The Significance of the Northern Territory in the Formulation of 'White Australia' Policies, 1880-1901

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'No colony could stand the expense of keeping a continuous watch along its borders to prevent an influx of Chinese as long as such a door as Port Darwin remains open'

Vaiben Louis Solomon, *South Australian Weekly Chronicle*, 28 April 1888¹

'...it is not so much the vices or the uncleanness of the Japanese, Chinese, and Malays that we have to fear, but rather their virtues...their industry, their indomitable perseverance, their frugality, and their ability to compete against European labour...as long as these [Chinese] men were doing a little peddling and buying their goods from us, we did not feel where the shoe pinched; but when we found that they were importing goods from Hong Kong, and importing Californian flour at a price lower than that at which we could get it...and selling it at a very small profit...we took action'

Vaiben Louis Solomon, Federal House of Representatives Immigration Restriction Bill Speech,
26 September 1901²

'I am as anxious as yourself to preserve a white Australia, but I will not be a party to gross injustice to aliens, who have been peacefully and respectfully settled in this country'

Vaiben Louis Solomon to Prime Minister Edmund Barton, *Examiner*, 2 June 1903³

Economic motivations for the formulation of Australia's 'White Australia' policies were expressed by contemporaries and have been discussed by scholars. What is worthy of further attention is the significance of the Northern Territory ('the Territory') in the formulation of these policies. Attitudes of European elites in the Territory towards the Chinese coincided with and contributed to national debates. European elites in the Territory who initially supported Chinese migration to the Territory then stressed the Territory's vulnerability to Chinese economic domination to campaign for national

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¹ 'The Chinese Question', *South Australian Weekly Chronicle*, 28 April 1888, 11.

² Commonwealth of Australia, 'House of Representatives Immigration Restriction Bill Speech'.

http://parlinfo.aph.gov.au/parlInfo/genpdf/hansard80/hansardr80/1901-09-26/0025/hansard_frag.pdf;fileType=application%2Fpdf, 3 (accessed 6 January 2016).

³ 'Another Immigration Scandal', *Examiner*, 2 June 1903, 6.

legislation. The same faction later protested the government's unjust application of this legislation to Chinese.

The Northern Territory and 'The Global Colour Line'

From the mid-nineteenth century to mid-twentieth century, governments in countries where significant numbers of Chinese had migrated (sometimes at the invitation of said governments) passed legislation that specifically restricted Chinese, 'Asiatic' or 'coloured' immigrants, whether implicitly or explicitly. These countries were typically those in which British colonies had been established – Australia, New Zealand, the United States, Canada and South Africa. Alison Bashford describes these countries as 'decolonised polities declaring independence' and delineating criteria for ideal members – being white was seemingly prioritised.⁴ In *Drawing the Global Colour Line*, Marilyn Lake and Henry Reynolds demonstrated how these countries' similar approaches to the perceived threat that 'coloured people' posed to white nationhood resulted from consultation and imitation.⁵

As Sucheng Chan, Adam McKeown and Bashford have emphasised, such legislation did not entirely prohibit or expel Chinese immigrants but regulated the entry of Chinese and thus Chinese economic influence.⁶ British officials were desirous of maintaining an 'open door' to trade with China, but colonists were worried that 'the open door might swing both ways, unleashing vast waves

⁴ Alison Bashford, 'Immigration Restriction: Rethinking Period and Place from Settler Colonies to Postcolonial Nations', *Journal of Global History* 9 (2014): 27.

⁵ Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line, White Men's Countries and the Question of Racial Equality* (Melbourne: Melbourne University Press, 2008); for example, Australian and New Zealand governments passed similar Chinese or 'coloured' immigration restriction legislation in 1881, 1888 and 1896, 315; the 1896 meeting of representatives from Canada, Cape Colony, Newfoundland, Natal, New South Wales, Victoria, Queensland, Tasmania, South Australia, Western Australia and New Zealand, 131.

⁶ For example: Sucheng Chan, 'The Exclusion of Chinese Women, 1870–1943', in *Entry Denied: Exclusion and the Chinese Community in America, 1882–1943*, ed. Sucheng Chan (Philadelphia: Temple University Press, 1991), 138; Adam M. McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders* (New York: Columbia University Press, 2008), 126–128, 135, 197; Bashford, 28, 31, 36.

of outward migration from China towards the Antipodes'.⁷ These dual concerns were addressed through various measures: duties; entry taxes (poll or head taxes); limiting the numbers of Chinese permitted entry; education tests; closing avenues of employment, particularly those involving mass labour; and restricting or denying naturalisation. These measures were not always approved by the British government who were concerned about ramifications for their relations with China, Japan and India.⁸ Yet by allowing certain categories of Chinese, such as merchants, to work and travel in and out of countries, governments facilitated and benefited from trade with China. As Mae Ngai commented regarding the American context, race was not 'biological' but a 'socially constructed category of difference'.⁹ By making concessions for some Chinese, governments were, however, unable to achieve exclusively white nations. To reference W.E.B. Du Bois, they could not draw distinct 'colour lines'.¹⁰

The history of discriminatory legislation in Australia illustrates these complexities. Pre-1901, legislation passed by colonies specifically addressed Chinese or 'coloured' immigration, made employment or property regulations for 'Asiatic' or African aliens, or applied duties to goods used by Chinese. Entry regulations and employment opportunities for labourers were particularly limited. Provisions were made to exempt those considered respectable. For example, merchants suffered economic penalties, but could be exempted from entry requirements, together with their households.¹¹

⁷ Benjamin Mountford, *Britain, China, and Colonial Australia* (Oxford: Oxford University Press, 2016), 2.

⁸ For example: McKeown, *Melancholy Order*, 126; John Fitzgerald, 'Equality and the "Unequal Treaties": Chinese Emigres and British Colonial Routes to Modernity', in *Twentieth-Century Colonialism and China: Localities, the Everyday, and the World*, eds B. Goodman and D.S.G. Goodman (New York: Routledge, 2012), 180–96; Jeremy C. Martens, *Empire and Asian Migration: Sovereignty, Immigration Restriction and Protest in the British Settler Colonies, 1888-1907* (Crawley: UWA Publishing, 2018), 2, 78.

⁹ Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, New Jersey: Princeton University Press, 2004), 7.

¹⁰ As quoted in Lake and Reynolds, 1.

¹¹ For example: Joseph Lee, 'Anti-Chinese Legislation in Australasia', *The Quarterly Journal of Economics* 3, no. 2 (1889): 218–24; 'Disabilities of Aliens & Coloured Persons in the Commonwealth and its Territories', 1921, Commonwealth of Australia, A1 1921/13034, National Archives of Australia, Canberra; Cathie R. May, *Topsawyers: The Chinese in Cairns, 1870–1920* (Townsville: History Department, James Cook University, 1984), 287–93; McKeown, *Melancholy Borders*, 127–28; Bashford, 30–31.

The infamous national Immigration Restriction Act 1901, described by Bashford as a seemingly ‘raceless’ act, sought British approval by not mentioning specific races but prohibiting immigrants based on their ability to pass a dictation test administered in a European language if requested by authorities, financial independence, mental and physical health, criminal offences and whether they were contracted labourers.¹² These prohibitions implicitly distinguished between immigrants based on race and class. The majority who failed the test were Chinese.¹³ Exemptions were available to those who were able to obtain exemption certificates and Certificates Exempting from the Dictation Test (CEDTs) for those who were proven to have been previously domiciled. Exemption categories were progressively determined and favoured those considered economically desirable.¹⁴ Gwenda Tavan comments that Australian authorities ‘were never able to enforce the absolute exclusion of Asian immigrants’ and that ‘settlement of some non-Europeans would be tolerated’.¹⁵

Historians have thus critiqued the 1901 Immigration Restriction Act. As John Hirst has shown, by 1901, the fear of Chinese mass immigration was not a legitimate justification for a national immigration policy. This fear had been mostly averted by laws passed by the colonies before and after the 1888 Inter-Colonial Conference on the Chinese Question; 1890s immigration statistics did not indicate Chinese influx was imminent.¹⁶

Bashford considers the Act a ‘declaration of independence’ by the new parliamentarians, defining those who would be denied entry to the new nation-state without mentioning particular

¹² Bashford, 32; No. 17 Immigration Restriction Act 1901, Commonwealth of Australia (1901). Similar mandates featured in the American Immigration Act 1891 and the Natal Immigration Restriction Act 1897 (Martens, 100).

¹³ Barry York, *Immigration Restriction, 1901-1957. Studies in Australian Ethnic History*, no. 1 (Canberra: Centre for Immigration and Multicultural Studies, 1992), 16–38

¹⁴ Kate Bagnall, ‘Anglo-Chinese and the Politics of Overseas Travel from New South Wales, 1898 to 1925’, in *Chinese Australians: Politics, Engagement and Resistance*, eds. Sophie Couchman and Kate Bagnall (Leiden: Koninklijke Brill NV, 2015), 208.

¹⁵ Gwenda Tavan, *The Long, Slow Death of White Australia* (Carlton North, Victoria: Scribe Publications), 2005, 7, 11.

¹⁶ John Hirst, ‘The Chinese and Federation’, in *After the Rush: Regulation, Participation and Chinese Communities in Australia, 1860–1940*, eds Sophie Couchman, John Fitzgerald and Paul Macgregor (Kingsbury, Victoria: Otherland Literary Journal, 2004), 12, 14.

races.¹⁷ McKeown's remark about franchise legislation passed in 1896 by Natal, implicitly restricting rights of Indian immigrants, could describe the Australian 1901 Immigration Act: it was 'invok[ing] civilized qualities rather than racial discrimination'.¹⁸ It implied intellectual, physical, financial and moral characteristics desired in its nation's members – Benedict Anderson's 'imagined community' of a 'deep, horizontal comradeship', or what New South Wales Premier Sir Henry Parkes called in 1890 'the crimson thread of kinship'.¹⁹ Tavan and Ann Curthoys conclude that the Act represented a nation trying to define itself as white, British, European *and* Australian – a 'fragile sense of national unity' against a '(racially defined) external aggressor' (Tavan).²⁰ Like Lake and Reynolds, Jeremy C. Martens found that 'international and imperial considerations' were influential factors.²¹ John Fitzgerald termed the Act part of 'the big white lie' of Australian history because leaders posited the Chinese as contravening white democratic values of 'individualism, egalitarianism and mateship', concealing perverse motives, including economic self-interest.²² Hirst suggests the Act was the Federal Government's commitment to protecting local industries and international trade, appeasing Labor supporters, protectionists and freetraders who 'were close to equal in their parliamentary strength'.²³

Historians such as Henry Reynolds, Regina Ganter, Julia Martínez, Russell McGregor and Lyndon Megarrity have directed attention to the significance of northern Australia in the formulation

¹⁷ Bashford, 33.

¹⁸ McKeown, *Melancholy Order*, 192.

¹⁹ Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso, 2016), https://www.amazon.com.au/dp/B00G2DO172/ref=pe_1007802_166382322_TEM1DP_8; Lyndon Megarrity, *Northern Dreams: The Politics of Northern Development in Australia* (Melbourne: Australian Scholarly Publishing, 2018), 25.

²⁰ Tavan, 14, 19; Ann Curthoys, 'White, British, and European: Historicising Identity in Settler Societies', in *Creating White Australia*, eds Jane Carey and Claire McLisky (Sydney: Sydney University Press, 2009), 3–24.

²¹ Martens, 5, 8–9.

²² John Fitzgerald, *Big White Lie: Chinese Australians in White Australia* (Sydney: University of NSW Press, 2007), viii, 9.

²³ Hirst, 13.

of discriminatory federal legislation.²⁴ Anne Atkinson, Phil Griffiths and Cathie May have particularly investigated how anti-Chinese movements in Western Australia and Queensland contributed to the formulation of such policies.²⁵ Coloured labour was initially regarded as necessary in Queensland and the Northern Territory for the economic development of these tropical climates. Griffiths' study of Queensland's Chinese Immigrants Regulation Act 1877 concluded that 'ruling class agendas' influenced opinions on the Chinese because ruling classes pressured parliaments composed of members from ruling classes. He ponders why few historians have, however, considered 'ruling class agendas' behind Australian immigration policies.²⁶ In comparing the Chinese in Cairns and Atherton, 1876 to 1920, May has found that the degree of competition posed by Chinese merchants and labourers in certain industries shaped the local reception of Chinese and thus anti-Chinese factions.²⁷

The influence of ruling class agendas is clearly evident in the Northern Territory, administered by South Australia from 1863 to 1911 and thereafter by the Commonwealth. Regulations enacted by South Australia restricting Chinese immigration were not applied to the Territory until 1888, leaving the Territory as a 'back door' into Australia for Chinese immigrants. A

²⁴ Henry Reynolds, *North of Capricorn: The Untold Story of Australia's North* (Sydney: Allen and Unwin, 2003); Regina Ganter, 'Mixed Relations: Towards Reconfiguring Australian History', in *Lost in the Whitewash: Aboriginal-Asian Encounters in Australia, 1902–2001*, eds Penny Edwards and Yuanfang Shen (Canberra: Humanities Research Centre, The Australian National University, 2003), 69–83; Ganter, "'Turn the Map Upside Down'", *Griffith REVIEW* 9 (Spring 2005): 77–85; Ganter, *Mixed Relations: Asian-Aboriginal Contact in North Australia* (Perth: University of Western Australia Press, 2006); Julia Martínez, 'Asian Servants for the Imperial Telegraph: Imagining North Australia as an Indian Ocean Colony before 1914', *Australian Historical Studies* 48, no. 2 (2017): 227–43; Russell McGregor, 'Drawing the Local Colour Line: White Australia and the Tropical North', *The Journal of Pacific History* 47, no. 3 (2012): 329–346; Megarrity, 1–27.

²⁵ Anne Atkinson, 'The Responses of Chinese Capital to Social and Economic Restrictions and Exclusions in Western Australia', in *Histories of the Chinese in Australasia and the South Pacific*, ed. Paul Macgregor (Melbourne: Museum of Chinese Australian History, 1995), 29–46; Phil Griffiths, 'The Strategic Fears of the Ruling Class: The Construction of Queensland's *Chinese Immigrants Regulation Act of 1877*', *Australian Journal of Politics & History* 58, no. 1 (2012): 1–19; Cathie May, 'The Chinese in Cairns and Atherton: Contrasting Studies in Race Relations, 1876–1920', in *Histories of the Chinese in Australasia and the South Pacific*, 47–58.

²⁶ Griffiths, 'The Strategic Fears of the Ruling Class', 5, 6.

²⁷ May, 'The Chinese in Cairns and Atherton', 47–58.

common element in the formulation of the 1888 colonial immigration laws and the 1901 Immigration Act was the input of Territory businessman turned federal politician Vaiben Louis (V.L.) Solomon (1853–1908). Like the South Australian Government, Territory European business elites including Solomon initially welcomed the Chinese to the Territory. But as Solomon's words at the beginning of this article indicate, as the Chinese presence in the Territory grew, numerically and economically, so did the anti-Chinese sentiments of Solomon and his associates. This supports May's conclusion that the degree of economic competitiveness posed by the Chinese was a formative influence on opinion. In this case, it was the same people within one community who expressed different views over time. Solomon and his associates sought to influence national opinion and legislation by mobilising anxieties about the Territory being an open door to Asia, that 'the very success of the Chinese [in the Territory] appeared to confirm the failure of the European colonising venture'.²⁸ But like the colonial and federal governments, this faction could not be entirely anti-Chinese. Such seeming inconsistencies in attitudes towards the Chinese illustrate what May describes as a 'disparity between publicly expressed viewpoints and privately held opinions'.²⁹

Previous histories of the Territory have drawn attention to Solomon's contributions to local and national debates about the Chinese, as has Griffiths in a critique of 1880s debates on Chinese immigration.³⁰ Building on this scholarship, this article utilises archival material to analyse the anti-Chinese faction led by Solomon, its motivations and its contributions to national debates regarding the Chinese. Thus, these debates may be seen in the context of Australia's part in blurring the 'global colour line' during this period.

²⁸ Reynolds, 117.

²⁹ May, *Topsawyers*, 145.

³⁰ Timothy G. Jones, *The Chinese in the Northern Territory* (Darwin: Charles Darwin University Press, 2005), 66; Allan O'Neil, 'More Cooperation and Less Conflict: Chinese-European Relationships in South Australia's Northern Territory', *Journal of Northern Territory History* 16 (2005): 80–81; Diana Giese, *Beyond Chinatown: Changing Perspectives on the Top End Chinese Experience* (Canberra: National Library of Australia, 1995), 8; Ian M. Hillock, 'Rethinking Colonial Endeavour in Relation to Agricultural Settlement in the Northern Territory, 1863 to 1945: A Critical Perspective' (PhD thesis, Charles Darwin University, 2005), 200; Phil Griffiths, 'Towards White Australia: The Shadow of Mill and the Spectre of Slavery in the 1880s Debates on Chinese Immigration' (lecture, 11th Biennial National Conference of the Australian Historical Association, Brisbane, 4 July 2002).

The Open Door

The Northern Territory was always going to challenge a White Australia. From around the mid-1700s, trade in goods between southeast Asians, Chinese merchants and indigenous communities of the Territory's northernmost regions resulted in cross-cultural exchanges and polyethnic communities.³¹ By the 1870s, in response to the labour need prompted by the gold rush and concerns about the Territory's challenging climate, the South Australian Government contracted with Chinese merchants to develop the Territory using Chinese labour. The first Chinese labourers arrived from Singapore in 1874.³² Later arrivals were facilitated by Chinese merchants, but also by European businessmen with interests in mining, and shipping and importing labour and goods.

Among these businessmen who supported the early immigration of the Chinese to the Territory were the aforementioned V.L. Solomon and Herbert Henry (H.H.) Adcock (1859–1908). V.L. Solomon was born in Adelaide in 1853 and first visited the Territory with a prospecting party in 1873. By 1877, he had established his own business in Palmerston (as Darwin was called until the Commonwealth assumed administration of the Territory). Initially, Solomon benefited from Chinese immigrants. In 1879, the *Northern Territory Times and Gazette* reported that European merchants were profiting from importing goods more cheaply from Hong Kong, including Chinese staples.³³ Solomon's business imported rice, opium and tea from Hong Kong.³⁴ His business reportedly raked in profits of £300 a fortnight from Chinese customers.³⁵ Chinese also undertook mining and ore-dressing

³¹ See for example: Ganter, *Mixed Relations*; Ganter, "“Turn the Map Upside Down”"; Ganter, 'Mixed Relations'.

³² 'Coloured Labour for Australia', *Northern Territory Times and Gazette*, 24 June 1892, 3; Kathy De La Rue, 'Ruled by Remote Control: The Commonwealth's Role in the History of Darwin, 1911–1978' (PhD thesis, Charles Darwin University, 2014), 63.

³³ 'Northern Territory Times', *Northern Territory Times and Gazette*, 2 August 1879, 2.

³⁴ 'V.L. Solomon and Co.', *Northern Territory Times and Gazette*, 3 August 1878, 1; 'Shipping', *Northern Territory Times and Gazette*, 25 January 1879, 2.

³⁵ 'Northern Territory Times', 2 August 1879, 2.

at his mine at Mt Shooobridge.³⁶ As an employer of Chinese labour, Solomon supported their migration; like many Europeans, he believed Chinese labour was crucial to the Territory's development.³⁷

Herbert Henry (H.H.) Adcock arrived in the Territory in 1877. He worked in his brother's storekeeping business.³⁸ The Adcocks formed a partnership with Victor Voules Brown and traded as Adcock Brothers and, like Solomon, they were involved in shipping and trading with Hong Kong.³⁹ Adcock also had mining interests, and in 1884 became director of a gold mining company⁴⁰. Like Solomon, Adcock originally supported Chinese labour in the Territory's development. Tim Jones credits Adcock for helping to increase the Chinese population in the 1870s through his scheme that paid the steamer passage for Chinese labourers to travel to the Territory from Cooktown.⁴¹

These businessmen were assisted in their endeavours by the government's ongoing support of Chinese immigration through relaxed regulations. Although the South Australian Parliament passed the Chinese Immigration Act 1881 which limited the entry of Chinese to one per ten tons of shipping and instituted a poll tax of £10 per head, these provisions did not apply to the Northern Territory.⁴² Similar regulations were passed in Victoria, New South Wales and Queensland, leaving Western Australia and the Territory as relatively 'open doors' to Chinese labour.⁴³ The authorities had drawn the 'colour line' across Australia, not around it.⁴⁴

Leading European Territory businessmen such as Solomon and Adcock not only facilitated the arrival and employment of Chinese labourers but also socialised with and represented Chinese, particularly merchants. These interactions, which included government representatives, indicate

³⁶ Timothy G. Jones, *Pegging the Northern Territory. The History of Mining in the Northern Territory of Australia, 1873–1946* (Darwin: Department of Business, Industry and Resource Development, 1987), 82.

³⁷ *Northern Territory Dictionary of Biography*, eds David Carment, Christine Edward, Barbara James, Robyn Maynard, Alan Powell and Helen J. Wilson (Darwin: Charles Darwin University Press, 2008, revised ed), 538.

³⁸ Jones, *The Chinese in the Northern Territory*, 16.

³⁹ 'Shipping', *Northern Territory Times and Gazette*, 1 January 1881, 2.

⁴⁰ *Northern Territory Dictionary of Biography*, 5.

⁴¹ Jones, *Pegging the Northern Territory*, 50.

⁴² 44 Vic. No. 213 Chinese Immigrants Regulation Act 1881, South Australia Parliament (1881).

⁴³ McKeown, *Melancholy Order*, 127–28.

⁴⁴ McGregor, 329.

acceptance of the Chinese by some members of the ruling class. In 1882, leading Chinese and European residents dined together at a banquet organised by the Chinese in honour of a visit by a Ministerial party. The Government Resident, Edward Price, chaired the banquet, with merchant Sun Wah Loong as vice-chair, supported by Joseph Skelton, editor and proprietor of the *Northern Territory Times and Gazette*, and Adcock. Price declared in his address that it was due to the Chinese that the Territory enjoyed an 'encouraging and prosperous position'.⁴⁵ Later that year, Adcock chaired a meeting in Southport as to what should be done about Aborigines who murdered Chinese teamsters at Black Flat. Chinese merchants Ping Que (who was a member of the Mining Board and the Progress Association) and Sun Wah Loong were attendees and contributors at this meeting. Adcock appealed to the Government Resident in writing about the issue.⁴⁶

In 1883, Solomon and leading Europeans including Skelton and Jonathan Hillson, manager of the Town and Country Bank, accompanied a Chinese procession commemorating the departure of Price. Solomon gave an address on behalf of the Chinese, expressing their gratitude for Price's support. In response, Price again praised the Chinese contributions to the Territory's economic development, to which the crowd cheered.⁴⁷ Solomon also assisted the Chinese in their court cases, even though he was not a qualified lawyer.⁴⁸ When a magistrate tried to thwart this in 1883, thirteen Chinese merchants unsuccessfully petitioned the authorities to allow Solomon to continue representing them, as they had difficulty engaging legal expertise.⁴⁹ In 1885, the Adcock Brothers unsuccessfully addressed the Government Resident on behalf of merchant Sun Mow Loong and others with their proposal to import and manufacture opium in the Territory.⁵⁰ In 1886, Adcock was listed as

⁴⁵ 'Banquet to the Ministerial Party by the Chinese Residents of Port Darwin', *Northern Territory Times and Gazette*, 25 March 1882, 2–3.

⁴⁶ 'The Late Murder by the Blacks', *Northern Territory Times and Gazette*, 24 June 1882, 2.

⁴⁷ 'The Chinese Demonstration', *Northern Territory Times and Gazette*, 10 March 1883, 3.

⁴⁸ See for example: 'Local Court', *North Australian*, 19 October 1883, 3; 'Law Courts', *Northern Territory Times and Gazette*, 11 November 1882, 2.

⁴⁹ 'Northern Territory Times', *Northern Territory Times and Gazette*, 21 April 1883, 2.

⁵⁰ Adcock Brothers, 'Asking for Sole Right in Preparation of Opium for Seven Years', 1885, Government Resident of the Northern Territory Inwards Correspondence, NTRS 790, A8121, Northern Territory Archives Service, Darwin.

agent for John Ah Lin on a petition of Chinese and Europeans addressed to South Australian Governor Sir William Cleaver Francis Robinson.⁵¹

Solomon and Adcock held positions in which they could influence public opinion. As well as being well-known businessmen, both were frequently elected to the Palmerston District Council – Solomon from the Council's founding in 1874, and Adcock from 1884 to 1892 – including stints as chairman.⁵² Solomon also became proprietor and editor of the *Northern Territory Times and Gazette* in January 1885, a post he held until 1889.⁵³ Under the editorial direction of Skelton and Solomon, the *Northern Territory Times and Gazette* reported interactions between prominent Chinese and Europeans in the early 1880s as if they were ordinary occurrences and the Chinese just members of the community.⁵⁴ In contrast, the *North Australian*, owned by G.W. Mayhew from 1883 until 1886 when he entered into partnership with C.J. Kirkland, was more virulently anti-Chinese. Reports that appeared in the *North Australian* in the 1880s were often critical, derogatory or sarcastic regarding Chinese merchants, or the Chinese as a whole.⁵⁵

Rising Tensions

Some leading Europeans who initially had positive interactions with the Chinese began to feel threatened when Chinese merchants established themselves in industries and when the Chinese began

⁵¹ 'Government Gazette', *Northern Territory Times and Gazette*, 12 June 1886, 2.

⁵² Peter Donovan, 'Vaiben Louis Solomon (1853–1908)', *Australian Dictionary of Biography*, (Canberra: National Centre of Biography, ANU), published first in hardcopy 1990, <http://adb.anu.edu.au/biography/solomon-vaiben-louis-8577> (accessed 5 October 2015, *Northern Territory Dictionary of Biography*, 5.

⁵³ *Northern Territory Dictionary of Biography*, 538.

⁵⁴ See articles mentioned in footnotes, for example, for example, 45, 46, 47. See also 'News and Notes', *Northern Territory Times and Gazette*, 11 July 1885, 2; 'The Manufacture of Opium in Port Darwin', *Northern Territory Times and Gazette*, 17 March 1888, 3.

⁵⁵ See for example: 'Political Meeting', *North Australian*, 10 July 1885, 3; 'The Chinese New Year', *North Australian*, 20 February 1885, 3; 'Another Kick at the Chinese', *North Australian*, 15 October 1886, 2; 'Chinese v. European Labour', *North Australian*, 19 March 1886, 2; 'The North Australian', *North Australian*, 26 November 1887, 2.

to greatly outnumber Europeans on the goldfields. With few immigration controls applied to the Territory, by 1881, the ratio of Chinese to Europeans had grown to about six to one.⁵⁶ Chinese merchants, many of whom had mining interests, drew on transnational business networks to establish businesses that competed with European businesses. Chinese businesses challenged Solomon and Adcock for the Asia trade by also importing goods from Hong Kong, and by supplying labour and other services at competitive prices. In Darwin, Chinese businesses began to dominate Cavenagh Street, a major street which became 'Chinatown'. An 1888 report by Police Inspector Paul Foelsche noted that in Palmerston there were fifty-six Chinese businesses including stores, carpenters, laundries, jewelers, tailors and restaurants.⁵⁷ Even Europeans patronised Chinese businesses.⁵⁸ The *North Australian* remarked snidely in 1887 that 'the Chinaman is THE man for the Territory' because the Chinese dominated retail, services and labour.⁵⁹

Chinese businesses targeted European customers through local newspapers; Chinese firms reportedly accounted for about forty per cent of advertising.⁶⁰ In 1881, Yap Sue Fee's Cavenagh Boot and Shoe Factory advertised on the front page of the *Northern Territory Times*, thanking 'his numerous patrons for their support and recommendation', and informing the 'general public' that he 'imported first-class English Calfskins and Sole Leather' and could 'make prime fitting Oxonians At Fifteen Shillings per pair'.⁶¹ In 1882, Sun Wah Loong, who had stores in Southport and Palmerston, advertised 'Large Shipments' of tea, rice, sugar, clothing and building materials arriving by steamer; the supply of Chinese labourers, carpenters, painters or 'other artisans'; and the willingness to enter into building contracts.⁶² Yee Kee and Company advertised similar goods and services in the *North*

⁵⁶ Shane Stone and Roger Steele, 'Progress of the Chinese Community of the Northern Territory', *Northern Perspective* 18, no. 1 (1995): 28.

⁵⁷ 'The Chinese in the Northern Territory', *South Australian Register*, 17 September 1888, 1.

⁵⁸ McAndrew Chua, 'The Racial Politics of Public Health in 1910s Darwin Chinatown', *Journal of Northern Territory History* 21 (2010): 60.

⁵⁹ 'The North Australian', *North Australian*, 26 November 1887, 2.

⁶⁰ O'Neil, 80.

⁶¹ 'Cavenagh Boot and Shoe Factory', *Northern Territory Times and Gazette*, 30 April 1881, 1.

⁶² Stone and Steele, 29.

Australian in 1884.⁶³ Profits from Chinese advertisements may explain why even a newspaper with an anti-Chinese stance such as the *North Australian* allowed Chinese to advertise.

Probably the earliest anti-Chinese legislation specifically applied to the Territory was not about immigration but taxation. In 1879, a *Northern Territory Times and Gazette* report predicted that once Chinese firms started challenging European firms in the Territory by also importing goods to supply to Chinese customers, authorities would impose duties on such goods.⁶⁴ This came to pass with the 1880 Northern Territory Customs Act and its 1882 and 1886 amendments. These laws were not specifically directed at Chinese, but applied or increased duties on goods such as opium, rice, tea, preserved and dried fish and Chinese oil.⁶⁵ In 1886, thirty-six Chinese storekeepers petitioned Parliament in protest, concerned about the knock-on financial effect on Chinese workers who were their major customers. Parliament was unsympathetic.⁶⁶

The passing of the 1886 Customs Act coincided with discontented rumblings about the Chinese in the Territory. In April 1886, Adcock, as District Council chairman, chaired a ‘large public meeting’ on the Chinese question, attended by about sixty Europeans.⁶⁷ Attendees launched tirades about the Chinese taking over jobs and the country.⁶⁸ The livelihoods of ‘thousands’ of men and women in South Australia were threatened.⁶⁹ When pressed for a response, Adcock demurred. He said the Chinese question was more complex than was presented, that the Chinese had done the Territory much good, and urged those present to careful consideration.⁷⁰ This public statement seems to hint at Adcock’s own ambivalence regarding the Chinese.

⁶³ ‘Yee Kee and Co.’, *North Australian*, 21 March 1884, 2.

⁶⁴ ‘Northern Territory Times’, 2 August 1879, 2.

⁶⁵ 43 and 44 Vic. No. 184 Northern Territory Customs Act 1880, South Australia Parliament (1880); 45 and 46 Vic. No. 254 Northern Territory Customs Act 1882, South Australia Parliament (1882); 49 and 50 Vic. No. 383 Northern Territory Amendment Act 1886, South Australia Parliament (1886).

⁶⁶ ‘House of Assembly: A Chinese Petition’, *South Australian Register*, 6 November 1886, 6.

⁶⁷ ‘Anti-Chinese Public Meeting’, *North Australian*, 2 April 1886, 3.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

The year 1888 was the climax of anti-Chinese sentiment in the Territory, elsewhere in Australia, and overseas (such as in America, Canada, South Africa and New Zealand). Adcock chaired another meeting on the Chinese question in January 1888. Attendees numbered over one hundred.⁷¹ This time, Adcock appeared supportive of the ‘unanimous wish’ of the Territory’s residents that a delegation be formed to rouse other colonies to pressure the South Australian Government to act decisively. The delegation would be composed of Solomon, Mayhew, Kirkland, Adcock and D. Uhr (probably overlander Wentworth Darcy Uhr).

The reported proceedings of this meeting make it clear that the motivations of this anti-Chinese faction were economic. Arguments included: that the interests of the majority of the European population in the Territory had become tied to the Chinese, the Chinese could supply cheap labour, Chinese dominated agriculture, and that Chinese paid insufficient miners’ rights to cover the Warden’s salary.⁷² If the anti-Chinese campaign did not result in a poll tax, then at least ‘revenue of some kind’ could be obtained to ‘make [the Chinese] pay for some of [their] privileges’.⁷³

Economic depression and declining gold production contributed to Solomon and Adcock and company’s apparent about-face. At a banquet honouring Solomon in January 1888, Adcock stated that ‘unless some Chinese restrictive measures are adopted it is certain that there will be no great development in trade and commerce in our time’.⁷⁴ Meaning ‘no great development in [our] trade and commerce’? Both Adcock and Solomon were almost bankrupted that year, with Adcock losing his real estate when the Town and Country Bank collapsed and Solomon suffering from failed mining and pearling ventures.⁷⁵

The authorities were aware that the Territory anti-Chinese faction was motivated by the threat of Chinese commercial success. South Australian Premier Thomas Playford stated in July 1888 that it was evident that:

⁷¹ ‘Anti-Chinese Meeting’, *North Australian*, 14 January 1888, 3.

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Northern Territory Dictionary of Biography*, 5; Donovan, ‘Vaiben Louis Solomon’.

the agitation was started by the very men who had at first welcomed the Chinese, the storekeepers...[In 1880, the Minister for Education, Thomas King,] quoted that very Mr Solomon as in favour of allowing the Chinese to enter the Territory but since then the Chinese had entered into competition with the merchants and storekeepers and they thought differently.⁷⁶

In 1901, Solomon, as a Member of the first federal parliament, told the House of Representatives that when the Chinese in the Territory were

doing a little peddling and buying their goods from us, we did not feel that the shoe pinched; but when we found that they were importing goods from Hong Kong, and importing Californian flour at a price lower than that at which we could get it from Adelaide, and selling it at a very small profit, and that they could live for very much less than we could, we took action...⁷⁷

Although it was specifically the competitiveness of Chinese merchants that sparked anti-Chinese sentiment amongst Solomon and other leading Territory businessmen, the ‘action’ taken by this faction drew on anxieties surrounding the Territory’s vulnerability to Chinese invasion and monopolisation of industries generally to campaign against Chinese immigration. Conversely, this faction insisted that they did not want to see restrictions applied to those Chinese already domiciled in the Territory, even though those Chinese probably included the businessmen whom they had first perceived as a threat.

In April 1888, leading the anti-Chinese delegation, Solomon petitioned the other colonies to restrict Chinese immigration on the basis of the ‘extraordinary progress’ of the Chinese in the Territory. In a memorial that he presented to the premiers of Queensland, New South Wales and Victoria, Solomon claimed that the Chinese were arriving at the somewhat inflated rate of ‘2000 to 3000 per annum’, and were

fast gaining a monopoly of all descriptions of labour, of all trade work, of agricultural pursuits, and of mining...[T]here being no tax upon the Chinese they will continue to flow into the Northern Territory, and must, inevitably, filter into all the colonies on the east...[South Australia] must close the avenue in the North, otherwise the South is not safe...⁷⁸

⁷⁶ Quoted in Hillock, 200.

⁷⁷ Commonwealth of Australia, ‘House of Representatives Immigration Restriction Bill Speech’, 3.

⁷⁸ ‘Chinese in the Northern Territory’, *Border Watch*, 21 April 1888, 4.

[O]ur colony, being so near to China...threatens to become a gateway for Chinese entering the adjoining colonies free of poll tax...their hordes can, if not stopped, easily overrun us and thence penetrate along the railway, and afterwards by means of the stations, into the other colonies. No colony could stand the expense of keeping a continuous watch along its borders to prevent an influx of Chinese as long as such a door as Port Darwin remains open. Hong Kong is only eight days' sail from Palmerston ⁷⁹

Solomon referred to the great divide of northern and southern Australia to emphasise the need for a unified approach to immigration. He played on popular fears that an influx of Chinese through the 'open door' of the poll tax-free Territory was a planned invasion by the Chinese government or Chinese merchants. Such 'invasion narratives' of Chinese takeovers were commonplace by the 1880s in Britain, California and Australia.⁸⁰ In 1887, Jean Isambert, a Member of the Queensland Legislative Assembly, warned that without 'some cast-iron law we shall be overwhelmed by Chinese, not coming so much by sea as from the Northern Territory'.⁸¹ *The Leader* reported in February 1888 that New South Wales Premier Sir Henry Parkes, later known as 'the Father of Federation', thought that the Chinese government was conspiring to invade Australia through the Territory. This fear was shared by Queensland premier Sir Samuel Griffith.⁸² Also in February 1888, the Territory's Government Resident J. Langdon Parsons told South Australian premier Playford that he had intelligence that a syndicate of powerful Hong Kong and Canton merchants was colluding with steamship companies to pour hordes of Chinese into Australia through Darwin.⁸³ These fears were not allayed by the visit of Chinese Commissioners in 1887, nor by an inflammatory cartoon published in the *Boomerang* in July 1888. The cartoon purported to depict Australia in three years' time, with a

⁷⁹ 'The Chinese Question', 11.

⁸⁰ David Walker, *Anxious Nation: Australia and the Rise of Asia 1850–1939* (Perth: UWA Publishing, 2012), 89.

⁸¹ Quoted in Philip Gavin Griffiths, 'The Making of White Australia: Ruling Class Agendas, 1876–1888' (PhD thesis, Australian National University, 2006), 465.

⁸² Phil Griffiths, 'The Road to White Australia: Economics, Politics and Social Control in the Anti-Chinese Laws of 1877–88', philgriffiths.id.au/writings/articles/Road%20to%20white%20australia.rtf (accessed 25 September 2017); 'Chinese Complications at Port Darwin', *Leader*, 25 February 1888, 29–30.

⁸³ 'Chinese Complications at Port Darwin', 29–30.

gleeful Chinese merchant, resplendent in imperial robes, riding a ferocious dragon over the Northern Territory and issuing forth hordes of Chinese spreading over the continent.⁸⁴ The *South Australian Register* reported that in March 1888 Solomon emphasised to Parkes the need to restrict the Chinese in the Territory. Parkes was reportedly ‘flattered’ and ‘pleased to inform’ Solomon that he was addressing the problem.⁸⁵ Solomon was not, however, advocating elimination of the Chinese, suggesting that those already resident in the Territory could remain, under legislation – but that no more should be admitted.⁸⁶

Despite the fact that Solomon was editor of *The Northern Territory Times and Gazette*, he does not seem to have used this position to sway public opinion against the Chinese. Articles published during Solomon’s editorship do not have the obviously anti-Chinese bent of the *North Australian*. Architect J.G. Knight noted in 1888 that as editor of the *NT Times*, Solomon had ‘ever studied the best interests of the public, and had never allowed himself to be actuated by any desire for personal aggrandisement...he had never shown fear or favour’.⁸⁷

Solomon’s campaign was given impetus nationally in April 1888 with the arrival in Melbourne of Chinese from Hong Kong aboard the *Afghan*. Forty-eight of the sixty naturalisation papers held by Chinese passengers were found to be counterfeit.⁸⁸ In exchange for avoiding fines, the captain and shipping company made an agreement with authorities that the passengers would be quarantined ‘under sham concerns’ that they had smallpox.⁸⁹ Anti-Chinese riots broke out in Sydney

⁸⁴ Reproduced in Brian Hoey et al., *Inquiry 1: A Source-Based Approach to Modern History* (Brisbane: John Wiley and Sons, 1996), 337.

⁸⁵ ‘The Chinese Puzzle’, *South Australian Register*, 30 March 1888, 4.

⁸⁶ ‘The Chinese Question’, 11.

⁸⁷ ‘Banquet to V.L. Solomon’, *North Australian*, 14 January 1888, 3.

⁸⁸ ‘Afghan Incident, 1888’, La Trobe University Asian Studies Program, http://arrow.latrobe.edu.au/store/3/4/5/5/1/public/FMPro904c.html?-db=background.fp5&-format=format/background_record.htm&-lay=web&id=2&-max=1&-find= (accessed 5 January 2017).

⁸⁹ Ibid.

(where the *Afghan* sailed on to) and Brisbane. Griffiths believes some politicians turned the *Afghan* case into a ‘political crisis...to force the closure of the “open door” in Darwin’.⁹⁰

Closing the Door (But Only to Some)

Darwin, once viewed as a ‘great opportunity’, had become ‘a major obstacle’ to a white Australia.⁹¹ Discriminatory legislation increasingly attempted to ‘seal off the northern frontier from its Asian neighbours’.⁹² It seems an odd coincidence that in April 1888, Solomon proposed that the Premiers of Australian colonies meet to formulate a united approach to restricting Chinese immigration.⁹³ This essentially occurred two months later when representatives of the colonies met at the Inter-Colonial Conference on the Chinese Question in Sydney. The Conference resolved that restricting Chinese immigration was imperative to Australians’ wellbeing. The number of Chinese that could be carried by ships would be restricted to one per five hundred tons of shipping. The only exceptions would be students, officials, travellers and merchants.⁹⁴ Such regulations were enforced in South Australia’s 1888 Act for the Restriction of Chinese Immigration; no immunity was granted to the Northern Territory.⁹⁵

In 1888, the Northern Territory was permitted representation in the South Australian House of Assembly. In 1890, Solomon was successfully elected as a member (later serving as Premier of the shortest-lived South Australian administration, December 1 to 8, 1899). His major campaign issues were the development of the Territory and the need to restrict Chinese immigration.⁹⁶ Solomon had some input into the South Australian Government introducing further measures limiting economic

⁹⁰ Griffiths, ‘The Road to White Australia’. Further discussion of the national and international impact of the *Afghan* crisis: Mountford, *Britain, China and Colonial Australia*, and Martens, *Empire and Asian Migration*.

⁹¹ Claire Lowrie, *Masters and Servants: Cultures of Empire in the Tropics* (Manchester: Manchester University Press, 2016), 4.

⁹² Ibid.

⁹³ ‘The Chinese Question’, 11.

⁹⁴ Myra Willard, *History of the White Australia Policy to 1920* (Melbourne: Melbourne University Press, 1923), 90.

⁹⁵ 51 and 52 Vic. No. 439 Chinese Immigration Act 1888, South Australia Parliament (1888).

⁹⁶ *Northern Territory Dictionary of Biography*, 538.

activities of Chinese workers and merchants in the Territory.⁹⁷ In 1892, Solomon pushed for amendments to exclude Chinese from obtaining agricultural or mining leases.⁹⁸ He engineered the passing of the 1895 Northern Territory Gold Mining Bill that prevented the granting of gold mining leases to Chinese or Asiatic aliens.⁹⁹

Solomon featured in discussions in the lead-up to the 1901 Immigration Restriction Act. In the debate on the Immigration Restriction Bill in the House of Representatives in September 1901, Solomon called on the government to take a ‘decisive blow’ to the ‘further influx’ of Chinese.¹⁰⁰ In the debate, Solomon recycled anti-Chinese rhetoric from 1888 about the experiences of the Territory regarding the Chinese as a caution to federal parliament:

[T]his Chinese invasion started in 1873 or 1874...owing to the ill-advised action of the Government of that State in permitting the importation of a large number of Chinese for the purpose of providing cheap labour...The result was that the handful of Europeans, then numbering about 1,500, was gradually driven out of that part of the country. There was no trade or industry in which white men had previously engaged that was not invaded by these aliens... There were 7,000 Chinese in the Northern Territory as against 1,000 Europeans...¹⁰¹

Solomon’s shifting attitude towards the Chinese is summed up by a telling remark he made during this debate:

It is not so much the vices...of the Japanese, Chinese and Malays that we have to fear, but rather their virtues...their industry, their indomitable perseverance, their frugality, and their ability to compete against European labour...¹⁰²

This sentiment echoed that of Australian politician W.M. Hughes (‘[Australia will] be a country where no white man can compete with our cheap, industrious and virtuous, but undesirable Japanese

⁹⁷ For a more detailed discussion of the discriminatory legislation against the Chinese in the Northern Territory, see: Natalie Fong, ‘“Your Petitioners Will Ever Pray”: Chinese Merchants and Organised Protest in the Northern Territory, 1880–1920’, *Limina* 22, no. 2 (2017): 31–47.

⁹⁸ Jones, *The Chinese in the Northern Territory*, 65; Giese, 8.

⁹⁹ Jones, *The Chinese in the Northern Territory*, 83.

¹⁰⁰ Commonwealth of Australia, ‘House of Representatives Immigration Restriction Bill Speech’, 4.

¹⁰¹ *Ibid.*, 2–4.

¹⁰² *Ibid.*, 3.

and Chinese friends’).¹⁰³ Famous Sydney-based Chinese merchant Mei Quong Tart tellingly observed, ‘It is not the vice of the poor Chinaman the public dislikes, but his virtues’.¹⁰⁴ These references underscore popular and official attitudes in this period – grudging admiration of the Chinese, yet also fear that they embodied the very values that were considered ‘Australian’. As MP Sir William Lyne responded to Solomon’s comments, ‘that does not say much for our own people’.¹⁰⁵

The 1901 Act was passed with ‘prohibited immigrants’ including: those who failed a fifty-word dictation test which could be administered in any European language, people with mental illness or contagious diseases, criminals, prostitutes and contracted labourers. According to Jones, many members pressured the government to include race-specific terms like those in previous laws, relating to ‘natives of Africa and Asia’; this was rejected by the government as they were desirous of gaining consent from Britain.¹⁰⁶

Exceptions were made for those issued with certificates of exemption, those already domiciled, or wives and children of immigrants not prohibited. Certificates of Exemption were frequently issued to merchants, their families and their staff.

Concessions

Adam McKeown remarks that exemptions granted to merchants by Australian and American governments were indicative of an era in which commercialism was regarded as akin to civility (the Canadian and New Zealand governments also granted concessions for merchants). Thus, Chinese businessmen ‘were also offered grudging acceptance by colonial governments as the key to China trade and effective distribution of industrial and local products’.¹⁰⁷ Darwin Sub-Collector of Customs,

¹⁰³ Lake and Reynolds, 149.

¹⁰⁴ Alison Broinowski, ‘Chinese Remonstrances’, in *Bastard Moon: Essays on Chinese-Australian Writing*, ed. Wenche Ommundsen (Melbourne: Otherland Literary Journal, 2001), 9.

¹⁰⁵ Commonwealth of Australia, ‘House of Representatives Immigration Restriction Bill Speech’, 3.

¹⁰⁶ Jones, *The Chinese in the Northern Territory*, 91.

¹⁰⁷ Adam McKeown, ‘From Opium Farmer to Astronaut: A Global History of Diasporic Chinese Business’, *Diaspora: A Journal of Transnational Studies* 9 (2000): 339. For examples of concessions made for merchants

Alfred Searcy, famously praised the Territory Chinese merchants in 1909: ‘you would not find a better and more straightforward lot of businessmen anywhere’.¹⁰⁸

A 1920 Home and Territories Department memorandum outlined the distinction the Australian government made between merchants and storekeepers and thus how merchants were defined. Merchants were given preference as those ‘engaged in promoting the wholesale overseas trade between China and Australia’, not to be confused with menial ‘retail shopkeepers, hawkers, or labourers’.¹⁰⁹ Canada’s Chinese Immigration Act 1885 made it clear that peddlers were not considered merchants.¹¹⁰ In addition to the granting of Certificates of Exemption, the privileging of merchants in Australia is visually represented with well-known Chinese merchants such as the Territory’s Ah Cheong (of the business Wing Cheong Sing) and Fong How (of Wing Wah Loong) given exemptions from providing handprints on CEDTs.¹¹¹ Both men became patriarchs of large Australian Chinese families.

Just as governments’ legislation made concessions for some Chinese, so too did Solomon and Adcock’s anti-Chinese campaign. As discussed, Solomon made it clear that although he was campaigning for national restrictions of Chinese immigration, he did not want to see measures applied to those Chinese already domiciled.¹¹² The legislation passed by the colonial and federal governments in 1888 and 1901 respectively mostly fulfilled these wishes. Solomon and Adcock were, however, tested by a 1903 incident which forced them to reconsider their support of government legislation.

in other countries see: Canada – Chinese Immigration Act 1885, Chinese Immigration Act 1900, Chinese Immigration Act 1923; New Zealand – *Gazette*, 23 March 1911.

¹⁰⁸ Stone and Steele, 29.

¹⁰⁹ Home and Territories Department, ‘Australian Born Chinese Darwin Representations Re Passport Facilities and Introduction of Wives’, 1920–1932, Commonwealth of Australia, A1 1931/8945, National Archives of Australia, Canberra.

¹¹⁰ ‘Anti-Chinese Immigration Laws in Canada, 1885–1967’, http://www.mhso.ca/chinesecanadianwomen/en/downloads/education/immigration_laws_handout.pdf (accessed 1 June 2018).

¹¹¹ See for example: ‘Certificate of Exemption from Dictation Test - Ah Chong’, 1920–23, Commonwealth of Australia, E752 1920/40, National Archives of Australia, Darwin; ‘Certificate of Exemption from Dictation Test - Fong How’, 1920, Commonwealth of Australia, E752 1919/50, National Archives of Australia, Darwin.

¹¹² ‘The Chinese Question’, 11.

In 1903, three Territory Chinese businessmen were refused the right of domicile despite being residents for many years, because Prime Minister Edmund Barton found no evidence of their domiciled status. Adcock appealed to the Darwin Sub-Collector of Customs testifying that he knew one of the Chinese businessmen, Fong Quan, as a ‘steady and respectable citizen’.¹¹³ Adcock wrote to Solomon, who in turn wrote twice to the Federal Government about the matter. Solomon believed that these men deserved domicile as they had been resident in the Territory for over ten years and were known to be respectable. He told Barton:

...if this does not constitute domicile, I can only say that the sooner the act passed by our Federal Parliament is wiped off our statute book, the better for our British justice...I am as anxious as yourself to preserve a white Australia, but I will not be a party to gross injustice to aliens, who have been peacefully and respectfully settled in this country for many years, before federated Australia was thought of.¹¹⁴

The conflict in Solomon’s stance is clear – the desire to ‘preserve a white Australia’ and ‘British justice’ without causing ‘gross injustice to aliens’. Solomon’s concession that he would rather see the Immigration Restriction Act abolished than ‘be a party to gross injustice to aliens’ seems hypocritical given his public campaign for this legislation. He also revealed more about his class-based proclivities regarding the Chinese immigrants he felt were desirable – those perceived as being ‘peacefully and respectfully settled’. The government’s shifting administration of the Immigration Restriction Act, however, meant that ‘domicile’ could be interpreted to mean Chinese intending to settle permanently ‘rather than evidence of pre-1901 domicile’.¹¹⁵ The Prime Minister maintained his position, refusing to reverse his decision on the case, and requested that Solomon address him more courteously in future.¹¹⁶

Conclusion

¹¹³ ‘Another Immigration Scandal’, 6.

¹¹⁴ Ibid.

¹¹⁵ Michael Williams, ‘Brief Sojourn in Your Native Land: Sydney’s Huaqiao and Their Links with South China During the First Half of the Twentieth Century’ (MLitt thesis, University of New England, 1998), 35.

¹¹⁶ ‘Another Immigration Scandal’, 6.

The significance of the Northern Territory in the formulation of discriminatory legislation in Australia and thus the ‘drawing of global colour lines’ is worthy of greater attention. Chinese immigration to the Territory to fulfil labour needs was initially encouraged by the South Australian authorities through contractual schemes and minimal immigration restrictions. But as the Chinese became numerically and economically dominant over the Europeans, challenging the Europeans’ share of the goods and labour markets, they were perceived as a threat to European colonisation. These factors, combined with economic downturn, motivated a small but vocal faction from the Territory to influence the national agenda by utilising fears regarding the Chinese presence in the Territory to agitate for national legislation. Yet members of this faction also protested against the application of such legislation when it caused ‘gross injustice to aliens’. Restricting Chinese economic success and preventing the further influx of Chinese workers were major motivations. This attitude was reflected in legislation that curbed mass Chinese migration, but like legislation in Canada, New Zealand and the United States, made concessions for Chinese merchants, demonstrating how discrimination was also class-based. Concessions meant, however, that the achievement of a white nation remained an ideal, as evidenced by the legacy of businesses and descendants of Chinese merchants in those countries (and many others) today.

In subsequent years, the Territory continued to figure as a contentious area in policy considerations. Opponents of the 1901 Act argued that agricultural development was essential to maintaining a ‘White Australia’ and populating the ‘empty north’ could help avert Chinese invasion.¹¹⁷ But they insisted that developing northern Australia could only be achieved with coloured labour.¹¹⁸ Several critics suggested that a ‘colour line’ separating northern Australia from southern Australia should be legalised to legitimise development of the north with coloured labour.¹¹⁹ In 1920, a Territory Commission into hygiene and diseases centred around the Territory being a dangerously open gateway to Asia, specifically to ‘Eastern’ diseases. Darwin was one of the first Australian ports of call for steamers travelling from Asia. Newspaper reports dubbed Darwin ‘Dirty Darwin’, the

¹¹⁷ McGregor, 329, 340; Megarrity, 28-32.

¹¹⁸ McGregor, 333-334.

¹¹⁹ Ibid., 324, 341-342.

‘Gateway of Eastern Diseases, The Asian Menace’ through which Eastern diseases might infect the rest of Australia.¹²⁰ Such fears were used to justify the scrutiny of Chinese buildings in Darwin.

As a case study, the Northern Territory exemplifies various arguments made by historians that the global colour lines were not so sharply drawn by the legislation of colonial, then national authorities. Economic factors such as class, trade and competition blurred the lines. As this article has demonstrated, the closer the picture of global race relations is examined, the more complex it becomes.

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¹²⁰ ‘Dirty Darwin’, *The Age*, 12 March 1920, 6; ‘Dirty Darwin’, *Newcastle Morning Herald and Miners' Advocate*, 20 March 1920, 9.