SIR WILLIAM MacGREGOR AND QUEENSLAND

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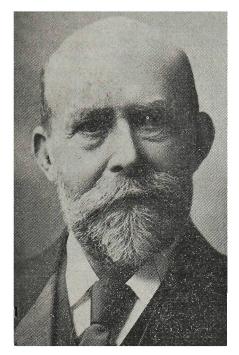
(Read at a Meeting of the Society on 26 April 1973)

Your president in his kind invitation to me to speak to your society did not restrict me in any subject beyond the general title of Sir William MacGregor. In speaking to a Queensland audience I think I should concentrate on his relationship with that colony and State, which was to become his favourite part of Australia.

Twenty years ago, when I last addressed this society, I spoke of the British New Guinea syndicate affair of 1898¹, an affair which placed MacGregor's relationship with Queensland at a low ebb for the then Queensland premier T. J. Byrnes became one of MacGregor's strongest opponents. You may know this affair was one in which MacGregor supported a British company — the British New Guinea syndicate — in its offer to purchase 250,000 acres of New Guinea for economic development. Byrnes criticised him as he believed the syndicate was a danger to the Queensland sugar industry and to Australian national rights as against British rights.

My themes will stem initially from the conflicting points I have mentioned; to trace how MacGregor's relationships with Queensland changed. Thus MacGregor was criticised by Queensland's Premier in 1898, and this criticism was not atypical of the relationship of some Queenslanders to him. Yet his best friend Samuel Walker Griffith was a Queenslander. MacGregor favoured British interests against those of Queensland in 1898, yet he came to defend Queensland's expansion and its sugar industry. MacGregor harshly criticised Queensland's Aboriginal and Torres Strait Islands policies. Yet he was to admit that Australia, including Queensland, was better fitted to rule primitive people than was Britain. Besides this hate/love relationship, my second theme will be the relevance of MacGregor to Oueensland in the present day. In my biography of MacGregor I made this a general point, "how many of . . . [his] policies were not

^{1.} R. B. Joyce, 'The British New Guinea Syndicate Affair', Journal of the Royal Queensland Historical Society, V. 1, 1953, pp. 771-93.



SIR WILLIAM MacGREGOR (A portrait taken during his Qucensland Governorship)

overthrown, and how many of his ideas are still strikingly relevant"². Specifically in regard to Queensland, Mac-Gregor's views are still relevant on where the boundary should lie between Queensland and New Guinea; on policies towards Aborigines and Torres Strait Islanders; on State rights against Federal powers; on University standards and research standards generally — "his insistence on a scientific approach, and on careful research into every problem"³.

EARLIER HOSTILITY

MacGregor's first relationship with Queensland was hostile and arose when he was in Fiji. He had reached Fiji, his second colonial post, in 1875 having been invited by his Governor in the Seychelles (Sir Arthur Gordon) to come and assist him in both medical and administrative tasks.

^{2.} R. B. Joyce, Sir William MacGregor, O.U.P., 1971, pp. 388-9.

^{3.} Ibid, p. 389.

Gordon had been impressed by this young Scottish doctor's devotion to his medical tasks, especially in relation to inspecting African labourers on the Seychelles' sugar plantations where he "secured the detection and punishment of two or three large proprietors who habitually cheated their labourers of a large proportion of their pay and rations. The result . . . [was] most beneficial to the labourers generally and . . . caused a more rigid adherence throughout all the islands of the group to the law and regulations on the subject"⁴. MacGregor's attitude to Queensland partly stemmed from this care for labourers which he continued in Fiji, since he regarded Queensland as a colony which was over-exploiting Pacific Islanders (the so-called Kanakas) to expand its sugar industry.

Yet in Fiji MacGregor became aware of the opposite side of the problem, the need of the colony for finance for development, and how enterprises such as the Australian-based Colonial Sugar Refining Company needed government aid if Fiji — including its Fijian subjects — was to prosper. He argued that only outside investment and continued planter enterprise could keep any form of government going in Fiji and he was unsympathetic with the extremes of those who believed "that the employer of a black or brown man is a cheat and a conspirator . . . A genuine case of bad treatment is far from common here. I would not myself be a manager, overseer or planter in this country for any inducement . . . I am sure that His Excellency will soon see that he must recognise that the employer is also entitled to justice"⁵.

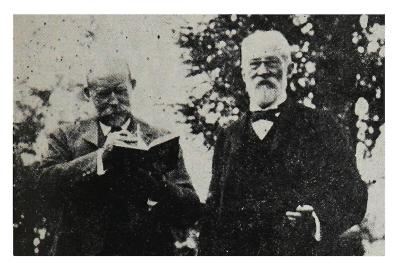
It was an attempt to see both sides of the case that helped to explain my hate/love phrase: he could hate the abuses and excesses of employers with employees; but at the same time appreciate the case of the employers.

CRITICAL OF ABUSES

Likewise with Queensland's policies towards Aboriginals, his views were being shaped before he reached the colony and he was critical of abuses. Generally he thought Queensland's reputation was bad, thus when an ex-Queensland Government agent and sub-lieutenant in the Queensland Navy applied for a position with the Fijian police, Mac-Gregor commented that "it may be doubted that a man with a Queensland 'knowledge of blacks' would be a desirable

Sir Arthur Gordon to Colonial Office, 8 November 1873 Mauritius Archives, Vol. SD 121.

^{5.} MacGregor to Gordon, 17 July 1887, Stanmore Papers, British Museum.



SIR WILLIAM MacGREGOR and SIR SAMUEL GRIFFITH

policeman here"⁶ because of MacGregor's belief in the poor quality of Queensland's policy.

In December 1885 MacGregor went as Fiji's representative to the meeting of the Federal Council in Tasmania. At this time the future of the protectorate of New Guinea, which had been proclaimed a year before in November 1884, was being discussed. MacGregor showed his interest in the fate of the Papuans in his speech in which he argued that their protection must be the prime motive of any administrator who was appointed⁷. Queensland was directly involved, for the President of the Federal Council was a Queenslander, Griffith, and as it seemed inevitable that Queensland, as the adjacent colony to New Guinea and the one which under Sir Thomas McIlwraith had purported to annex the island, would be concerned in its future administration.

FRIENDSHIP WITH GRIFFITH

This was MacGregor's first meeting with Griffith; from it stemmed a close friendship which was to endure throughout

MacGregor minute, 29 November 1886, on W. H. Keays-Young Chapman to Colonial Secretary (Fiji), 29 October 1886, C.S.O. Inwards 86/2236 Archives Fiji and the Western Pacific High Commission, Suva.

Speech, 3 February 1886, Federal Council of Australasia Debates, Hobart Session 1886, pp. 136-7.

their lives. I am involved, too, as my reading of their letters whetted my appetite for attempting the biography of Griffith. a task in which I am now engaged. Why did a friendship develop between these two men? Can such a question be answered? Both were of much the same age, MacGregor was 39, Griffith 40; both were migrants from the British Isles, MacGregor of Scottish parents from the Donside near Aberdeen in Scotland, Griffith of an English father and a Welsh mother from Merthyr Tydfil in Wales; both came from families that were not wealthy, MacGregor's father was a labourer, Griffith's a Congregational minister; both had brilliant University careers, MacGregor beginning in Arts and then turning to medicine (one of his professors said he had "a very complete medical education, is possessed of excellent talents, and has had unusually good opportunities of acquiring a practical acquaintance with the various departments of the profession"8), Griffith completing a brilliant Arts course at Sydney University — with first class honours in Classics, Mathematics and Natural Sciences before turning to his law training; more important, perhaps, were their shared interests in certain questions, immedately relevant was their concern for the treatment of primitive peoples, MacGregor from his years in the Seychelles and in Fiji where he was concerned for the welfare of Polynesians and Indians as well as of the indigenous peoples; Griffith from his concern with Queensland's Kanakas and Aboriginals (even a strong critic of Queensland's Aboriginal policy - Professor J. L. Rentoul of Melbourne University admitted in 1891 that Griffith was "a liberal-minded politician interested in the cause of the Kanakas and Aborigines, and of all oppressed peoples"); or in a different field both MacGregor and Griffith came to share an interest in Italian language and literature, MacGregor becoming one of the main critics of Griffith's translation of Dante. It is clear the friendship developed early. MacGregor's letters to Griffith from the first are relaxed and informal and they exchanged family news as well as commenting on public issues of significance to either of them.

RECOMMENDED FOR NEW GUINEA

The immediate significance of this meeting was its result:

Professor Macrobin to O. C. Waterfield, 3 October 1872, with Waterfield to Meade, 8 October 1872, C.O. 167/549/10707, Public Records Office, London.

^{9.} See Rentoul's criticisms in Brisbane Evening Observer, 19 February 1891, filed at COL A/648, 91/01962, Queensland State Archives, Brisbane.

Griffith became convinced that MacGregor was the best man to be in charge of New Guinea and recommended him strongly when he visited London for the 1887 Colonial Conference. This recommendation, supported by MacGregor's reputation at the Colonial Office, was enough for him to be appointed to the job which he took up in September 1888. Thus the Secretary of State for the Colonies, Sir Henry Thurston Holland supported MacGregor because "Sir Samuel Griffith spoke in the highest terms of Dr. MacGregor and it will be a good thing to get an Administrator persona grata to Queensland"10, while the permanent under-secretary at the Colonial Office, himself an ex-premier of Queensland, Sir Robert Herbert, made the intervention of Griffith even clearer. He wrote that John Bates Thurston (another important official in Fiji) "will no doubt be disappointed at not being selected for this post; and probably he would have been if he had had the advantage, as Dr. MacGregor had, of attending the Federal Council and so making the Australian Governments aware of his capabilities. I told Sir Samuel Griffith that Mr. Thurston is at least as strong a man as Dr. MacGregor, and Sir Samuel Griffith said that might probably be so, but he did not happen to know anything of him personally.

"It is of great importance to appoint a specially able and trustworthy man whom the colonies happen to prefer and as soon as we are in a position to do so I think Dr. MacGregor should be offered the post"¹¹

Clearly Queensland was important in MacGregor's appointment and his love/hate relationship with Queensland was very close liaison between the two. Griffith had been years from 1888 to 1898 in charge of New Guinea. The friendship with Griffith was maintained and while Griffith was Premier from 12 August 1890 to 13 March 1893 there was to continue throughout MacGregor's important ten responsible for drawing up the complicated legislation by which British New Guinea was governed; partly by Great Britain through the Colonial Office which supplied finance for the government's steamer The Merrie England, and partly by those Australian colonies which contributed finance — mainly Queensland, New South Wales and Victoria — and Griffith was determined that the system would work.

Their personal letters show how close they were, while

11. R. G. W. Herbert minute, 15 May 1887, on Ibid.

^{10.} H. T. Holland minute, 12 May 1887, on Griffith to C.O., 12 May 1887, C.O. 422/3/9257, P.R.O.

dispatches confirm the degree of assistance given by Griffith to MacGregor. A typical minute by Griffith in October 1890 reads: "It has given me very great satisfaction to have had the opportunity of assisting Sir W. McG. [William Mac-Gregor] either officially or personally in the work to wh. [which] he devotes the whole of his great ability and industry"¹². Or his comment on MacGregor's 1891 Annual Report that he was aware "before the appointment of Sir W. McG. [William MacGregor] as Admin. [Administrator] of B.N.G. [British New Guinea] of his views as to the opportunity wh. wd. [which would] be afforded in the Possession for making a systematic attempt, such as probably had never been made before, to bring into the path of civilization and industry an almost entirely uncivilized native race without any exploitation of either their land or their capacity for labour . . [MacGregor's administration] hitherto has been conspicuously and remarkably successful and . . . if . . . continued on the same principles the British rule will prove immensely beneficial to the native race and both advantageous and honourable to the Empire"¹³.

Griffith himself drafted letters to New South Wales and Victoria about the parlous state of New Guinea finances, hoping to keep the system he had inaugurated continue: thus he wrote to Henry Parkes and to James Service on 11 November 1890; "I wd. [would] suggest . . . in view of the approaching discontinuance (on 31 March 1892) of the British subsidy to the maintenance of the 'Merrie England' it wd. [would] be desirable to let . . . the unexpected balances from earlier years and any further savings accumulate . . . to be applied towards the cost of this vessel"¹⁴.

RISKS IN EXPLORATION

Griffith himself revised ordinances submitted from New Guinea and was personally concerned at the dangers faced by MacGregor when exploring the island: "The risks wh. [which] he incurred on more than one occasion — notably on 12 March when accompanied by a very small party he was attacked by a large force of bowmen — were very serious and suggest that bearing in mind the great value of Sir W. McG.'s [William MacGregor's] life and services to the Possession and to H.M.'s Service, and the great blow that

^{12.} S. W. Griffith minute, October 1890, on COL A/634, 10867, Q.S.A.

^{13.} S. W. Griffith, handwritten draft, December 1891, on COL A/680, 14078.

^{14.} S. W. Griffith, November 1890, on COL A/637, 11860.

wd. [would] be given to the prestige of the Govt. of B.N.G. [Government of British New Guinea] if any serious harm shd. [should] befall him and his party, and the grave interruption that such a calamity wd. [would] cause to the extension of Govt. [Government] influence in the Possession it wd. [would] be wise that . . . he shd. [should] take more precautions than appear to have been always taken when exploring previously unvisited localities."¹⁵.

This is the Griffith part of the close relationship with Queensland, a closeness which persisted even after Griffith left politics to become Chief Justice of Queensland on 14 March 1893.

But there was another side to MacGregor's relationship with Queensland which led him to despair and almost to resignation. This side began with his discussions in his first months of office with the Governor Anthony Musgrave, who believed that the power of supervision over New Guinea affairs given to Queensland had been given to the Governor personally and not to the Governor with the advice of his Council. Thus Musgrave argued that he need not consult his Cabinet — at that time led by McIlwraith — and a crisis developed. Only the death of Musgrave on 9 October 1888 ended this crisis. It was a tense situation within the Queensland Government as MacGregor told his friend Sir Arthur Gordon: "A dreadful storm was brewing and a very warlike minute [was] prepared by his Cabinet at the moment Sir Anthony died: this document was to show that he was acting contrary to the letter and spirit of the Constitution, in advising me without consulting his Cabinet. I have no doubt he was wrong, and would not, could not have been supported by the Secretary of State"¹⁶.

Musgrave was succeeded as Acting Governor by Sir Arthur Palmer who as an ex-politician and friend of his Premier, McIlwraith, wanted the Queensland Government to have almost sole control of New Guinea, at the expense of the British Government and the other contributing Australian colonies. MacGregor was not happy with this suggestion, especially as he distrusted McIlwraith's policies. He believed with others that McIlwraith's main motive in annexing New Guinea in 1883 had been to control a recruiting field for coloured labour for the Queensland sugar plantations. Griffith had been McIlwraith's main opponent of the use of Pacific Island labourers on the Queensland sugar fields, having passed legislation to control their re-

^{15.} S. W. Griffith, 28 June 1892, on COL A/707, 10103.

^{16.} MacGregor to Gordon, 25 December 1888, Stanmore Papers, B.M.

cruiting and working conditions and eventually in 1886 an Act by which after 31 December 1890 no further licences were to be issued for the introduction of Islanders.

Even if McIlwraith did not have this motive in annexing New Guinea the important fact is MacGregor's belief that he had — hence MacGregor had been disturbed by the defeat of the Griffith ministry (which had been in office since 13 November 1883), in the elections of May 1888. Subsequently McIlwraith had come into power in June, just when MacGregor left Fiji. Herbert at the Colonial Office was displeased that MacGregor had left, for it "may be months before he is required in New Guinea. Sir Thomas McIlwraith may even raise objections to his appointment"¹⁷.

The hate part of the relationship with Queensland was then dominant when MacGregor reached Brisbane, for both the Governor (Musgrave) and the Premier (McIlwraith) were suspicious of MacGregor's powers. MacGregor knew well how awkward was his position, telling Gordon on 25 December 1888: "in Queensland Griffith is a safe, able and enlightened man, but he has been turned out solely and simply because he has been called an Imperialist: and McIlwraith who is an able bully, with a face like a dugong and a temper like a buffalo, has come into power because he has dubbed himself a Nationalist . . . such things . . . [have] a special bearing on British New Guinea. The Possession is a thing of some intrinsic importance but not of such value as to induce the Imperial Government at any time to support a policy here which would be contrary to the wishes of the Queensland Cabinet, or which would at all events evoke from them active opposition. I am thus quite conscious that in any dispute with the Oueensland Government I should have to give in, and therefore I have to be careful to avoid contention. I have no doubt that by working with them loyally I shall obtain much more of my own way than if I were to attempt to ignore them, which would be flying in the face of my Instructions"18.

ON DIFFICULT GROUND

In his difficult position, with a hostile Premier and a friendly Leader of the Opposition (in the person of Griffith) MacGregor trod warily on difficult ground. He told Griffith when he first arrived in August 1888 "I find my position

^{17.} R. G. W. Herbert minute, 19 June 1888, on Thurston to C.O. 18 June 1888, C.O. 83/48/12059, P.R.O.

^{18.} MacGregor to Gordon, 25 December 1888, Stanmore Papers, B.M.

very embarrassing. No one is so well able to advise in such matters as yourself, but I have much reluctance to ask you to study these matters, because on the one hand you are under no official obligation to consider them, and because I am not sure how far it would be loyal on my part to the present Government to consult the Leader of the Opposition . . I have to feel my way with — I need not say the Ministry — the Premier"¹⁹.

He survived McIlwraith, but it was a strain on him as these two obstinate Scotsmen clashed continually. Mc-Ilwraith relinquished the Premiership due to ill health on 30 November 1888 and MacGregor wrote, in relief, three weeks later: "I estimate that I had to bear more insolence from Sir Thomas McIlwraith than I have had to tolerate in the sum total of my previous existence; but somehow I had come to the conclusion that he wished to provoke a quarrel and I made up my mind that I should put up with anything rather than fail to obtain a start"²⁰.

McIlwraith's successor as Premier was Boyd Morehead and MacGregor found his attitudes more reasonable, indeed he commented four years later that as well as Griffith and Morehead "most of the leading men of Queensland are quite sound on New Guinea. McIlwraith would sacrifice it without any compunction, but he is not likely to be ever Premier again, though nothing is more risky than political prognostication in Australia. I do not think there is the least likelihood of any unfair treatment of the place as long as I remain here"²¹.

MacGregor was justified in so far as Queensland politicians were not to interfere much with his control; he was wrong in so far as McIlwraith was Premier just a year after he wrote, from 27 March 1893 to July 1894, when he was succeeded by Sir Hugh Nelson till April 1898 and then by Byrnes whose appointment was to lead to the second error in MacGregor's statement: for though he had good relations with Nelson, in his brief five months of Premiership, Byrnes was to clash with his British New Guinea Syndicate scheme.

I have covered that incident before: it was a burst of Queensland nationalism against Britain; it partly reflected Byrnes' unhappiness at having been slighted in London during the 1897 Jubilee celebrations. In any case it came at the end of MacGregor's governorship and although im-

^{19.} MacGregor to Griffith, 29 August 1888, Griffith Papers, Mitchell Library.

^{20.} MacGregor to Griffith, 21 December 1888, Griffith Papers, M.L.

^{21.} MacGregor to Gordon, 24 March 1892, Stanmore Papers, B.M.

portant in limiting finance available for New Guinea's development, did not personally affect MacGregor.

PERSONALITY CLASH

More serious was MacGregor's earlier clash with Queensland's Governor Sir Henry Norman, a clash that lasted throughout Norman's term from 1889 to 1895. The dispute began because Norman insisted on close control over Mac-Gregor, wanting to see copies of all his dispatches. As well Norman argued that the functions of the Queensland Governor vis-a-vis the New Guinea administration was more than advisory, whereas MacGregor insisted he would accept directions only from the Colonial Office. The clash on principles was accompanied and intensified by the clash between the personalities of the two men. Norman, after 35 years of military and administrative experience, mainly in India, was not disposed in his 60's to accept the arguments of a mere Scotsman in his first appointment as head of a colony.

MacGregor with his natural obstinacy and conviction that his arguments must be right, never found compromise easy, let alone with a representative of the class of military governors that he so disliked. It was a bitter fight, its effects being well illustrated by MacGregor's letters. Thus he wrote to Gordon in October 1889 soon after Norman had been appointed, of a "great and profound disappointment . . . My heart was full of grief before and this finally cracked it . . . He does not know, never can appreciate, the evil he has done . . . I have told him to suppose an artist on fashioning a statue [having] to stand by and see a Commissioner of Police come and smash it up with a sledge hammer because it is not on academic lines, and I have told him that may give some idea of my disappointment . . .

"He cannot help it. He has always been fully occupied, and now he cannot keep out of the St. Vitus dance of affairs. He has had 70 years of motion and now he thinks it should be perpetual. He dare not attempt to cook the Queensland cabbage so he turns his restless hands to my Kail pot ... I fear I am an enthusiast and he an idle, ignorant, unimaginative, unsympathetic busybody ... it would be better to make Sir Henry lay foundation stones in Queensland than to capsize my edifice in British New Guinea; or that he held inspections of hospitals and asylums instead of driving me into one of them"²².

Five years later the two were even more bitter, especially

when Norman queried whether MacGregor's term of office was limited to six years though promising to support his immediate leave of absence. MacGregor bitterly resented Norman's interference and stated flatly that he would never return to New Guinea for he felt "like one of Hobson's horses, tired and jaded, drawing a four-wheeled vehicle, but within sight of home having nearly finished the longer stage [over] hills, ruts, mires and stones.

"The comfortable party in the vehicle wish to drive beyond the changing station to enjoy the landscape. The horse will, if not relieved . . . slip his head out of the collar rather than be driven past by those who think not of his painful joints and quivering muscles . . . they may give the beast a viciously bad character, but they will certainly have to change him or stop"²³.

Eventually, MacGregor contradicted himself and agreed to come back to New Guinea after a leave of a year, for a second term — which was to last for three years. He stipulated certain conditions: improvements in Government House and the Government steamer, so that his wife and family could stay with him; better pay for his leave; certainty that the Government steamer be retained for a further period, and finally that his designation be changed from Administrator to Lieutenant-Governor. The last was the most difficult for the Colonial Office to swallow for it, too, like MacGregor was in an ambivalent position in relation to Queensland: "the real objection . . . is one which we can't offer publicly . . . the popular idea of a Lieutenant-Governor would . . . be someone subordinate to a Governor, and although for purposes of administrative convenience MacGregor is practically controlled by the Queensland Governor, there is nothing in his Letters Patent giving Norman any legal authority over him. People outside are jealously watching our action with regard to New Guinea, and if they see this change made they will assume it to be part of a deep-laid plot to hand over the natives to the care of Queensland planters"24.

THE BORDER ISSUE

The overall picture I have sketched is one of a love/hate relationship marked by co-operation on one hand, and clash on the other. Ironically my next example, with considerable

^{23.} MacGregor to Norman, 5 March 1894, on Norman to C.O. 22 June 1894, C.O. 422/9/8282, P.R.O.

G. V. Fiddes minute, 24 January 1893, on Norman to C.O., 13 December 1892, C.O. 422/7/1149, P.R.O.

relevance to the present, is one which came close to agreement in the 1890's, whereas now in 1973 disharmony and disagreement prevails. The issue is the boundary between New Guinea and Queensland, with which MacGregor was closely concerned. By Letters Patent of 10 October 1878, the Oueensland Coast Islands Act of 1879, and Lord Normanby's subsequent proclamation of 21 July 1879, the Queensland boundary had been ostensibly extended northwards in Torres Strait to include the islands of Saibai, Dauan, Boigu and the Talbot group, all just off the coast of New Guinea²⁵. The extension of Oueensland was related to the future of New Guinea as this extension was made as a result of Australian demands for British annexation of New Guinea. Even if not agreeing to annex, the Imperial Government was interested in preventing "the islands falling into the hands of any foreign Power who might dangerously threaten our coasts"26.

MacGregor visited the western part of his Possession early in his governorship, setting up in 1888 a western division with headquarters at Mabudauan on the mainland of New Guinea not far from Saibai Island. He was also intimately involved in this area by his dealings with the Tugeri tribe who led raids on the western part of the Possession from Dutch New Guinea.

John Douglas had been Queensland's Liberal Premier when the Letters Patent of 1878 had been signed and he was concerned both in the future of New Guinea and in the Torres Strait situation, arguing in 1877 that the boundary extension would give Queensland "real authority to deal with the somewhat doubtful characters" connected with the economically significant pearling industry²⁷. Douglas in 1885 was appointed by Griffith as resident magistrate of Thursday Island and in January 1886 was appointed special commissioner for New Guinea. Soon after this on 1 February 1886 he recommended that the boundary should be moved south for "this is a region in which the native or coloured races will, in all human probability, preponderate. Such a condition of society is not in accordance with the genus of the people of Queensland". This typically Liberal argument

^{25.} The closest analysis of this issue is in P. W. van der Veur Search for New Guinea's Boundaries, A.N.U. Press, Canberra 1966, pp. 21-35, supported by the same author's Documents and Correspondence on New Guinea's Boundaries, A.N.U. Press, Canberra, 1966, pp. 21-53. My account uses some documents not cited by van der Veur, and concentrates on MacGregor and Griffith.

E.P.B. minute, 25 October 1894, citing an 1878 minute, on Norman to C.O., 3 September 1894, C.O. 422/9/18062, P.R.O.

^{27.} Douglas memorandum to Governor Kennedy, 27 December 1877, cited van der Veur, Search, p. 24.

suggested to Douglas a re-adjustment of the boundary which would "involve a transfer to New Guinea of all the islands in the Straits", but he was reluctant to advocate this because of nationalistic reasons, knowing "that young States, quite as much as old States, are particularly sensitive as to their territorial possessions". Yet he finally concluded that "the islands of Torres Strait, including the Prince of Wales Group (just off Cape York), should be transferred to the New Guinea Protectorate"²⁸. This was an extreme proposal, later to be modified even by Douglas who came to advocate the central 10th degree of latitude as the boundary. But it was based on the logic of the situation which was to be taken up by both Griffith and MacGregor.

Griffith visited New Guinea in December 1891 with his two sons, travelling "to see . . . the kind of work . . . Mac-Gregor is doing and has to do". He left Cooktown in the *Merrie England on* 12 December 1891 and travelled round the east end then northwards "along about 500 miles of coast, landing at many places, and visiting all the principal mission stations"²⁹. He was struck by the lack of "any sense of danger" though stressing that "very much depended on . . [MacGregor's] own personal influence and tact"³⁰ with the Papuans. It is possible that the question of Torres Strait was discussed on this visit though no mention of it is made in either despatches or private letters.

GRIFFITH'S VIEW

At the end of the next year 1892 Griffith with Byrnes on a visit to Thursday Island and the northern parts of the colony went to Saibai and Dauan Islands and in January 1893 he, like Douglas, recommended that these islands be put under New Guinea's jurisdiction. He argued that the islands, geographically and ethnologically belonged to New Guinea. As well, as a Liberal he thought, like Douglas, that the laws of Queensland were "framed for the government of civilized and not of primitive people, such as those of Saibai who differ in few if any respects from their neighbours on the mainland of New Guinea", for whom MacGregor was introducing "Regulations for [their] good government . . . with beneficial effect . . . and which takes full cognizance of

^{28.} Douglas, 1 February 1886, Report of Government Resident, Thursday Island, for 1885, Queensland Votes and Proceedings, 1886, 1, pp. 489-93. This document is wrongly dated in van der Veur, Documents, p. 23.

^{29.} Griffith to Viscount Knutsford, 7 January 1892, MSQ 188, pp. 229-30, Dixson Library.

Ibid, also see Griffith to Norman. 2 February 1892, on Norman to C.O., 6 February 1892, C.O. 422/7/5589, P.R.O.

their tribal customs and system of land tenure". He thought his arguments applied not only to Saibai, but also to Dauan, Boigu and the Talbot Group.

He admitted there was one contrary argument, as the people of these islands as well as those of Mabuiag "have for a long time been employed in the Pearl Shell Fishery of which the headquarters are at Thursday Island". If the islands were to be annexed to British New Guinea this employment would be prohibited by MacGregor's native labour ordinance which allowed employment only on vessels which were stationed in the waters of British New Guinea. Griffith thought that this difficulty could easily be overcome by "an Ordinance allowing . . . the engagement of . . . [those] people . . . in the Queensland Fisheries under the laws of Queensland". He therefore recommended that "the islands should be transferred to the Possession of British New Guinea, to which they naturally belong, while the Colony of Queensland would suffer no loss by the transfer"³¹.

Griffith's Government drew a boundary line north of Douglas' 10° suggestion for the consideration of Britain and Sir William MacGregor.

MacGregor made his first comments in March, soon after receiving notification of Griffith's proposal. He claimed to "have long entertained the opinion that the present division of jurisdiction is anomalous and unfair to the Possession". Earlier he had advocated conjoint magisterial jurisdiction in the Straits.

MacGregor based his claim on several grounds. One, the closeness of the boundary to the coast of the Possession. In going either west or east from the Government station at Mabudauan it was "barely possible" to avoid crossing into Queensland. Often he had to seek fresh water at Boigu Island and commented: "Surely the steamer should be able to reach the Station and to anchor there without leaving British New Guinea waters". Two, the fact that many of the islands (he named Saibai, Dauan, Deliverance, Turnagain, the Talbot Group and Warrior) were the natural fishing grounds for Papuans from western British New Guinea, many of whom had no other means of livelihood: "No one can contend that it is an equitable arrangement that Queensland should remain possessed of the valuable fishing grounds of the Straits right up to within less than a bowshot of the mainland of the Possession". Three, the loss of revenue to

Griffith to Norman, 17 January 1893, on Norman to C.O., 3 September 1894, C.O. 422/9/18062, P.R.O.

British New Guinea of these fishing areas. Four, the inhabitants of the islands had close relationships with the New Guinea tribes, and obtained most of their food from the mainland. He disagreed with Griffith's point that they were ethnologically similar, but argued on the ground that they had "intertraded from time immemorial".

He agreed that these islanders should be allowed to work in the Queensland fisheries, but wanted more controls than Queensland imposed for he advocated a "strict prohibition against their being supplied with intoxicating liquor. There is perhaps no Aboriginal race on the globe that would not in fewer generations than could be counted on one hand become extinct if they obtained intoxicating liquor as native labourers do now at Thursday Island".

MacGREGOR'S NEW PROPOSALS

He thought Griffith's boundary line was drawn too far north as it excluded too many fishing grounds, and that Douglas's advocacy of the 10th degree was politically unlikely to be granted, so he drew a line between the two of these which added the Warrior Reef to British New Guinea. One of his comments on nationalism has particular relevance even in 1973: "It is, I am aware, a very unusual thing for any Government or any community to gratuitously and voluntarily cede territory. Such a proceeding seems to be contrary to the general striving of human natures"³².

Griffith had become Chief Justice in the same month as MacGregor made his proposals and not till 17 months later, on 31 August 1894, did the Nelson Government announce that it recommended acceptance of the Griffith line ³³. The British Government saw no objection on their part so action seemed likely. Interestingly, and with some modern relevance, the law officers advised that as an Act of the British Parliament was necessary for annexing territory to a selfgoverning colony the purported transfer in 1879 had been illegal. As John Bramston pointed out "if this is good law the islands have never fully been added to Queensland"³⁴. The law officers repeated their opinion on 27 February 1895, namely that the islands in Torres Strait had not been "legally annexed to and do not form part of Queensland", so there had never been a "complete fusion or incorporation" into

^{32.} MacGregor to Norman, 23 March 1893, on Ibid.

^{33.} Nelson to Norman, 31 August 1894, on Ibid.

^{34.} J. Bramston minute, 29 November 1894, on Ibid.

Queensland³⁵. As a result a special Colonial Boundaries Act of 1895 was passed which ruled that colonial boundaries, which had been either before or after the passing of the Act altered by Order in Council or Letters Patent, were to be accepted. The Act also provided that in future the consent of a self-governing colony was to be required for any later alteration³⁶.

To return from this legal point to the melancholy political story. MacGregor was disappointed that the Nelson Government had ignored his arguments and made his objections clear both by discussion with the Colonial Office when he was on leave in England and Europe from July 1894 to June 1895, and in despatches written in England. He bewailed on 19 March 1895 that the Queensland proposal would "transfer the inhabitants of Dauan, Boigu, and Saibai, but without their fishing grounds" and hoped that the government of Queensland would reconsider as "hitherto [it had] shown such clear and manifest desire to be fair and just in all its dealings with the Possession". In the Colonial Office the feeling was that the "exact line to be drawn is really a matter of indifference" to the British Government, though it was admitted that in logic MacGregor should be supported for his "contentions appear to be well-founded"37. MacGregor was asked by the Colonial Office to state "more particularly the situation of the fishing grounds" and he replied on 2 April that practically all the ground to the north of his boundary line was "fishing ground". Specifically trepang was obtained by Papuans from Warrior Reef, although it was in Queensland. Most pearl-shelling would remain in Queensland waters even if the extreme boundary supported by Douglas was accepted, but MacGregor's boundary "would give a small amount of pearl shell ground" whereas the Griffith line gave fishing "of no value"³⁸.

These objections went back to Queensland but Nelson on 31 August reaffirmed their previous position in support of the Griffith boundary. Thereupon the British Government issued an Order-in-Council on 29 June 1896 to revise the boundary on the basis of the Griffith proposals subject to approval of the Queensland Government³⁹.

^{35.} Law Officers (Reid and Lockwood) to C.O., 27 February 1895, C.O. 422/10/3743, P.R.O.

^{36.} Colonial Boundaries Act, 58-59 Vic. c. 34, relevant section cited in van der Veur, Documents, p. 35.

^{37.} MacGregor to C.O., 19 March 1895, and minute by H.L. thereon, 23 March 1895, C.O. 422/10/5022, P.R.O.

^{38.} MacGregor to C.O., 2 April 1895, C.O. 422/10/5926, P.R.O.

^{39.} Order-in-Council, 29 June 1896, reproduced in van der Veur, Documents, p. 35.

APPEAL ON FISHING RIGHTS

MacGregor on his return to New Guinea had been awaiting the opportunity to visit the islands so that he could more authoritatively answer the questions about which fishing grounds were being used by the islanders. His despatch was written to the Queensland Government on 13 June, and he wrote privately to Griffith, ironically as it was to prove, on the very date of the Order-in-Council. "I am afraid my hard work on these muddy reefs may not be too acceptable to your Government, but it will be found that a case is made out that cannot easily be set aside without a change of boundary in our favour. It was my duty to do this to protect the rights of those that cannot protect themselves. Let us hope that Queensland may be just over it"⁴⁰.

MacGregor based his official despatch on his careful astronomical observations and triangulation which when charted made him sure "that the boundary at present existing or the [Griffith] boundary . . . would, if maintained and insisted upon, inflict a great and unbearable injustice on several of our coast tribes. So clear is this that I entertain no doubt whatever that when the circumstances are known to the Government of Queensland they will be willing to modify their proposals . . this boundary line . . . [puts] a great, perhaps the greater part of the fishing grounds of these tribes on the Queensland side of the line. I wish to say respectfully but clearly and distinctly that these tribes cannot without injustice and oppression be cut off from these fishing grounds any more than they can be deprived of their hereditary garden lands"⁴¹.

He pointed out privately to Griffith some of the practical difficulties of the dispute. Thus there was no real Queensland control in the area. "Frankly I am much in doubt that our natives could be legally punished for fishing there [on the Warrior Reef] for there is not any land belonging to Queensland in sight of these reefs except the tip of Dauan, some 30 miles distant. I have not raised, nor do I intend to raise, this question of jurisdiction for the reason that it might suggest itself to foreigners to put boats there and set both governments at defiance"⁴².

MacGregor wanted a Commission with Douglas representing Queensland and one of his magistrates, Bingham Hely, representing British New Guinea to discuss exactly

^{40.} MacGregor to Griffith, 29 June 1896, Griffith Papers, M.L.

MacGregor to Lamington, 13 June 1896, in Lamington to C.O., 9 October 1896, C.O. 422/10/23770, P.R.O.

^{42.} MacGregor to Griffith, 29 June 1896, Griffith Papers, M.L.

where the boundary should go. Undoubtedly pressed by Griffith the Queensland Government led by Nelson agreed on 5 October to defer approval of Griffith's boundary until MacGregor next visited Brisbane. They did not approve the suggested Commission, not surprisingly as Douglas was still known to favour his 10th degree boundary and would hardly be an advocate of Queensland's insistence on the Griffith line.

But Douglas was called into a private conference with Griffith and Nelson in October 1896 and "a fair compromise" was worked out between the suggested Griffith and MacGregor boundaries. This was that the boundary should run from near Bramble Cay towards the centre of Moon Passage, in the Warrior Reefs, then go westerly eventually passing some three miles south of Turnagain and Deliverance Islands. If this was adopted British New Guinea would gain Saibai, Dauan, Boigu, the Talbot Group, Turnagain and Deliverance Islands, while Queensland would keep Warrior Island on which she placed "considerable importance"⁴³.

COMPROMISE ACCEPTED

MacGregor realized that Queensland had moved towards his position and his next visit to the Straits was "to examine the Moon Passage . . . with a view to the final adjustment of the boundary"⁴⁴, and in his dispatch of 1 April 1897 he virtually accepted the compromise line⁴⁵.

The boundary question was never MacGregor's prime concern, thus in 1897 and 1898 the murder of one of his best officers, John Green, on the Mambare, and the British New Guinea Syndicate affair occupied much of his attention. But he hoped that the boundary question would finally limp to its logical solution. Nelson tried to gain a concession for Queensland, of reciprocal recognition of pearl shelling licences, but MacGregor opposed this, and eventually in February 1898 Nelson asked the British Government to prepare an amended Order-in-Council on the basis of the compromise line. This Order was issued on 19 May 1898 and all seemed once again set for a Queensland law and the end of the issue⁴⁶. Relations were close between Queensland and British New Guinea with Nelson and the Governor,

^{43.} See van der Veur, Search, p. 29.

^{44.} MacGregor to Griffith, 5 February 1897, Griffith Papers, M.L.

MacGregor to Lamington, 1 April 1897, on Lamington to C.O., 20 May 1897, C.O. 422/11/13958 Pro. This also contains discussion of Queensland's proposals.

^{46.} Order-in-Council, 19 May 1898, reproduced in van der Veur, Documents, p. 41.

Baron Lamington, visiting New Guinea in June 1898 and both highly praising MacGregor's efforts⁴⁷.

MacGregor must have been hopeful when he left New Guinea in September 1898 but no Bill was ever introduced to the Queensland Parliament. The issue was raised repeatedly practically every year after he left. Thus in 1901 Le Hunte, MacGregor's successor, urged a solution as the existing boundary was "an inequitable, arbitrary and purely unnecessary injustice to the Possession"⁴⁸. The Common-wealth Constitution had added complications for its Section 123 required that both the Queensland Parliament and its electors needed to approve any boundary change.

Rather out of keeping for his reverence for the Constitution, Griffith as Acting-Governor, presumably because of his desire to end the boundary dispute, suggested on 12 September 1901 by-passing the Queensland electors, but the British Government refused to support this idea "as an inroad on the Constitution" urging that "Queensland must be left to pay the penalty for its laches in not passing an Act" confirming the 1898 Order-in-Council⁴⁹.

In 1903 when Douglas gave a public lecture supporting the 1898 Order as a "fair and reasonable solution of the question" he had public support again from Griffith, now Chief Justice of the High Court of Australia, who in his vote of thanks to Douglas said that once British New Guinea acquired a government in 1888 "it became extremely absurd that some of the islands should be governed by Queensland". Griffith had changed his position since 1901 for he now proposed a referendum of the Queensland electors⁵⁰.

When, for the Commonwealth, Alfred Deakin's Attorney-General, Sir Isaac Isaacs, suggested possible lines of action in 1906, Kidston, then Queensland Premier, merely acknowledged them, and presumably for nationalistic State rights reasons nothing was done⁵¹.

IN GOVERNOR'S ROLE

MacGregor returned to Queensland as Governor late in 1909, eleven years after he had left in hopes that the dispute was over. He realised as Governor of a nationalistic State

51. See van der Veur, Search, p. 33.

^{47.} Lamington to C.O., 1 July 1898, C.O. 422/12/17810, P.R.O.

^{48.} Le Hunte in Annual Report, B.N.G., 1900-01, p. X.

^{49.} Griffith to C.O., 12 September, and minute of J.S.R., 31 October 1901, C.O. 422/14/36742, P.R.O.

J. Douglas, "Maritime Boundary of Queensland", Queensland Geographical Journal, XIX, 5, 1904, pp. 32-6.

acutely aware of its self-governing rights, and acutely aware of criticism from England, that he could not openly criticise the policies of his responsible ministers. Therefore he was hardly likely to write a despatch urging the injustice of the unsettled boundary question. He made his views, however, quite clear in his report of his visit to the Torres Strait islands in 1911, a report which was sent to the Queensland Government as well as to Britain.

I think the message comes out loud and clear in the following passages: "Formerly Murray Island had a brisk trade with the New Guinea coast from the Fly River westward. This was not carried out directly, it was conducted by a privileged tribe at Murray Island through Darnley Island and then by Darnley through Warrior Island. In this tedious and roundabout way the Murray Islanders obtained their canoes from New Guinea, and the Papuans obtained their shell ornaments etc. But all that has been brought to an end by the Customs barrier that has been rigidly maintained during the last half score of years between the Commonwealth and Papua. This rupture of ancient intercourse has been much felt at Murray Island and at other places in the Straits". The second quotation reads: "It appears that intermarriage between the western coast tribes of New Guinea and of those of the islands in the Straits was formerly very common. These inter-marriages will be less frequent now on account of the restrictions imposed on communication"⁵².

But let us leave this issue in 1911, its recent revival is not my immediate subject, to suggest that even with these criticisms of Queensland's inequitable blindness over the border issue MacGregor was not averse to giving praise to Queensland's work in the Torres Straits. He praised the work of the two Commissioners, the late John Douglas and his successor Hugh Milman (for his "human sympathy with these people" based on long experience) and was confident that this was backed by the Home Secretary, George Appel, who he believed was "very sympathetic towards the Aborigines of this State". Overall he concluded that "the island population is not neglected by the Government of Queensland"⁵³.

INTEREST IN ABORIGINES

My argument is that MacGregor always tried to be scrupulously fair in his judgments and the same balance can

^{52.} MacGregor to C.O., 20 July 1911, p. 866 (p. 4 of despatch), Governor's Outward Despatches and Telegrams, GOV 53, Q.S.A.

^{53.} Ibid, p. 889 (p. 26 of despatch).

be seen in most of his arguments about Queensland policy. As the care of primitive people was so much at the centre of his attention, it is very relevant to study his views on Oueensland Aboriginal policy. When he left New Guinea in 1898 he was aware that the Governor of Queensland, Baron Lamington, had written to the Colonial Office, pleading for the continuance of British interest in New Guinea especially because he distrusted Queensland's control. Byrnes, thought Lamington, had no sympathy with the Aborigines who he argued were bound to disappear and as well Byrnes defended the treatment that they had suffered as having been perfectly justifiable⁵⁴. MacGregor returned to a Queensland still under an 1897 Act dominated by the philosophy of smoothing the pillow of the dying race. This was expressed by the Queensland Home Secretary in 1921: "He did not know that there had been any definite policy in Queensland that properly dealt with the treatment of Aborigines. Governments came and went, and, of course, the Aboriginal was a decaying race and was not given much consideration"⁵⁵.

MacGregor had no illusions about the failure of Aboriginal policy in Queensland. Thus the conclusion to a 1914 report he wrote as Governor was pessimistic. "In the vicinity of towns they manage to obtain a certain amount of alcohol, or opium if there were Chinese in the district. Dirt, rags, venereal disease, hunger and exposure are hurrying the native race to extinction, and, so far, it would not appear that there is to be any survival of the fittest in this race any more than the case of the aboriginal Tasmanian, or Beothic of Newfoundland.

"Unless some success attend the stations under the management of the several churches another fifty years (i.e. to 1963) will extinguish the native race in Queensland"⁵⁶.

There was a debate in the Queensland Legislative Assembly in 1913 on the Aborigines in which there was some criticism of the 1897 Act but most attitudes were complacent. Again there were exceptions, even if complacency was dominant in the Home Secretary's Department, thus the responsible minister was George Appel whom Mac-Gregor again praised as being "just, conscientious and

^{54.} Lamington to C.O., Secret, 5 August 1898, C.O. 422/12/20544, P.R.O.

^{55.} Home Secretary, Queensland Parliamentary Debates, CXXXVII, 1921, p. 977.

^{56.} MacGregor to C.O. 23 January 1914, GOV 68, Q.S.A., p. 15 and C.O. 418/125/7631, P.R.O. The Secretary of State, Lord Elgin minuted on 6 March 1914: "This is very sad. Queensland is so short of labour and yet by carelessness, and apparently dishonesty in some cases, these poor people are being rapidly and unnecessarily extinguished. What a good report Sir William Mac-Gregor writes."

[having] humane feelings" and as being seriously concerned in improving the lot of the Aborigines⁵⁷.

MacGregor's evidence came from his touring all over Queensland observing Aborigines in their own camps, where he was struck by the paucity of women and children and that their condition was "wretched in the extreme"58. Specifically he based it on his visit to the Government stations at Barambah (later Cherbourg) and Taroom. At Barambah he thought rations were insufficient; the lock (venereal disease) hospital was poor — it was built of iron and he found the "inmates were outside under blankets they had spread on branches so as to escape the heat of the building and the rays of the sun"; huts were poorly built and equipped; pay was meagre⁵⁹. At Taroom agricultural efforts were hopeless, prickly pear was spreading, there was no education provided nor any medical care given: there was no nurse, most suffered from ophthalmia --- spread by the myriads of house flies; the "Superintendent had no medicine chest; no preserved milk, no arrowroot, no lotion to dress wounds with, no eye lotion for ophthalmia"60.

APPRAISAL OF AUSTRALIANS

These and other blots on Queensland policy sincerely worried MacGregor and he ventilated them in Australia and Britain, hoping for improvement since he believed in Queensland. These blots did not overcome his growing liking for the State, which was becoming more his home than England or Scotland. Part of his motivation for his strong support to the new University of Queensland was his hope to maintain high standards, especially in research which could improve the State⁶¹. For instance, he wanted more scientific investigation of agriculture, especially the sugar industry, the expansion of which — now without Kanaka labour — he supported quite strongly⁶².

Although he finally returned to Scotland he was unhappy there and identified himself more with Queensland and Australia. Thus he wrote to Griffith in 1915: "Perhaps it is natural that in a new country like Australia the human intellect should be more sensitive than it is in the artificial life of this country. Taking the people all round, in England

^{57.} Ibid, pp. 15-16, and Q.P.D., 1913, CXV, pp. 1627-40.

^{58.} MacGregor to C.O., 23 January 1914, p. 15.

^{59.} Ibid, pp. 3-9.

^{60.} I'vid, pp. 9-14.

^{61.} See R. B. Joyce, MacGregor, pp. 361-6.

^{62.} See R. B. Joyce, MacGregor, p. 351.

and in Australia, I am decidedly disposed to say that the Australian, though perhaps not the more learned, is at the same time the better educated and understands better the natural history of man³⁶³.

Despite his criticisms of Queensland's Aboriginal policy he eventually argued that Australians, including Queenslanders, would be better fitted to control primitive people than the British. In 1917 he wrote to Sir Ronald Ferguson - the British Governor-General of Australia - "I have never doubted that the islands of the Western Pacific must become Australian. My administration in Papua was carried on from first to last with that object in view. In the face of the facts that the Commonwealth has the experience gained in Papua, is to remain white, and is the only source from which the island trade can be developed, I am inclined to think that all islands to be taken from Germany west of Fiji might be made dependencies of Australia at once. But should it be deemed desirable that there be a High Commission authority over them, then it must surely be perfectly clear the High Commissioner should be the Governor-General of Australia (i.e. not the Governor of Fiji). To provide otherwise for their administration would be tantamount to saying that the welfare of the islanders could not be entrusted to the Commonwealth, which in the face of the experience of Papua would be very illogical"64.

Logic was his watchword: it was illogical to have the Torres Strait boundary where it was, it was illogical not to accept the changing attitudes towards primitive people in Australia. His views must have been swaved by contact with Liberals such as Griffith. By the year in which he died, 1919, logic had led MacGregor to the conclusion that Australia and New Zealand "now possess a large number of officers better acquainted with the islands and with their inhabitants than could be provided by any other power, even by the Imperial Government itself. The basis upon which native administration has been carried out under the British flag in the Pacific can be studied by anyone in the case of Fiji and Papua . . . since 1906, Papua has been a dependency, and its administration has been under the direct control of the Federal Government. There is, therefore, before the world a practical example of the kind of administration that it may

^{63.} MacGregor to Griffith, 26 February 1915, Griffith Papers, M.L.

^{64.} MacGregor to R. M. Ferguson, 27 November 1917, Novar Papers, 696/7025, Australian National Library.

be safely assumed would be extended under the Federal Government"⁶⁵.

I have tried to illustrate facets of Sir William MacGregor's love/hate relationships with Queensland, and to suggest that his support of research and logic has lessons for the present. Overall both aspects are interrelated, and applicable to many.

If I can conclude on a personal note as an outsider who has also a love/hate relationship with my adopted State of Queensland — I, like MacGregor, often long for more logic. MacGregor could be opinionated and stubborn but his conclusions were based on logical analyses.

^{65.} Interview with MacGregor, published after his death. 'Rule in the Pacific', Sydney Sun, 13 July 1919.