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Afghans passing from state of the commonwealth to another

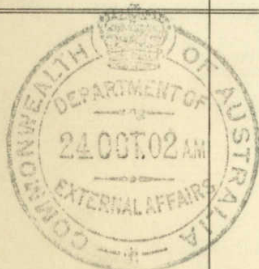
803/02.

ATTORNEY GENERAL.

Minute Paper.

SUBJECT:

AFGHANS PASSING FROM STATE OF THE COMMONWEALTH TO ANOTHER.



Referred by direction to the Minister for External Affairs.

R.K. Ganan

23/10/02. Secretary Attorney General's Dept.

The Secretary,
Department of External Affairs,
Melbourne.

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JOHN R. EDWARDS,
SOLICITOR.

COMMISSIONER FOR AFFIDAVITS FOR
AUSTRALIAN COLONIES.
P.O. BOX, 93.
TELEPHONE No. 12.

ARGENT STREET,

BROKEN HILL, 14th. October, 1902.

The Honorable

The Attorney General for the Commonwealth

M e l b o u r n e

V i c t o r i a .



Sir :

I have been consulted by a number of Afghans in this part of the State who ask that the restrictions upon their passing from one State to the other may be either absolutely removed or modified within reasonable limits.

At the present time no Afghan is permitted to pass the boundary line between South Australia and this State except upon security in a large sum being given to the Customs that he will be returned to the other State within 12 months.

During the present drought it is no exaggeration to say that if it had not been for the Afghan and his Camels, Wilcannia, White Cliffs, Tibooburra, Milperinka and other Towns, each centres of considerable population, would have practically ceased to exist and the Stations back from the Railway line would have long since been abandoned, as owing to want of water for long distances, and the total absence of feed the roads are and have been for months passed practically closed to Bullock drays and horse teams. Most of these Afghans have come from West and South Australia and when the drought breaks and the Camel teams are no longer so urgently needed

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Hon: Attorney General.

will naturally want to return when they will be again stopped at the Border by the Customs Officer.

The number of Afghans in the States is comparatively very small and further immigration is surely sufficiently checked by present existing legislation and no possible injury can be inflicted by permitting those within the borders of the Commonwealth to have free passage from State to State.

My clients recognise the prejudice with which their presence is viewed by a section of the community and they also recognise the increasing influence of that section and the position of any State Government when daring to deal with such a subject, but they respectively urge that having been permitted to land and, up to the present time, live within the Commonwealth, they may surely be relieved from harsh inter-state restrictions affecting their movements and they also recognise that this reasonable amount of liberty can only be granted by the aid of your Parliament.

May I on behalf of these people ask for the prompt and favorable consideration by your Government of their request.

I have the honor to be

Sir,

Your obedient Servant,

Wm. D. Edwards

A 02 / 15 / 20

A.02.75.

Melbourne, 5th . November . 1902.

Sir:-

I have the honour to inform you that your letter of the 14th October addressed to the Attorney General has been referred for the consideration of the Prime Minister.

May I invite your attention to Section 92 of the Constitution which determines that from and after the imposition of uniform Duties intercourse between the States shall be free. As you are, doubtless, aware, the condition mentioned therein was satisfied by the passing of the Tariff Act.

No action in restraint of inter-state intercourse is being taken under the authority of the Federal Government.

Should freedom of transit be interfered with by any State official, the Prime Minister considers that the remedy for such interference should be left to the person aggrieved to obtain it in such a manner as he may be advised in the Courts of the State.

I have the honour to be,

Sir,

Your Obedient Servant,

FILE

Alfred H. H. H.

Secretary.

John R. Edwards Esq.
Solicitor General

BRICKNELL HOUSE

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