control the Introduction and Treatment of
Polynesian Laborers.

WHEREAS many persons have deemed it desirable and necessary Presamble.
in order to enable them to carry on their operations in tropical
and semi-tropical agriculture to introduce to the colony Polynesian
laborers And whereas it is necessary for the prevention of abuses
and for securing to the laborers proper treatment and protection as
well as for securing to the employer the due fulfilment by the
immigrant of his agreement that an Act should be passed for the
control of such immigration 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 Queensland in Parlia-
ment assembled and by the authority of the same as follows—

1. It

Polynesian Laborers Bill.

Not lawful to introduce Polynesian laborers except according to regulations.

1. It shall not be lawful for any person or persons to introduce any Polynesian laborers into the Colony of Queensland unless and except in accordance with the regulations contained in this Act and the forms thereunto attached.

Present employes to make returns within four months from passing of Act.

2. Within four months from the passing of this Act all persons who have in their employment any Polynesian laborers shall make a return to the Immigration Agent or other authorised agent of all such laborers in their employment setting forth the number and names of such laborers the nature and duration of their agreements together with all such particulars as may be required.

Penalty for failure in making returns.

3. Any person employing any Polynesian laborers who shall fail to make a return as required by the foregoing clause shall on conviction of the same before any two justices of the peace be subject to a penalty not exceeding fifty pounds.

Act to apply to employers and laborers at time of passing.

4. The provisions of this Act shall so far as practicable be applied to all Polynesian laborers introduced into this Colony before the passing of this Act and to their employers.

Inspectors to be appointed.

5. The Governor with the advice of the Executive Council shall appoint from time to time such person or persons as shall be found requisite for the proper inspection of the said Polynesian laborers and enforcing the provisions of this Act.

Form of application.

6. All persons desirous of importing laborers from the South Sea Islands shall make application to the Colonial Secretary at Brisbane in the form A appended hereto stating the number required and how they are to be employed such application to be accompanied by a bond in form K signed by applicant and two sureties to secure the return of the laborers to their native islands at the expiration of three years or thirty-nine moons from date of arrival. A license in form C may then be issued authorising the applicant to import the number required.

Vessel to be properly found.

7. The owner or charterer of any vessel so licensed shall provide for the use of the passengers a supply of medicines medical comforts instruments and other things proper and necessary for diseases and accidents incident to sea voyage and for the medical treatment of the passengers during the voyage including an adequate supply of disinfecting fluid or agent together with printed or written directions for the use of the same respectively and such medicines medical comforts instruments and other things shall in the judgment of the emigration officer at the port of clearance be good in quality and sufficient in quantity for the probable exigencies of the intended voyage and shall be properly packed and placed under the charge of the medical practitioner when there is one on board to be used at his discretion. In case of non-compliance with any of the requirements of this section the master of the ship shall for each offence be liable to a penalty not exceeding fifty pounds nor less than five pounds sterling.

Penalty.

Master of vessel to report arrival &c.

8. The master of any vessel arriving with Polynesian laborers shall be bound to report on arrival at any of the ports of Queensland the number of such laborers and the names of the employers to whom they have been or are to be indentured and shall not be permitted to land any of the immigrants until he has received the certificate (Form L) of the Immigration Agent or other officer of the Government empowered to grant same that the following regulations have been complied with—

Master of vessel to produce certificate.

- (1.) The production by the master of the vessel of a certificate in Form I or certificates signed by a consular missionary or other known person that the laborers have voluntarily engaged themselves and entered into their agreements with a full knowledge and understanding of the nature and conditions of same and that when they were embarked

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embarked they were not known to be afflicted with any disease and were neither maimed halt blind deaf dumb idiotic or insane.

(2.) The production by the employers or parties to whom the laborers are or are intended to be indentured of the certificate in Form C authorising them to recruit Employers to produce certificate of Immigration Agent.

(3.) That proper means have been taken since the arrival of the ship by the Immigration Agent or other officer by explanations questions and enquiries amongst the laborers themselves to ascertain whether they have a proper understanding of the conditions of the agreements and did voluntarily enter into same That the agreements have been signed in the form prescribed and the employers bound to observe the rules laid down for the treatment and management of the laborers. Immigrants to understand the nature of their agreements.

9. All agreements (Form D) shall be completed on board the ship if possible and the immigrants taken from same by their employers and should there arise a necessity for taking any of the laborers to the Immigration Depot their maintenance there shall in all cases be borne by the employer. Agreements to be completed on board ship where practicable.

10. The arrival of the immigrants shall be registered in the Immigration Office Brisbane or at the Custom House in any other port and in the latter case a copy of the register shall be forwarded by the Customs officer to the Immigration Office by following mail. Immigrants to be registered on arrival.

11. The scale of rations and wages shown in Form G and printed on the form of agreement shall in no case be deviated from. Scale of rations.

12. A register of hired Polynesian laborers shall be kept by each employer in Form E which shall be open for the inspection of any magistrate or other person appointed by Government for the purpose who shall record his visit therein No entry except the state of muster at the expiration of each quarter shall be made in the register of the employer unless from a document of hiring transfer death or desertion countersigned by the Immigration Agent or other authorised officer. Register to be kept by employer.

13. No transfer of an immigrant shall be made except with the full consent of the transferrer the immigrant and the Government in Form F and no immigrant shall be allowed to leave his employment under transfer until the same has been recorded in the books of the Immigration Office or other appointed office All transfers shall be signed by the transferrer and immigrant in presence of a magistrate who shall before such signing explain to the immigrant the full meaning and effect of such transfer Provided that every transferee shall enter into a bond similar to that of the transferrer prior to any transfer being consented to. Transfers how made.

14. All deaths or desertions shall be immediately reported to the nearest bench of magistrates and to the Immigration Agent by the employer and in case of death a medical certificate of the cause thereof shall be forwarded if possible. Deaths or desertions to be reported immediately.

15. All masters of vessels about to proceed to the South Sea Islands in order to obtain laborers therefrom shall enter into a bond in form B with two sufficient sureties for the prevention of kidnapping and for the due observance of these regulations so far as they are concerned. Masters of vessels to execute bonds prior to proceeding to hire laborers.

16. No ship shall carry a greater number of passengers than in the proportion of one statute adult to every twelve clear superficial feet allotted to their use Provided that the height between decks shall not be less than six feet six inches from deck to deck when the height of the 'tween decks exceeds six feet six inches an extra number of passengers may be taken at the rate of one for every one hundred Number of passengers. (Vide Imperial Act 16 and 17 Vict. c 84.)

and

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and forty-four cubic feet of space Each ship must be fitted with open berths or sleeping places in not more than two tiers—the lowest tier shall be raised six inches from the deck and the interval between the two tiers of berths shall not be less than two feet six inches All passengers shall be berthed between decks or in deck houses.

Proportion of passengers to deck area. 17. But no ship whatever her tonnage or superficial space of passenger decks shall carry a greater number of passengers on the whole than in the proportion of one statute adult to every five superficial feet clear for exercise on the upper deck or poop or if secured and fitted on the top with a railing or guard to the satisfaction of the emigration officer at the port of clearance on any roundhouse or deck-house.

Length of voyage. 18. The length of the voyage to or from the South Sea Islands shall be computed at thirty days for sailing vessels and fifteen days for steamers.

Water on the voyage. 19. Three quarts of water daily during the voyage shall be allowed to each adult exclusive of the quantity used for cooking purposes.

Provisions on the voyage. 20. Provisions shall be issued to each statute adult during the voyage according to the following scale namely :—

DAILY PROVISIONS FOR STATUTE ADULT.

	lbs.	oz.
Yams	4	0
Or rice	1½	0
Or maize meal .. .	1½	0
Meat (pork or beef)	1	0
Tea	0	0½
Sugar	0	2
Tobacco (during good behaviour) per week	0	1½

The undermentioned clothing shall be supplied to each laborer immediately on embarkation in advance :—

- 1 Flannel Shirt
- 1 Pair Trousers
- 1 Blanket

Nominal return to be sent at expiration of each quarter. 21. Nominal returns of laborers shall be made by employers of South Sea Island labor to the Immigration Agent at the expiration of each quarter in form H.

Returns to be forwarded to Colonial Secretary each quarter. 22. At the end of each quarter the police magistrates or bench of magistrates in each district where South Sea Island laborers are employed shall forward to the Colonial Secretary a return of all cases adjudicated upon in relation to Polynesian laborers employed under these regulations such returns to include the names of employers and laborers and the nature of the offences.

Penalty for harboring runaway laborers. 23. All persons harboring or employing Polynesian laborers otherwise than under these regulations without reporting the same to the nearest bench of magistrates and to the Immigration Agent in Brisbane shall be liable on conviction thereof to a penalty not exceeding twenty pounds.

Breaches of regulations punishable by fine. 24. All breaches of these regulations shall be punishable by fine to be recovered in a summary manner before two justices of the peace for the first offence a fine not exceeding ten pounds for second and subsequent offences not exceeding twenty pounds nor less than five pounds.

Engagements subject to 25^a Vic. No. 11. 25. All engagements made or to be made with Polynesian laborers already in the colony or to arrive are hereby expressly declared to be subject to the provisions of the Act twenty-five Victoria number eleven.

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26. A tax of twenty pounds per head for every Polynesian laborer introduced contrary to the provisions of this Act shall be levied on all vessels in which such laborers may be brought to this colony and in default of payment of such tax such vessel shall be absolutely forfeited to Her Majesty.

Tax on vessels in default of compliance.

27. All expenses incurred by the Government in affording hospital relief to sick Polynesian laborers or by their detention in immigration depots shall be chargeable to the employers of such men and may be recovered from them by summary process on the information of Immigration Agent or other authorised officer.

Expenses incurred by Government chargeable to employers in certain cases.

28. Any person who shall without the consent of the laborer and the written permission of the Government remove or attempt to remove any such laborer out of the Colony of Queensland except for the purpose of his return to his home shall be liable to a penalty of twenty pounds for every such laborer so removed or attempted to be removed and it shall be lawful for the Government in any case to prevent the removal of any such laborer except for the purpose of his return to his home as aforesaid.

Laborers not to be removed out of the colony without permission or consent.

29. Any person supplying Polynesian laborers with spirits shall be punishable as at present in the case of aboriginals under fifty-first section of "*Licensed Publicans Act*" twenty-seven Victoria number sixteen.

Polynesian laborers not to be supplied with spirituous liquors.

30. It shall not be lawful for any employer of Polynesian laborers to charge such laborers with the payment of any moneys on account of stores supplied or to deduct any sum in respect thereof from any wages due to them.

Store accounts not to be deducted from wages.

31. This Act shall be styled and may be cited as the "*Polynesian Laborers Act of 1868.*"

Short title.

FORM A.

Application for permission to introduce South Sea Island agricultural or pastoral laborers.

I request to be allowed in accordance with the Act now in force to procure from the South Sea Islands immigrants for agricultural or pastoral purposes to be employed in the district.

A. B.

Applicant's signature.

The above requisition lodged with me this

day of 186.

G. H.

Immigration Agent Queensland.

FORM B.

Bond to be entered into by Shipmasters.

Know all men by these presents that and of are held and firmly bound unto our Sovereign Lady Victoria by the grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith in the sum of five hundred pounds of good and lawful money of Great Britain to be paid to our said Lady the Queen her heirs and successors to which payment well and truly to be made we bind ourselves and every of us jointly and severally for and in the whole our heirs executors and administrators and every of them firmly by these presents.

Sealed with our seals

Dated this

day of

one thousand eight hundred and

Whereas by the *Polynesian Laborers Act of 1868* it is amongst other things enacted that all masters of vessels proceeding to the South Sea Islands in order to obtain laborers therefrom shall enter into a bond with two sufficient sureties for the prevention of kidnapping and due observance of the requirements of the said recited Act. Now the condition of this obligation is such that if the above-bonded J. K. master of ship about to proceed to the South Sea Islands to procure laborers shall faithfully observe the requirements of the said recited Act and shall satisfy the Government of Queensland

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Queensland through its officer duly appointed for the purpose that no kidrapping was allowed countenanced or connived at then this obligation to be void otherwise to remain in full force and virtue.

Signed sealed and delivered by the above-bounded []

and in the presence of

I hereby certify that the above bond was duly signed sealed and delivered by the said and in my presence this

day of

18

Immigration Agent.

FORM C.

License to recruit laborers from the South Sea Islands.

This is to certify that [] [or his agent] is hereby licensed to recruit immigrant laborers from the South Sea Islands for Queensland in conformity with the Act passed regarding such recruiting. This license is to remain in force only until the number mentioned above have been recruited.

Dated this

day of

186

Colonial Secretary of Queensland.

Immigration Agent Queensland.

N.B.—This license is to be returned to the Immigration Agent when the laborers have been received.

FORM D.

186

MEMORANDUM OF AGREEMENT made this day between

of the first part and [] native of the second part per ship

The conditions are that the said party of the second part engages to serve to the said party of the first part as a [] and otherwise to make generally useful for the term of [] calendar months and also to obey all or overseer's or authorised agents lawful and reasonable commands during that period in consideration of which services the said party of the first part doth hereby agree to pay the said party of the second part wages at the rate of not less than six pounds (£6) per annum to provide with the understated rations daily to provide suitable clothing and proper lodging accommodation and to defray the expense of conveyance to the place at which to be employed to pay wages in the coin of the realm at the end of each year of the agreement and provide them with a return passage to their native Island at the expiration of three years. No wages shall be deducted for medical attendance.

DAILY RATION.

	lbs. ozs.
Beef or mutton (or 2 lbs. of fish)	1 0
Bread or flour	1 0
Molasses (or sugar)	0 5
Vegetables (or rice 4 oz. or maize meal 8 oz.)	2 0
Tobacco per week	0 1½
Salt, per week	0 2
Soap (per week)	0 4

CLOTHING.

	Yearly.
Shirts (one of flannel or serge)	2
Trowsers pairs	2
Hat	1
Blankets	1 pair.

In witness whereof they have mutually affixed their signatures to this document.

Witness:

The above contract was explained in my presence to the said immigrants and signed before me by them with their names or marks and by [] or his authorised agent at this day of 186 G.H.

Immigration Agent or Custom House Officer,
office Brisbane Queensland this day

Registered at the
of 186

G.H.
Immigration Agent.

FOEM

Polyneesian Labourers Bill.

FORM E.

REGISTER of South Sea Island labourers employed on the Plantation of _____, in the District of _____, post towns,

No. — Transferred	Less Deaths Transferred	Total	REMARKS. State of Health, Treatment, Direction, special orders, state of Immigrant or Manxtra, provisions made by Magistrate, &c.																			
			No. in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter	Deaths in Quarter								

I visited the plantation on _____, and found all in good order.

J.P.

FORM F.

We [name and designation of employer and names and numbers of immigrants engaged] being respectively the master and servants under a contract of service made before the Government Emigration Agent at _____ on the _____ day _____ do hereby agree that the whole rights and obligations of the said first party under the said contract shall be and the same are hereby transferred as at the date hereof to [name and designation] who hereby agrees to accept the said transfer and the contract hereby transferred with all its rights and obligations.

X.I. }
A.B. } Signatures or marks* of all the parties.
I. }

The above transfer signed by all the parties thereto its nature and effect having been first fully explained to the immigrants above-named all in my presence. The said transfer also approved and concurred in by me as on behalf of the Government.

At _____ this _____ day of _____ 186_____

G.H.

Immigration Agent [or Justice of the Peace.]

Registered this _____ day of _____ 186_____

G.H.

Immigration Agent.

FORM G.

SCALE OF RATIONS.

Daily.

	lb.	ozs.
Beef or Mutton (or 2 lbs. of Fish)	1	0
Bread or flour	1	0
Molasses or Sugar	0	5
Vegetables (or rice 4 ozs. or maize meal 8 ozs.)	2	0
Tobacco, per week	0	1½
Salt, per week	0	2
Soap (per week)	0	4

Wages—Not less than six pounds (£6) per annum, in the coin of the realm.

FORM

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FORM H.

QUARTERLY RETURN.

Returns of South Sea Islanders employed on the Plantation of _____ in the district of _____
name of Plantation _____ for quarter ending _____

No.	Name.	From.	Place of Birth on 31st March, 1886.	Transfers.	Deaths.	Remarks.

RECAPITULATION.

Number at date of last return	---	---
Number transferred to plantation during above quarter	---	---
Defect --		
Number died during above quarter	---	---
Number transferred from plantation during above quarter	---	---
Number remaining on	---	---

Proprietor of

Registered at Immigration Office, Brisbane, on

and acknowledged

Immigration Agent.

FORM I.

Whereas _____ duly licensed by the Government of Queensland to recruit South Sea Island laborers according to license exhibited to us and _____ natives of _____ appeared before us this _____ day of _____ 1886

The said agent has hired the said natives to serve various employers in Queensland as laborers for a term of three years and undertakes that they shall be furnished with the undermentioned rations and clothing that they shall be paid at the rate of not less than six pounds (£6) per head per annum in coin of the realm that they shall be provided with proper lodging accommodation and that the cost of their passage to and from Queensland and all other costs and charges shall be defrayed by their employers and that they shall be returned free of expense to this place at the expiration of three years and that the Government of Queensland shall exercise supervision over their employers and otherwise protect them during their term of service and during their passage to and from Queensland.

Now we certify that this document has been read and its full meaning and effect explained to the said before-mentioned natives in the presence of the said agent and of ourselves and that the said natives have consented to accompany said agent to Queensland. And we further certify that to the best of our belief none of the said natives are suffering from any disease or are maimed halt blind deaf dumb idiotic or insane.

In witness whereof we have hereunto attached our signatures this _____ day of _____ 1886 at _____

Missionary [or European Resident or Chief Interpreter].
Agent.
Natives.

CLOTHING PER ANNUM.

Hat	...	...	...	...	...	1
Shirts (one flannel or serge)	...	...	...	...	...	2
Trousers, pairs	...	...	...	...	...	2
Blankets, pair	...	...	...	...	...	1

RATIONS PER DIEM.

	lbs.	ozs.
Bread	...	1 0
Beef or Mutton (or Fish 2 lbs.)	...	1 0
Molasses or Sugar	...	0 5
Vegetables (or rice 4 ozs. or maize meal 8 ozs.)	...	2 0
Tobacco per week	...	0 1½
Salt	...	0 2
Soap per week	...	0 4

Countersigned by Master of Vessel.

To be furnished to Immigration Agent or Customs' officer with report of arrival.

FORM

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FORM K.

Form of Bond to be given by Employer.

Know all men by these presents that we A. B. of C. D. and E. F. of are held and firmly bound unto our Sovereign Lady Victoria by the grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith in the sum of ten pounds of good and lawful money of Great Britain for each Polynesian laborer employed by us to be paid to our said Lady the Queen her heirs and successors to which payment well and truly to be made we bind ourselves and every of us jointly and severally for and in the whole our heirs executors and administrators and every of them firmly by these presents.

Sealed with our seals
Dated this _____ day of
one thousand eight hundred and _____

Whereas by the *Polynesian Laborers Act of 1868* it is amongst other things enacted that all persons desirous of importing laborers from the South Sea Islands shall enter into a bond with two sureties to secure the return of the laborers to their native Islands at the expiration of three years or thirty-nine moons from date of arrival at the rate of ten pounds sterling for each laborer introduced. Now the condition of this obligation is such that if the above-bonded A. B. shall pay to the Immigration Agent at the rate of fifteen shillings per quarter for every Polynesian laborer in his employment for the purpose of providing a return passage for each and every South Sea Islander introduced by him under his application and also all the charges or expenses incurred by the Government of Queensland in connection with the same then this obligation to be void otherwise to remain in full force and virtue.

Signed sealed and delivered by the above-bonded A. B. C. D. and E. F.
in the presence of _____ [L.S.]

I hereby certify that the above bond was duly signed sealed and delivered by the said A. B. C. D. and E. F. in my presence this
_____ day of _____ 18_____

Immigration Agent [or Justice of the Peace].

FORM L.

I hereby certify that the master of the _____ arrived from
on the _____ day of _____ 186_____ has produced to me the necessary certificates
(Form I) that the whole of the laborers on board have voluntarily engaged themselves &c. &c.
2. I further certify that the license (Form O) has been produced in all cases.
3. I also certify that by careful examination of the laborers I have ascertained that they appear to have a proper understanding of the full meaning and effect of the agreements and that they voluntarily entered into the same and that the agreements have been signed in the form prescribed (Form D.)

Dated at _____ this _____ day of _____ 186_____

Immigration Agent [or Officer of Customs].

I certify that this Public Bill, which originated in the Legislative Council, has finally passed the Legislative Council and Legislative Assembly of Queensland.

Legislative Council Chamber,

Brisbane, 10th July 1868.

Wm. Johnson
Clerk of the Parliament.

~~*In the name, and on behalf of the Queen, I assent to this Act.*~~

~~*I assent to this Bill for the Signification of the Queen's Pleasure.*~~
In the name, and on behalf of the Queen, I assent to this Act.

Government House,

Brisbane, 4th March 1868.

M. C. D. Connor

Recorded and enrolled in the office of the Registrar
General at Brisbane upon the 5th day of
March A.D. 1868

Thos. Parkes
Registrar General



[Faint, mostly illegible text, likely a copy of a bill or report.]

I certify that the Public Bill which originated in the Legislative Council
has finally passed the Legislative Council and Legislative Assembly of Queensland.

Legislative Council Chamber,
Brisbane, 1868
Chief of the Parliament

[Faint text at the bottom of the page, possibly a signature or reference.]