

## A deserter's fate: the Dictation Test at work

A 'deserter' in the terminology of the White Australia policy and its guardians in the middle of the 20<sup>th</sup> century was a member of a ship's crew who was not on that ship when it departed its final Australian port. In 1952 Yeung Cheuk was one such deserter and his Department of Immigration file provides us with an inside view of the mechanisms of the White Australia policy at its maturity.<sup>1</sup> Yeung Cheuk's case provides an insight into these mechanisms after some 50 years of evolution and as they operated unhindered by the court appeals, unfavorable publicity or successful evasion that most historical accounts usually favour by way of illustration.<sup>2</sup>

Yeung Cheuk's file is headed: 'Department of Immigration (Sydney Branch)'. It is not a large file compared to the many now stored in the National Archives, running only from March 1952 to the end of 1953, with a final brief spurt of activity of two months in 1968. Nevertheless it bears the initials of at least a dozen individual officers marking its passage through the system as Yeung Cheuk's fate was determined.

The 23 year old, 2<sup>nd</sup> cook, Yeung Cheuk had signed on in the UK port of Liverpool under Captain Jones a bare four months before he disappeared from the S. S. *Menelaus* when it was docked at 9 Walsh Bay, Sydney Harbour.

Yeung Cheuk was last seen on board four days before and an Australian Immigration officer soon recorded the details using his 'Particulars and Description of Deserter' form on 6<sup>th</sup> March 1952. This officer also recorded that

<sup>1</sup> NAA: SP1122/1, 1952/24/1639, Yeung Cheuk [deserter ex MENELAUS]

<sup>2</sup> There are many works on the White Australia policy including most notably A.T. Yarwood, *Asian migration to Australia: the background to exclusion, 1896-1923* (Melbourne University Press, 1964), and Gwenda Tavan, *The long, slow death of white Australia* (Carlton North, Vic.: Scribe, 2005).

Yeung Cheuk had no friends or relatives in Australia, a question this form listed and to which the answer was simply – NIL.

Another question asked by this form was: 'If considered undesirable type'. To which the answer recorded was a terse – YES

With the form completed and an alleged 'prohibited immigrant' (one apparently both friendless & undesirable) now on the loose in Sydney, the wheels of the White Australia policy moved into action. The first turn being the immediate issuing to Captain Jones of a £100 security against any penalty the shipping company may be liable for should Yeung Cheuk not be found. While the next move might be expected to involve some efforts to actually find Yeung Cheuk, in fact, the main paperwork on file continues to concern ensuring that the £100 is paid. The *Menelaus* under Captain Jones having sailed, this involved prosecuting Gilchrist Watt & Sanderson, shipping agents. A matter that came before the courts on 13th June 1952 where Gilchrist Watt & Sanderson pleaded guilty for allowing Yeung Cheuk the enter Australia and were fined £100, plus 12 shillings court costs, and £2 and 2 shillings in professional costs.

**IDENTIFICATION CARD**

Register No. 623

Name in English YEUNG CHEUK

Name in Chinese 楊 仲

Nationality CHINESE

Date and Place of Birth 12.11.1928

CHUNG SHUN, KWANGTUNG

Height

Particular Marks

**PHOTOGRAPHS**

FULL FACE

SIDE FACE

**THUMB PRINTS**

LEFT THUMB

RIGHT THUMB

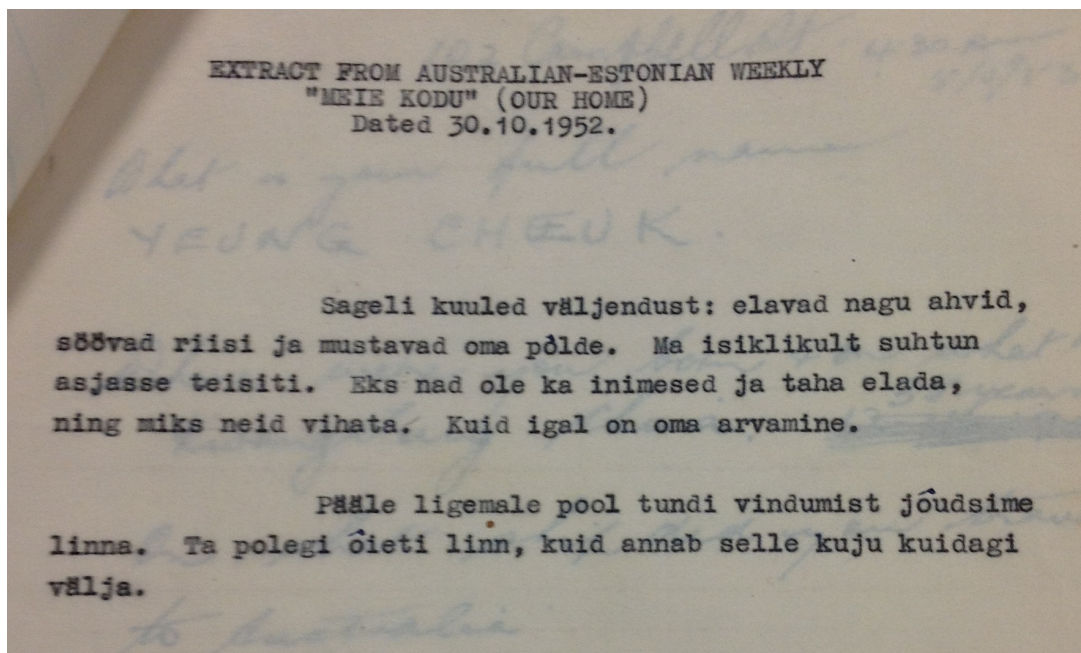
Three months passed while the Commonwealth ensured it would receive its £100, and another three months went by before the Sydney office of the Department of Immigration distributed copies of Yeung Cheuk's ID card to its state counterparts. Acknowledging that his 'whereabouts are at present unknown' the letter requested that should 'he come under notice' that 'urgent advice should be forwarded' to the Sydney office. This notification seems to have included for the first time the Police Department of NSW who in early October also promised to advise should 'Cheuk' come under 'notice'.

Despite the seeming lack of urgency or even much activity in locating Yeung Cheuk, by May 5<sup>th</sup> 1953 he had been tracked down at 102 Campbell Street



Sydney. After a mere 14 months in Sydney Yeung Cheuk was interrogated and formally questioned about his ship and whether he had permission to leave it before it had sailed the year before. To which the reply was an obvious – NO.

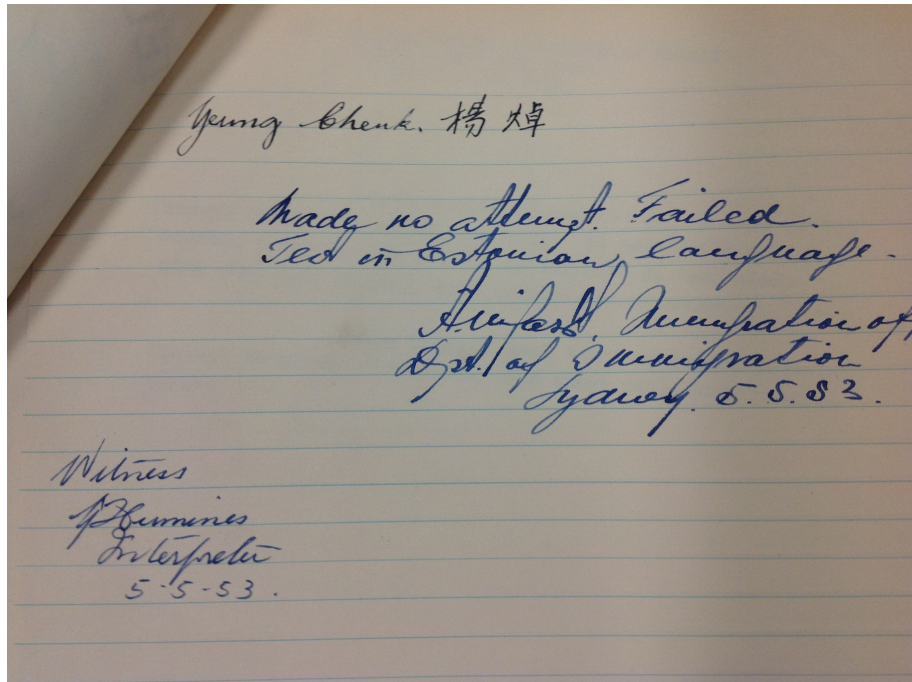
It was at this point that the until no rather humdrum bureaucracy of the White Australia policy showed its true form. Until this point, 2<sup>nd</sup> Cook Yeung Cheuk was merely an alleged 'prohibited immigrant' on the basis of his absence from his ship. On being apprehended it was now necessary to legally transform Yeung Cheuk into a true 'prohibited immigrant' if the Commonwealth was to ensure Yeung Cheuk's removal from Australia and its whiteness preserved. This legal transformation took place when Yeung Cheuk was read a passage of 51 words in length from the Australian-Estonian Weekly.<sup>3</sup>



This of course was the notorious Dictation Test, instituted in 1901 and in 1953 still the legal method for determining a person's status as a prohibited immigrant in Australia. It would remain so for several more years. The trick embedded in this test of course was to ensure that no one passed the test. So while an interpreter was present to ensure Yeung Cheuk understood what was happening, an officer who could understand Estonian read from the Australian-Estonian Weekly (which he presumably brought from home) to ensure that Yeung Cheuk did not in fact understand anything. A test in English was not used because Yeung Cheuk would have revealed that he may have been able to pass a test in this language.

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<sup>3</sup> The Act required a dictated passage of not less than 50 words. This had been changed from the original 'fifty words' which had generated a court defeat when it was found that the exact number of words was not held to.



Yeung Cheuk. 楊焯  
Made no attempt. Failed.  
Test in Estonian Language.  
Chief Immigration Officer  
Dept. of Immigration  
Sydney 5.5.53.  
Witness  
P. Guinness  
Interpreter  
5.5.53.

The test is marked: 'Made no attempt. Failed', and is signed by all participants, the Immigration Officer, the interpreter, and of course by Yeung Cheuk himself, in both English and Chinese.

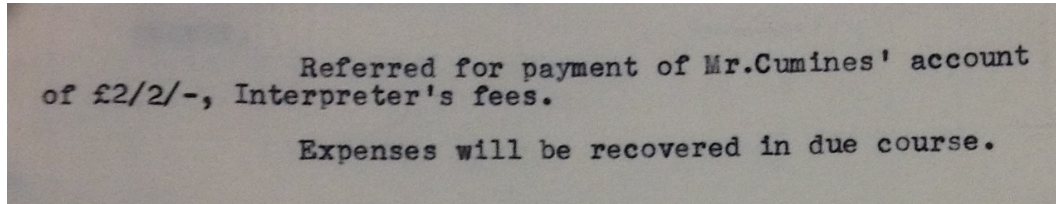
Having failed the test Yeung Cheuk was charged and convicted as a prohibited immigrant in the Philip Street Court of Petty Sessions and sentenced to six months imprisonment 'pending deportation'. Canberra was immediately notified so that a deportation order could be issued. As Yeung Cheuk did not have a passport a form was made out 'in lieu of a passport', which blandly states his reason for traveling as 'returning home'.

This 'in lieu of a passport' form provides an additional clue concerning Yeung Cheuk. This is that he was born in 'Chungshan, Kwantung' or in the county of Zhongshan of Guangdong province. Which tells us that Yeung Cheuk was probably not as friendless as the file had earlier determined. Many Chinese-Australians, particularly in Sydney originated in Zhongshan and in the nature of things would have felt obligated to help a fellow from the same district even if they did not know them personally.

Though in all likelihood Yeung Cheuk did know or was at least related to some people living in 1950s Sydney. The file gives us no clue as to how, but Yeung Cheuk had lived and presumably worked in Sydney for many months before his capture. He naturally did not do this alone.

A few days after failing his test, Canberra was informed and photos sent to the 'British Passport Officer'. Around the same time the shipping agents, Gilchrist Watt & Sanderson, who had the year before been made to pay £100 as a security bond, requested a refund now that their deserter had been found. To this the Commonwealth immediately responded that Gilchrist Watt & Sanderson were

liable to pay for Yeung Cheuk's passage back to 'the place whence he came' and for the cost of keeping Yeung Cheuk while such passage was being arranged. The response of Gilchrist Watt & Sanderson to this was to inform that they were arranging passage and visa's for both Yeung Cheuk and another deserter named Lai Woon.

A photograph of a typed document snippet, likely a ledger or account book entry. The text is typed in a serif font on a light-colored background. The entry reads: "Referred for payment of Mr.Cumines' account of £2/2/-, Interpreter's fees." followed by "Expenses will be recovered in due course." on the next line.

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of £2/2/-, Interpreter's fees.  
Expenses will be recovered in due course.

While these arrangements with the shipping agents were made within a week, it was over a month later before George Cumines the interpreter was paid. He received £2/2, which was £1 and 10 shillings for acting as interpreter in Cantonese during the Estonian Dictation Test and the same for interpreting during the court session in which Yeung Cheuk received his six months term.

It was also around this time that Canberra made some inquiries concerning the efforts Gilchrist Watt & Sanderson had made to find their deserter and whether or not a reward had been offered or paid to assist in finding Yeung Cheuk. Sydney Immigration was able to inform Canberra that no reward had been offered or paid. Though they did say that they obtained their information about Yeung Cheuk 'from a Chinese'. Though whether that person had provided that information on the expectation of receiving a reward is not on file.

By early July 1953 Canberra was informed by 'urgent' teleprinter message that Yeung Cheuk was booked for passage on the *Taiping* the last week in July and was expected to arrive in Hong Kong by the middle of August. In fact the *Taiping* was to carry four Chinese prohibited immigrants, three deserters and one stowaway. But before they were to depart the tax office was required to issue Taxation Certificates. Illegal or not taxes were to be paid.

If four men were departing on the *Taiping*, it seems a total of nine similar cases were actually waiting in Long Bay Gaol. Though in a final count received from the Brisbane office of Immigration, a total of 16 Chinese 'deportees' were on the *Taiping*, including of course Yeung Cheuk, by the time it left Australian waters. All nine in Sydney at least were also sent vaccines to be administered by the gaol authorities. Though vaccinations against what is not clear.

Taxes paid, health secured and the deportation order made out, this last was handed to the Gaoler so Yeung Cheuk could be released for his trip. On July 24<sup>th</sup> 1953 Yeung Cheuk was taken from Long Bay to a police station in Philip Street and held until the following day when he was placed on board ship. As a final gesture impressions of his right and left thumbs were taken.



The bulk of Yeung Cheuk's file after this is a careful calculation of the various costs involved in his deportation. Thus his visa and associated paperwork was charged at £4/3/2. The vaccine was 1/3 (one shilling and three pennies), and the associated certificate 2/6. A week or so later the Comptroller-General of Prisons was asked for the expenses incurred in keeping Yeung Cheuk in prison to which the Comptroller-General informed that £32/10 was the cost of keeping Yeung Cheuk in Long Bay, being for a total of 52 days in gaol at 12/6 per day.

These expenses were gathered together by the Department of Immigration and presented to Gilchrist Watt & Sanderson, including another four shillings and six pence in meals (presumably provided when in the custody of the police rather than in gaol). A further £6/16/1 was added to this bill made up of the previously mentioned, visa, vaccine and certificate charges, as well as a further two days in Brisbane gaol, also at the standard 12/6 per day, plus meals of 8/3 at Townsville and transport at both Brisbane and Townsville of 15/11. Yeung Cheuk, and the other deportees were evidently taken off the *Taiping* while it was in Brisbane and kept in gaol, and again at Townsville.

All this made up a total of some £40. Presumably Gilchrist Watt & Sanderson were eventually refunded the remaining £60 or so from their original £100 bond, though this is not indicated on Yeung Cheuk's file.

Thus at apparently zero cost to the Commonwealth of Australia (not counting the many efforts of the Department of Immigration officials in compiling this file), Yeung Cheuk, 2<sup>nd</sup> Cook, was returned to Hong Kong. He had spent a little over a year in Australia, presumably most or all of it in Sydney. What Yeung Cheuk did while in Sydney over 1952 and 1953 is a mystery as far as this file is concerned. The interest for those who compiled its many letters, memos and reports was that the Immigration Act, including its unwritten upholding of a White Australia, be enforced. This enforcement was carried out through the use of two courts, at least one informer, an interpreter, a gaol, the NSW Police, shipping agents, and an unknown number of immigration officials in Sydney, Canberra and elsewhere.

### Postscript

A final addition to the Yeung Cheuk paperwork occurred in 1967, some 14 years after he last sailed for Hong Kong on board the *Taiping*. These entries show Yeung Cheuk now working aboard the *Ida Clausen*, and requesting permission to leave this ship and return for six weeks to Hong Kong before returning to rejoin his ship. This permission was granted. The final letter in the file notes that Yeung Cheuk departed Australia February 6<sup>th</sup>, 1968. Though with a date of birth some 10 years earlier than that previously recorded, leaving open the possibility that this is another Yeung Cheuk entirely.

